

[REPUBLIC ACT NO. 3658, June 22, 1963]

**AN ACT GRANTING DR. MARIO SERRA TY A FRANCHISE TO
CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD
STORAGE IN EACH OF THE MUNICIPALITIES OF TANDAG, TAGO,
CAGWAIT, BAYABAS AND CORTES, ALL IN THE PROVINCE OF
SURIGAO DEL SUR.**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION. 1. Subject to the conditions imposed by this Act, there is granted to Dr. Mario Serra Ty, hereinafter referred to as the grantee, a franchise to construct, operate and maintain an ice plant and cold storage in each of the municipalities of Tandag, Tago, Cagwait, Bayabas and Cortes, all in the Province of Surigao del Sur, and to sell ice therein and to charge and collect a schedule of prices and rates for the ice and cold storage so furnished, which schedule of prices and rates shall at all times be subject to regulation by the Public Service Commission.

SEC. 2. The grantee shall manufacture and supply ice up to the limit of the capacity of his plants.

SEC. 3. All the apparatus and appurtenances to be used by the grantee shall be modern, safe, and first class in every respect, and the grantee shall, whenever the Congress of the Philippines shall determine that public interest reasonably requires it, change or alter any of his apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee shall not commence the manufacture of ice in the municipalities mentioned herein within one year from the approval of this Act, unless prevented by an act of God, or *force majeure*, martial law, riot, civil commotion, usurpation by a military power or any cause beyond grantee's control, this franchise shall become null and void.

SEC. 5. This franchise is granted subject to the provisions of Commonwealth Act Numbered One hundred forty-six, as amended, only with respect to the fixing of rates, and with the understanding and upon condition that it shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when public interest so requires.

SEC. 6. In the event of any competing individual, association of persons, or corporation receiving from the Congress of the Philippines a similar franchise in which there shall be any term or terms more favorable, than those herein granted or tending to place the herein grantee at a disadvantage, then such term or terms shall *ipso facto* become a part of the terms hereof and shall operate equally in favor of