

**[LTFRB MEMORANDUM CIRCULAR NO. 2010-030,
June 28, 2010]**

**LIFTING OF MEMORANDUM CIRCULAR NO. 2010-009, WHICH
SUSPENDS THE IMPLEMENTATION OF MC NO. 2009-035 [RE:
OPENING OF APPLICATIONS FOR APPROPRIATION OF
ABANDONED AND/OR EXPIRED CPCs IN THE REGIONAL
OFFICES] IN REGION III AND AMENDMENT/MODIFICATION OF
MC NO. 2009-035**

After the issuance and effectivity of Memorandum Circular (MC) No. 2000-035, the Board found the necessity to review the Appropriation Program for Regional Offices which lead to the issuance of MC No. 2010-009 suspending the effectivity of MC No. 2009-035.

Upon compliance with directive of the Board to submit the necessary inventory of CPCs to be considered as abandoned and after assessing the need for transport services, Memorandum Circular (MC) No. 2009-035 (suspending the implementation of the Appropriation Program in Regional Offices) is hereby LIFTED with respect to LTFRB-Region III.

Pursuant to Section 5(i) and (k) of Executive Order No. 202, and for an orderly procedure of all petitions for cancellation and applications for appropriation, the Board hereby adopts the following amendments/modifications under the Appropriation Program for LTFRB-Region III, to wit:

1. The Board allows a total of ONE HUNDRED (100) units for appropriation under PUB denomination. Only brand new units will be accepted under the Appropriation Program.

- Brand new units shall include units which are unused and year model is the current year or year before the application is filed.

2. The applicant must submit proof of the existence of a garage with the corresponding Barangay Clearance and Mayor's permit;

3. The applicant is likewise required to submit an Income Tax Receipt (ITR) for the immediately past three years or appropriate/corresponding proof of financial capacity for new corporation.

4. The applicant shall have at least PESOS: ONE HUNDRED THOUSAND (100,000.00) cash in bank/on hand or other tangible assets.

5. All applications under this Appropriate Program shall have a minimum of two (2) units for each application. The Board may allow an applicant to file more than one application for required minimum number of units, provided that all the applications shall be for brand new units.

6. Aside from the regular fees to be assessed by the Regional Office, an appropriation fee in the amount of PESOS: TWENTY THOUSAND (P20,000.00) per unit shall be assessed and paid/collected before the application is accepted and considered as filed.

7. Prior to the filing of application, any interested party shall inquire and secure from the Office of the Regional Director for available Certificates of Public Convenience (CPC) that could be subject for cancellation and appropriation.

Appropriation under this Program shall cover CPCs which are deemed abandoned from year 1996 to 2001.

In assigning available CPCs, the following guidelines shall be observed:

- Older CPCs shall be appropriated first, and only until all CPCs for said year have been appropriated shall assignment on the following year be allowed.

Example: Abandoned CPCs for the year 1996 should be appropriated and assigned first before appropriation is made for CPCs which expired in the year 1997 and for the subsequent years until year 2001.

- CPCs involving one (1) unit should be appropriated first.

8. After assignment of available CPCs for cancellation and appropriation, the applicant shall secure a Franchise Verification Report pertaining to the CPCs subject of the cancellation and appropriation from the Records Section/Unit with payment of appropriate fees.

9. Applicant shall then file a Petition for Cancellation for Appropriation with the Receiving Section/Unit.

10. Upon receipt of the application, the Receiving Section/Unit shall immediately forward the application to the Records Section/Unit for proper recording.

11. Thereafter, the Records Section/Unit shall issue a Notice of Hearing to the application to the Legal Section/Unit.

12. The Legal Section/Unit shall issue a Notice of Hearing to the applicant within five (5) days from receipt of the application from the Records Section/Unit.

No Second or subsequent Notice of Hearing and/or re-setting shall be allowed.

13. Applicant shall cause the publication of the Notice of Hearing once at least ten (10) days prior to the scheduled date of hearing in a newspaper of regional circulation. Applicant shall also furnish a copy of the Notice of Hearing to the operator/s whose CPC is subject of the Petition for Cancellation and Appropriation at least ten (10) days prior to the scheduled date of hearing.

14. On the date of hearing, applicant shall submit proof of publication and notice to the operator whose CPC is subject of the Petition for Cancellation and Appropriation, as well as other supporting documents.