

**[LTFRB MEMORANDUM CIRCULAR NO. 94-014,
October 17, 1994]**

**ACCEPTANCE OF FRANCHISE APPLICATIONS DURING THE
PENDENCY OF SUPREME COURT CASE G.R. NO. 115381 AND
CASES THAT MAY BE EXEMPTED FROM DOTC DEPARTMENT
ORDER NO. 94-795**

In line with the Memorandum dated 29 August 1994 and 10 October 1994 of Secretary Jesus B. Garcia, Jr. and Undersecretary Primitivo C. Cal, respectively, this Board and its Regional Offices now accept and process applications for franchises to operate public utility vehicle services, provided that the applications meet the following requirements/criteria:

1. Applications involving units procured under existing Government Purchase Programs such as the "Boundary Hulong" Program;
2. Applications for consolidation of franchises by transport cooperatives or by any operator so long as the applications will not involve increase in units or amendment of lines;
3. Applications in new or developmental routes as declared by the DOTC; and
4. Applications for routes where the proposed area of operation is insufficiently served by public transport services as determined by the DOTC based on the certification of concerned local government authorities.

Applications in Items 3 and 4, above, shall first be referred to the DOTC for clearance prior to accepting the same.

However, as enjoined by Undersecretary Primitivo C. Cal in his Memorandum dated 10 October 1994, any franchise application where public necessity and convenience is validly raised as an issue by any oppositor shall not be acted upon during the pendency of Supreme Court Case G.R. No. 115381.

This Memorandum Circular takes effect fifteen (15) days after the filing of three (3) copies hereof with the U.P. Law Center in accordance with Presidential Memorandum Circular No. 11, dated October 9, 1992.

Adopted: 17 Oct. 1994

(SGD.) DANTE M. LANTIN
Chairman
