

[Act No. 3316, December 04, 1926]

AN ACT TO AMEND CERTAIN PROVISIONS OF ACT NUMBERED THIRTY-ONE HUNDRED AND EIGHT, AS AMENDED, ENTITLED "AN ACT CREATING A PUBLIC UTILITY COMMISSION AND PRESCRIBING ITS DUTIES AND POWERS, AND FOR OTHER PURPOSES."

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. The name "Public Utility Commission" appearing in Act Numbered Thirty-one hundred and eight is hereby replaced by "Public Service Commission." Wherever the words "Public Utility Commission" or "Public Utility Commissioner" or "Assistant Public Utility Commissioner" appear in said Act, the words "Public Service Commission," "Public Service Commissioner," and "Assistant Public Service Commissioner" shall, respectively, be substituted in lieu thereof; and wherever the words "public utility" appear in any part of said Act Numbered Thirty-one hundred and eight not amended herein, the same shall be understood to be replaced by "public service." And wherever the word "Commissioner" appears in this Act and in Act Numbered Thirty-one hundred and eight and its amendments, it shall be understood to refer to the Public Service Commissioner and the Assistant Public Service Commissioners.

SEC. 2. Section one of Act Numbered Thirty-one hundred and eight, as amended by section one of Act Numbered Thirty-one hundred and ninety-two, is hereby amended to read as follows:

"SEC. 1. There is hereby created a Commission which shall be designated and known as the Public Service Commission, and which shall be vested with the powers and duties hereafter specified. Whenever the word 'Commission' is used in any section of this Act, it shall be held to mean the 'Public Service Commission.' The Public Service Commission shall consist of a Public Service Commissioner and two Assistant Public Service Commissioners, each of whom shall be citizens of the United States or of the Philippine Islands, residents of the Philippine Islands, members of the Bar of the Philippine Islands, and not under thirty years of age and who shall be appointed by the Governor-General by and with the advice and consent of the Philippine Senate, and shall have the rank and all prerogatives and privileges of judges of Courts of First Instance and shall belong to the Judiciary of the Philippine Islands: *Provided*, That the above provision to the contrary notwithstanding, the present Public Utility Commissioner and Assistant Public Utility Commissioner shall continue to perform the duties of their respective offices on and after the date on which this Act takes effect and shall be known as 'Public Service Commissioner' and 'Assistant Public Service Commissioner.'"

SEC. 3. Section two of Act Numbered Thirty-one hundred and eight, as amended by section two of Act Numbered Thirty-one hundred and ninety-two, is hereby amended to read as follows:

"SEC. 2. The Commissioners shall hold office until removed as hereinafter provided. All the powers herein vested upon the Public Service Commission shall be considered vested upon any of the Commissioners, acting either individually or jointly as hereinafter provided. The Commissioners shall equitably divide among themselves all Pending cases and those that may hereafter be submitted to the Commission, in such form and manner as they may determine, and shall proceed to hear, try, and finally decide the cases assigned to each: *Provided*, That any one of the Commissioners may call the other two when an especially difficult and important matter has come up which in his judgment requires the opinion, advice, aid, and concurrence of the others, for the decision, in joint session, of the question that has arisen or the case that has been submitted, by a majority vote of the Commissioners, and when either of the parties requests it, the three Commissioners may act jointly as a collegiate court to decide the case submitted or question presented by a majority vote of the Commissioners: *Provided, further*, That the Public Service Commissioner shall attend to all administrative business of the Commission, and in case of his absence, illness or incapacity, the Commissioner ranking next highest in emoluments shall do so. The Commissioners may be removed from office for the following reasons and no others: for physical incapacity, misconduct, incompetency, negligence, and irregularity in the performance of their duties, or any act constituting a misdemeanor, in accordance with the procedure prescribed by section one hundred and seventy-three of Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code."

SEC. 4. Section three of Act Numbered Thirty-one hundred and eight, as amended by section one of Act Numbered Thirty-one hundred and fifty-three, is hereby amended to read as follows:

"SEC. 3. The Public Service Commissioner shall receive an annual compensation of twelve thousand pesos; one Assistant Public Service Commissioner shall receive an annual compensation of ten thousand pesos; the other Assistant Public Service Commissioner shall receive an annual compensation of eight thousand pesos, and the Secretary of the Commission shall receive an annual compensation of four thousand five hundred pesos, all to be paid monthly by the Insular Treasurer."

SEC. 5. Section ten of Act Numbered Thirty-one hundred and eight, as amended by section three of Act Numbered Thirty-one hundred and ninety-two, is hereby amended to read as follows: