

**INTRODUCTION TO THE
RULES OF PRACTICE & PROCEDURE
OF THE COMMISSION**

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APPENDICES

1.0 SCOPE

This part provides a summary of the current rules which govern the handling of the various applications made to the Commission. The full text of the rules is provided in Appendix 1 to this part.

2.0 THE RULES – AN OVERVIEW

2.1 General

The existing Rules of Practice and Procedure were promulgated in 1978, when the agency functioned as the Board of Communications. They were issued pursuant to the Public Service Act (CA 146, as amended), and P.D. No. 1,

which empowers the Commission to establish such rules.

The following provide a short summary of each part of the rules. The full text of the rules themselves is included in Appendix I hereto.

2.2 Part I – General Provisions

Rules 1 to 5 describe the scope, the parties, the pleadings and the manner in which applications are to be filed and served. It also deals with how motions are filed, accepted and served.

Rule 6 governs conduct of prehearing conferences held to expedite proceedings.

2.3 Part II – Procedure in Applications

Rules 7 to 9 govern the commencement of a proceeding, the publication of the notice of hearing, and how service may be effected on affected parties.

2.4 Part III – Procedure in Complaints

Rules 10 to 12 govern how hearings are commenced, evidence assessed as to sufficiency and orders and decisions are prepared and issued.

2.5 Part IV – Summary Proceedings

Rule 13 governs the conduct of summary proceedings.

2.6 Part V – Evidence

Rule 14 sets out the rules in the presentation and reception of evidence, and how hearings may be conducted before the Commission for uncontested, contested and complex hearings.

2.7 Part VI – Decisions & Orders

Rule 15 covers the manner in which decisions are rendered and issued. Sec. 3 of the rule describes how provisional relief may be sought, and how such relief may be granted by the Commission at its initiative, or upon motion of the applicant, provided that the hearing is held within 30 days from the date of the decision. The rule also sets out the time frames for the Commission to decide cases after the submission of the case for the resolution.

2.8 Part VII – Reopening, Reconsideration & Appeal

Rule 16 governs motions for reopening or reconsideration.

Motions for reconsideration must be filed with the Commission within fifteen days from the date of the decision.

Rule 17 describes the appeal mechanism, which requires that an application to the Supreme Court be filed within thirty days from the date of receipt of an order or decision of the Commission.

2.9 Parts VIII & XI

These parts deal with administrative matter, including the reconstitution of records, applicability of the rules of court and affectivity of these rules.

Appendix D-1
NTC Rules of Procedures

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TRANSPORTATION
AND COMMUNICATIONS
NATIONAL TELECOMMUNICATIONS COMMISSION
QUEZON CITY

RULES OF PRACTICE AND PROCEDURE
BEFORE THE BOARD OF COMMUNICATIONS

Pursuant to the authority vested upon it by Section 11 of the Public Service Act (C.A. No. 146, as amended), Article II, Chapter IV, Part X of the integrated Reorganization Plan as adopted, approved and made part of the law of the land under Presidential Decree No. 1, the Board of Communications hereby adopts and promulgates the following rules of practice and procedure before the Board.

PART 1 – GENERAL PROVISIONS

Rule 1 – Title and Construction

Section 1. Title. – These rules shall be know and cited as the Rules and Procedures before the Board of Communications.

Sec. 2. Scope. – These rules govern pleadings, practice and procedure before the Board of Communications in all matters of hearing, investigation and proceedings within the jurisdiction of the Board. However, in the broader interest of justice and in order to best serve the public interest, the Board may, in any particular matter, except it from these rules and apply such suitable procedure to improve the service in the transaction of the public business.

Sec. 3. Construction. – These rules shall be liberally construed to protect and promote public interest and to assist the parties in obtaining just, speedy, and inexpensive determination of every action of proceeding.

Sec. 4. Definition – For purposes of these rules, the terms:

- (a) “Plan” shall mean the Integrated Reorganization Plan.
- (b) “Board” shall refer to the Board of Communications.
- (c) “Act” shall refer to C.A. No. 146 as amended.
- (d) “Chairman” shall refer to the Chairman of the Board.
- (e) “En Banc” shall refer to the hearing of cases by at least two regular member.

Rule 2 – Parties

Section 1. Application and Oppositor. – Any person applying to the Board for a Certificate of public convenience and/or necessity for the operation of public communications utilities and services or for any form of authorization within the regulatory powers of the Board shall be called the applicant.

Any person having a substantial interest capable of pecuniary estimation in the application or the subject matter thereof adverse to the applicant and who opposes the application shall be called the oppositor.

Sec. 2. Complainant and Respondent. – Any aggrieved person/s who file a complaint with the Board shall be called the complainant/s and the public service operator complained of shall be called respondent.

Sec. 3. Petitioner and Respondent. – In petitions seeking preventive remedies for violation of certificate of public convenience and/or necessity or any form of authorization or relief from orders, rulings, regulations, standards, specifications or any act of the Board, the one filing the petition shall be called the petitioner and the holder of the certificate of public convenience and/or necessity or authorization sought to be punished or the grantee of the order, authorization, ruling, regulation, standard, specification or any act of the Board from which relief is being sought shall be called the responded.

Sec. 4. Appearance by Solicitor General. – Whenever the Solicitor General appears in behalf of the public in applications for approval of rates, in this Commission, his appearance shall be considered as representative of all individual, consumers or users who have filed their written oppositions to such applications and who are not represented by counsel.

Sec. 5. Appearance by Consumer or Users. – If individual users or entities opposing the application for approval of rates are represented by several attorneys, they shall choose not more than two among themselves who shall be allowed by the Board to conduct the proceedings in behalf of all oppositors.

Rule 3 – Pleadings

SECTION 1. Form. – All pleadings shall be in any of the official languages typewritten or printed double space on legal size white bond paper, and shall be filed in quintuplicate with the Board. Pleading before the Board en banc shall be filed in eight (8) copies. Every pleading shall have a caption, title,

signature and address and shall contain in logical form, a plain, concise and direct statement of the ultimate facts in which the party relies.

SEC. 2. Verification and Supporting Documents. – All pleadings shall be verified and shall be accompanied by affidavits of merit and by such documents as would reasonable tend to establish prima facie the truth of the factual allegations contained therein

SEC. 3. Application. - By means of an application, the applicant seeks authorization or permission to undertake any matter within the regulatory power of the Board under the Act and the issuance of certificate/s of public convenience and/or necessity in appropriate cases. It shall state clearly and concisely the ultimate facts which the claimant claims are sufficient basis for granting the authorization or permission sought. It may add a general prayer for such further relief as may be deemed just and equitable.

SEC. 4. Complaint. - The complaint is a concise statement of the ultimate facts of the matter complained of within the regulatory power of the Board, and shall specify the relief sought.

SEC. 5. Petition. – A petition may be filed by one who may be party to any hearing or proceedings, or is subject tot he jurisdiction of the board concerning a controversy over any matter within the jurisdiction of the Board.

SEC. 6. Answer. – The respondent to whom an order is issued by the Board to show cause or otherwise summoned to answer, shall file an answer in compliance therewith within ten (10) days from receipt of the order. The answer shall admit or deny the material allegations of facts stated in the show cause order or in the complaint or petition. Whenever practicable, the respondent shall state the matters of fact and the law relied upon and shall attach to this answer such documents and affidavits in proof of his allegation.

The respondent may, in his answer, pray for the grant of an affirmative relief.

SEC. 7. Amendment. – Pleading may be amended as a matter of right before the case is set for hearing, and thereafter, they may be amended only with leave of the Board.

If a responsive pleading has been filed by any oppositor or respondent, a copy of the amended pleading should be served to the oppositor or respondent. The latter may amend his opposition or answer within five (5) days from receipt of the amended application, complaint or petition and thereafter only with leave of the Board.

SEC. 8. Amendments to conform to the evidence. – Whenever at a hearing, issues not raised by the pleadings are introduced by the express or implied consent of the parties, they shall be treated in all respects as if they have been raised in the pleadings. If evidence upon new issues is objected to on the grounds that it is not within the issues raised in the pleadings, the Board may allow the pleadings to be amended and such evidence received when it appears that the presentation of the merits of the proceeding will be served thereby without prejudicing the public interest or the rights of the parties. The Board may grant a continuance to enable the objecting party to meet such evidence.

SEC. 9. Directed amendments. – The Board, may, at any time, on its own motion or upon motion of any party, direct a party to amend his pleading in order to state his case more fully or in a more

detailed manner. Such amendment shall be reduced to writing a filed within such time as may be fixed, and shall comply with the requirements of the rule pertaining to the pleading amended insofar as appropriate.

SEC. 10. Withdrawal of pleadings. – At any time, before a responsive pleading is filed, a party may withdraw his pleading by filing notice thereof with the Board. However, withdrawals made by the oppositors of their prior opposition shall be subject to the approval of the chairman or member assigned to hear the case.

Rule 4 – Motion

SECTION 1. Scope and contents. – Every application for any procedural or interlocutory ruling or relief sought may be made by a motion. The Motion shall set forth the ruling or relief and state the grounds therefor, and may be accompanied by supporting affidavits and documents. The requirements of Rule 3 shall apply to all written motions. However, every ancillary motion for provisional authorization or proposed services or rates shall be governed by Section 3 of Rule 15.

SEC. 2. Form. – Unless made in the course of hearing, all motions shall be in writing and copies thereof shall be served upon all parties at least three (3) working days before the hearing hereof. Motions during hearings may be stated orally upon the record, unless the Board requires that such motion be reduced to writing and filed separately.

SEC. 3. Notice. – Written motions shall contain a notice setting the hearing thereof at a specified date and time. However, for good cause shown, the Board may hear a motion on shorter notice.

SEC. 4. Proof of Service. – The Board shall not act upon any motion without proof of service of notice thereof on all parties, except when the Board is satisfied that the rights of the adverse party or parties are not affected. When the service of notice is made by mail, the addressee is deemed to have received the notice within ten (10) days from the date of mailing if the addressee resides in Luzon; fifteen (15) days if the addressee resides in Visayas and Mindanao. Submission of registry receipts together with the affidavit of mailing is sufficient compliance with the proof of service required herein.

SEC. 5. Ex-parte Motions. – Except for motions for provisional authorization of proposed services and increase of rates, ex-parte motions shall be acted upon by the Board only upon showing of urgent necessity therefor and the right of the opposing party is not substantially impaired.

SEC. 6. Evidence on motion. – Allegation of facts in a motion or in an opposition thereto not appearing of record may be proved by affidavits or sworn documents, but the Board may require that the matter be heard wholly or partly on oral testimony.

Rule 5 – Filing, Service of Pleadings And Publication

SECTION 1. Filing. – All pleadings, motions, documents and other papers required or allowed to be filed shall be filed with the Executive Director (now Secretariat) of the Board.

SEC. 2. Acceptance for filing. – Only pleadings, motions, documents, and other papers which conform to the formal requirements of these Rules shall be accepted for filing. Acceptance for filing shall not waive any failure to comply with the Rules and such failures may be cause for striking all or part of such paper filed.

SEC.3. Service upon parties. - All pleadings, documents, and other papers tendered to the Executive Director of the Board for filing shall show proof of service thereof upon all parties tot he proceeding. Such service shall be made by personal delivery or by registered mail, properly addressed, with postage prepaid, of one (1) confirmed copy to each party, together with all annexes attached thereto.

SEC.4. Service upon parties represented by attorneys. - When any party has appeared by attorney, service upon him shall be made upon his attorney or any of his attorneys of record.

SEC.5. Service of orders. - All decisions, orders, and resolutions of the Board shall be serve upon all parties who have entered their appearance, either by personal delivery or by mailing copies thereof to their counsel, if any: otherwise, upon the parties.

SEC.6. Extension of time. - whenever by any order of the Board, a pleading, motion or document is required to be filed within a fixed time or period, the Board may, for a good cause shown, extend the period upon motion made before the expiration of the period fixed. The Board may, upon such terms as may be just, allow or admit any pleading to be filed after the time fixed by these Rules.

Rules 6 - Pre-Hearing Conference

SECTION 1. Purpose. - Whenever the Board finds that a formal hearing should be held on any matter in dispute within the jurisdiction of the Board, it shall set a pre-hearing conference between among the parties together with their attorneys and the Board at such time as the nature of the proceeding and the public interest may permit. For the purpose of attempting agreement on means of expediting the proceeding.

SEC.2. Scope - All parties and their respective attorneys are required to attend a scheduled pre-hearing conference to consider, among others. The following:

- (a) The possibility and advisability of a concerted decree, voluntary compliance or resistance on certain terms and conditions;
- (b) The simplification of the issues;
- (c) The exchange and acceptance of service of exhibits to be offered in evidence;

- (d) The obtaining of admission as to or stipulation of fact, not remaining in dispute, or the authenticity of documents which may properly shorten the hearing;
- (e) The limitation of the number of witnesses;
- (f) Admissibility and competence of evidence proposed to be submitted by a party; and
- (g) Such other matters as may aid in the speedy disposition of the case.

All the parties and their attorneys shall attend the pre-hearing conference. The presence of the party is indispensable unless his counsel is authorized to enter into agreements on any or all the above matters. The parties shall inform each other of the nature and character of the evidence they propose to offer, indicating the purpose of each item of evidence.

SEC.3. Judgement on the pleadings and summary judgment at pre-hearing. - If the pre-hearing of complaints, the Board finds that the facts exist upon which a decision may be made, a decision on the pleadings or a summary decision may be rendered as justice may require.

SEC.4. Record of pre-hearing proceedings. - After a pre-hearing, the Board shall make an order which recites the action taken at the conference, the amendments allowed in the pleading, and/or the agreements made by the parties as to any of the matters considered. Such order shall limit the issues for the formal hearing to those not disposed of by a admission and agreements of the parties and when entered controls the subsequent course of the proceedings, unless modified before the formal hearing to prevent manifest injustice.

PART - II PROCEDURE IN APPLICATION

Rule 7 - Application

SECTION 1. How commence. - Any proceeding the object of which is to obtain a certificate of public convenience or any form of authorization shall be commenced by the filing of the corresponding application and the payment of the required fee.

SEC.2. Content. - The application shall contain a concise statement of the service proposed or authorization applied for, and the ultimate facts that would qualify or entitle the applicant to the grant of the certificate, privilege, or authorization applied for.

When the application is predicated on a franchise, sale, lease, mortgage, or any other contract, such franchise or contract shall be pleaded in the application by alleging in substance its salient provisions and appending to the application a copy of the franchise and contract.

Rule 8 - Notice of Hearing

SECTION 1. Duty of the Executive Director. - After the filing of the application and the payment of the required fees, the Executive Director shall promptly cause the same to be docketed, issue the notice of hearing, and forward it to the proper division of the Board.

SEC.2. Publication and serving. - The applicant shall cause the notice of hearing to be published once in one (1) newspaper of general circulation at least fifteen (15) days before the date of hearing and to serve copies of the same with copies of the application to the affected parties, as furnished by the Board.

Rule 9 - Opposition

SECTION 1. Contents. - Within the time stated in the notice of hearing, a written opposition, not a motion to dismiss, may be filed against an application with a copy served upon the applicant, in which the oppositor shall state concisely his right or interest affected by the application and the ultimate facts constituting all his grounds of opposition, including all grounds for a motion to dismiss.

When any ground for a motion to dismiss is alleged in the opposition, proceeding shall be taken as though a motion to dismiss has been filed.

PART III - PROCEDURE IN COMPLAINTS

Rule 10 - Complaints

SECTION 1. How commenced. - Any action, the object of which is to subject a holder of a certificate of public convenience or authorization or any person operating without authority from the Board to any penalty that may be imposed, or to a disciplinary or other measure that may be taken in the public interest by the Board, for violation by such holders or such person of the provisions of the Act. Or the terms and conditions of this certificate or any order, decision, or regulation of the Board shall be commenced by the filing of a complaint.

SEC.2. Filing. - All complaints based on the official report of the Board or any other person deputized in writing by the Board shall be filed in the name of the appropriate unit of the Board, including all complaints based on the sworn statement of any public utility user, other private individual and those made by any competing operator.

SEC.3. Sufficiency of complaints. - A complaint is sufficient if it contains the name of the complainant or offended party; the name of the respondent; a reference, whenever practicable, of the provision of the Public Service Act, as amended, certificate, order, decision or regulation violated; the acts or omissions complained of as constituting the offence; and the date, hour and place of the commission of the offense.

SEC.4. Separate Allegations. - Whenever two or more offenses are charged in one (1) complaint, each offense must be separately alleged.

Rule 11 - Summons

SECTION 1. Duty of the Executive Director. - After the appropriate unit of the Board has certified that the complaint is sufficient in form and substance in accordance with these Rules, it shall be the duty of the Executive Director to promptly issue the summons together with a copy of the complaint to the respondent.

SEC.2. Contents. - The summons shall be under the signature of the Board Secretary and the Seal of the Board, directing the respondent to answer the complaint within five (5) days from receipt of the summons and to appear and produce evidence on the date and hour stated therein.

Rule 12 - Answer

SECTION 1. Contents. - Within the time stated in the summons, a written answer, not a motion to dismiss, shall be filed with the Board, and a copy thereof served by the respondent to the complainant. The respondent, in his answer, shall admit or deny specifically the material allegations in the complaint, and the state all his lawful defenses, including all grounds for a motion to dismiss.

When any ground for a motion to dismiss is alleged in the answer, proceeding shall be taken as though a motion to dismiss had been filed.

PART IV - SUMMARY PROCEEDINGS

Rule 13 - Order to Show Cause

SECTION 1. When applicable. - Based on the report of an authorized personnel of the Board, or the credible sworn statement of any offended party, the Board instead of acting according to the procedure indicated for complaints, may issue an order directing a respondent operator to appear before the Board within seventy-two (72) hours from his receipt of a copy of the order and show cause why his certificate should not be cancelled or suspended of r the cause stated in the report or complaint.

This summary proceeding shall apply, in the discretion of the Board. Only in cases where the continued acts of the public's utility operator shall cause serious detriment to public interest.

This summary proceeding shall also be applicable in cases of willful or contumacious refusal by an operator to comply within order, rule or regulation of the Board, or any provision of the Public Services Act, as amended, or any provisions of the Plan.

The Board, for good cause, may prior to the hearing suspend for a period not exceeding thirty (30) days any certificate or the exercise of any right or authority issued or granted under the Act or Plan by order of the Board, whenever such step shall in the judgment of the Board be necessary to avoid serious and irreparable damage or inconvenience to the public or to private interests.

SEC.2. Content. - The order to show cause shall include a statement in substance of the violation reported or complained of: and, whenever practicable, there shall be appended to it a copy of the report or complaint upon which the order is based.

PART V – EVIDENCE

Rule 14 - Reception of Evidence

SECTION 1. Hearing before the Board. - All powers necessary to be exercised in the hearing of the cases when vested in the Board shall be considered vested upon the Chairman or any Members thereof acting either individual or jointly as herein provided. The chairman and the Members shall equitably

divide among themselves all pending cases and those that may hereinafter be submitted to the Board in such manner and form as may be determined and shall proceed to hear and determine the cases assigned to each. Provided, however, that: (1) all contested cases and (2) all cases involving the fixing of rates shall be decided by the Board en banc and the affirmative votes of at least two (2) regular members shall be necessary for the promulgation of the decision or a non-interlocutory order in the aforesaid cases and provided, further, that where the hearing for the reception of evidence has been delegated to the Chairman or any of its Members or authorized officials to hear cases, the latter shall report to the Board en banc the evidence so received by them to enable it to render its decision. All petitions for reconsideration shall be heard and decided by the Board en-banc.

SEC.2. Hearing before the Presiding Chairman. - Any provision notwithstanding, where the composition of the Board has not been duly constituted, the Presiding Chairman may, to protect and promote public interest, hear and decide all cases, as well as all pending motions for reconsideration before the Board.

SEC.3. Notice and proof of service. - Hearings shall be conducted with notice to all parties on record at the time and place of the hearings. Proof of service shall be in accordance with Section 4, Rule 4 of these Rules.

SEC.4. Uncontested proceedings. - The Board may, when it appears to be in the public interest to grant the relief or authority requested in the initial pleading and there being no opposition or contest, forthwith dispose of the proceeding upon consideration of the pleading and the supporting affidavits and documents attached thereto.

SEC.5. Consolidation. - The Board, on its own initiative, or upon motion by a party, may hold a joint hearing in proceedings involving common questions of law or fact. However, upon motion of the interested party, a separate hearing may be held on issues peculiar only to the movant.

SEC.6. Appearances. - Any party to a hearing may appear in person or by an attorney admitted to practice law in the Philippines who is a member of the integrated Bar of the Philippines and has paid his professional tax for the current year.

SEC.7. Notice of appearance. - No attorney shall appear before the Board in behalf of a party without first serving and filing a written notice of appearance, unless such attorney signed the initial pleading of the party he represents, or makes a special appearance for the attorney of record to postpone the case, stating therein his membership in the Integrated Bar of the Philippines and the payment of his professional tax for the current year.

SEC.8. Conciseness of presentation. - All parties appearing before the Board shall endeavor to present their cases in concise form, avoiding cumulative and repetitious evidence and argument to avoid unnecessary and prejudicial delay.

SEC.9. Order of procedure. - As far as practicable, the following order shall be followed in the presentation of evidence:

(a) The presentation of evidence shall commence with party initiating the proceedings presenting his evidence by offering the affidavits and supporting documents attached to his pleading, and such additional evidence as he may wish to present. In consolidated proceedings, all parties initiating the consolidated proceeding shall first present their evidence.

(b) The party or parties opposing the grant of the relief sought shall then present their evidence; and

(c) Presentation of rebuttal or surrebuttal evidence may be allowed in the discretion of the Board.

SEC.10. Deposition. - Where the witnesses reside in places distant from the offices of the Board and it would be inconvenient and expensive for them to appear personally before the Board, upon the written request of any part, the Board may authorize a municipal or city judge, or a Clerk of Court of First Instance to take the deposition of witnesses in any case pending before the Board, substantially in accordance with the provisions of Rule 14 of the New Rules of Court.

Unless the Board orders otherwise, cases in which depositions are taken according to the procedure stated above, shall be considered submitted for decision on the basis of such depositions after the completion of their filing with the Board.

SEC.11. Transcript and records. - Hearings shall be stenographically recorded by the official stenographer of the Board, and his transcript of stenographic notes shall be part of the records and the sole official transcript of the proceedings. Parties desiring copies of such transcript may obtain the same from the official stenographer upon payment of the fees prescribed therefor.

PART VI - DECISIONS AND ORDERS

SECTION 1. How rendered. - In every case heard by the Board en banc, the orders, rulings, decisions and resolutions disposing of the merits of the matter within its jurisdiction shall be reached with the concurrence of at least two (2) regular members after deliberation and consultation, and thereafter assigned to a member for the writing of the opinion. Nay member dissenting from the order, ruling, decision or resolution shall state in writing the reason for his dissent.

In all other cases, a duly assigned Member shall issue all orders, rulings, decisions and resolutions pertinent to the case assigned to him. Copy of the decision on the merit of the case so assigned shall be furnished the Chairman.

This rule shall not in any way prevent the Presiding Chairman from rendering a decision or order under circumstances defined in Section 2 Rule 14 of these Rules.

SEC.2. Form and contents. - All orders, rulings, decisions and resolutions determining the merits of matters within the jurisdiction of the Board shall be in writing stating clearly and distinctly the facts and the law on which it is based. They shall be filed with the Executive Director who shall, within three (3) days from receipt thereof cause true copies thereof to be served upon their council, if any: otherwise upon the parties.

SEC.3. Provisional relief. - Upon the filing of an application, complaint or petition or at any stage thereafter, the Board may grant on motion of the pleaders or on its own initiative, the relief prayed for, based on the pleading, together with the affidavits and supporting documents attached thereto, without prejudice to a final decision after completion of the hearing which shall be called within thirty (30) days from grant of authority asked for.

SEC.4. Final decisions. - The Board shall render a final decision, order, ruling or resolution.

- (a) In non-contested proceeding. - When the Board is satisfied that the pleading, together with the supporting affidavits and documents, establishes the right of the party to the relief prayed for, and there is no opposition thereto, said Chairman or any of the Members shall within fifteen (15) days after the case has been submitted for resolution, render an order decision on the matter.
- (b) In contested proceedings. - The Board en banc shall render a final decision, ruling or resolution within thirty (30) days after the case has been submitted for resolution.
- (c) Grant of other relief. - in all final decisions, orders, rulings or resolutions, the Chairman or Members may grant such other relief or impose such conditions or fix such terms as it may deem necessary in order to promote the public interest.

SEC.5. Execution of order, ruling, or resolution. - The order, ruling, decision or resolution of the Board shall take effect immediately and unless there is an appeal, shall become final upon expiration of thirty (30) days from notice thereof to all parties.

SEC.6. Compilation and publication of decisions. - The Executive Director shall compile all final decisions and resolutions of the Board, including final decisions of the Supreme Court on appeal, if any, and shall cause them to be printed by the bureau of printing in bound and numbered volumes.

PART VII - REOPENING, RECONSIDERATION, AND APPEAL

Rule 16 - Motions for Reopening or Reconsideration

SECTION 1. Motion for Reopening. - Any party may file a motion for reopening or the proceeding at any time after the presentation of evidence has been completed but before promulgation of a decision, order, ruling or resolution, if during that period there should occur or arise transactions, events or matters, whether factual or legal resulting in a change situation of the parties.

SEC.2. Motion for reconsideration of final decisions. - A party adversely affected by a decision, order, ruling or resolution may within fifteen (15) days from receipt of a copy thereof, file a motion for reconsideration. No more than one motion for reconsideration by each party shall be entertained, unless otherwise permitted by the Board.

SEC.3. Service and hearing. - The motion allowed by this Rule shall be served upon all parties on record and shall be set for hearing not less than three (3) days from service thereof.

EC.4. Opposition. - Any party to the proceeding may file an opposition to the motions allowed by this rule accompanied by supporting affidavits and documents, servicing a copy thereof upon the movant.

Rule 17 - Appeal

SECTION 1. Mode and period. - A party adversely affected by an order, ruling, decision or resolution of the Board may, within thirty (30) days from notice thereof, petition the Supreme Court to review said order, ruling, decision or resolution under Rule 44 of the Rules of Court, In proper cases, the aggrieved party may avail of the petition for certiorari under Rule 65 of the Rules of Court.

SEC.2. Effect of appeal. - Unless the Supreme Court directs otherwise, appeal shall not stay the execution of the order, ruling, decision or resolution.

SEC.3. Procedure for appeal. - Until the Supreme Court provides otherwise, the procedure provided for in Rule 44 of the Rules of Court shall be allowed.

PART VIII - RECONSTITUTION OF RECORDS

Rule 18 - Reconstitution

SECTION 1. Petition. - Any interested party may, by petition apply for the reconstitution of lost or destroyed records of any case or proceeding before the Board or of the defunct Public Service Commission.

SEC.2. Contents. - The petition shall be in writing, with a copy served upon all affected parties, and shall state the title and the parties in the case of the or proceeding desired to be reconstituted, together with the case number; the reason or reasons for its destruction or loss, if known; and that party seeking its reconstruction has exhausted all means to locate said records but to no avail.

SEC.3. Notice and publications. - The provision of Rule 8 of these Rules shall be observed in the issuance and publication of the notice of hearing of the petition for reconstitution unless otherwise certified by the Board having jurisdiction on the subject matter of the records sought to be reconstituted.

SEC.4. Applicability of certain rules. - The rules governing procedure in application for the issuance of certificate of public convenience as provided in Part II of the Rule shall be applicable for the reconstitution of lost or destroyed records.

SEC.5. Order. - After hearing the parties, the Board having jurisdiction over the petition, on the basis of available records and testimonies of witnesses, may grant or deny the petition or issue such orders as justice may require.

PART IX – MISCELLANEOUS PROVISIONS

Rule 19 - Applicability of the Rules of Court

SEC.1. Rules of Court. - The provisions of the Rules of Court applicable to proceeding before the Court of First Instance, which are not inconsistent with these Rules, shall apply in an analogous and suppletory character whenever practicable and convenient.

Rule 20 - Repeating Clause

SECTION 1. Repeat. - All prior rules, regulations or practices heretofore followed in the Board which are inconsistent with these Rules are hereby repealed.

Rule 21 - Effectivity

SECTION 1. Effectively. - These rules shall take effect after fifteen (15) days following their publication in the Official Gazette or any newspaper of general circulation. Approved in Quezon City, Philippines, this 25th day of January, 1978.

(SIGNED)
CEFERINO S. CARREON
Chairman

TELECOMMUNICATIONS AUTHORIZATION APPLICATIONS

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APPENDICES

1.0 SCOPE

This part provides a description of the handling of the more common types of telecommunications authorization application. The departments responsible for each step are identified and approximate time frames are indicated wherever appropriate. In addition, the minimum information requirements for each type of application are described. Applicants who meet these requirements should experience minimum delays in having their cases heard and determined.

2.0 THE PROCESS

Table 1 shows how an application is handled at each stage of the process from docketing to the promulgation of the decision and appeal. At each stage, an attempt has been made to make it clear who is responsible for ensuring that the application is continuously progressing toward a decision.

It should be stressed that the Commission intends to ensure the timely disposition of each

and every case brought before it. It behooves applicants therefore to make effort to ensure that all information required for a timely decision is provided as early as possible in the process, preferably with the application itself. Thus, it is intended to update the initial information requirements from time to time, as it becomes more clear what is needed for decision making.

Cases of an unusual nature, or Applications opposed by other parties who wish to bring evidence to support their opposition, cannot be accurately forecast in terms of timetable. However, such cases can also be handled expeditiously with the cooperation of the parties. The Commission will endeavor to ensure that even the most complex cases are completed within 6 months.

3.0 INFORMATION REQUIREMENTS

As noted in Section 2, the Common Carrier Authorization Department (CCAD) has developed a standard list of information requirements for the most common types of applications. These are contained in Appendix I of this part. Revised sets of such standard requirements will be issued from time to time, and those included herein will be updated. Thus parties are urged to contact the Commission periodically for the latest information.

A proforma notice of hearing and proforma applications are contained in Appendix II, intended only as a guide. These may be revised to suit the nature of the applications filed.

TABLE 1.

TELECOMMUNICATIONS AUTHORIZATION PROCESS

STEP	ACTIVITY	DAY
1	DOCKETING OF APPLICATION <ul style="list-style-type: none">• application submitted to SECRETARIAT, APPLICANT referred to CCAD;• CCAD verifies compliance with payment of supervision and regulation and regulation fees, and submission of latest annual report. If no compliance, application may be rejected;• CCAD assesses filing fees, referring APPLICANT to SECRETARIAT;• SECRETARIAT assigns case number;• APPLICANT pays filing fee to cashier;• SECRETARIAT enters application in docket.	1 1 1 1 1 1
2.	NOTICE OF HEARING (NOH), INSTRUCTIONS TO APPLICANT <ul style="list-style-type: none">• SECRETARIAT prepares NOH indicating the date for the initial hearing (coordinating with the court calendar and the office of Commissioner);• application routed to CCAD, who prepare INSTRUCTIONS to applicant, including the information to be provided to the Commission (see Appendix II), and who check on the list of affected parties to be notified ;• case file sent LD for review, then forwarded to SECRETARIAT who mail the NOH to applicant, enter hearing date in docket, and forwards the case file to the office of the Commissioner ;• Upon receipt of NOH, APPLICANT causes publication of same in a news- Papers of general circulation and serves copy of same with all application Documents (including annexes) on affect parties as identified in the NOH, at least 15 days prior to the date of the initial hearing.	5 5-8 10 15-35

STEP	ACTIVITY	DAY
3	<p>PRE-HEARING PROCESS</p> <ul style="list-style-type: none"> • on or before the date of the initial hearing, pursuant to Rule 9, duly notified oppositors shall file with the Commission, copy to the Applicant, a concise statement of their right or interest affected by the application and facts constituting their grounds for opposing the application; • 7 days prior to initial hearing, pursuant to instructions, APPLICANT is to file information as required, and CCAD evaluates material submitted; • if information not available, or seriously deficient, applicant is notified of deficiency and instructed to prepare a full explanation for presentation at initial hearing. Failure to comply in a timely way could result in denial of the application. 	<p>28.</p> <p>28.</p> <p>28-35</p>
4	<p>THE HEARING PROCESS</p> <ul style="list-style-type: none"> • hearing may be presided over the Commissioner and/or deputies, and/or upon delegation, by hearing officers of the Legal Department. Efforts will be made to have the same officers preside over all hearings; • CCAD officer assigned will attend all hearings; • Rule 14 on the Reception of Evidence shall govern all hearings; • Case is classified at the initial hearing; • For simple, uncontested: summary proceeding - may be submitted Immediately for decision on the basis of compliance with instructions with the NOH; • for complex uncontested: additional information may be required beyond the requirements stated in the NOH. May require several hearing days; • for simple contested: - may require prehearing to expedite proceedings; applicant allowed to present written or oral evidence, dependent on the issues raised; Oppositors may also give evidence; • for complex contested: - full hearing process shall be conducted, with prehearing or conferences as appropriate. 	<p>35+</p>

STEP	ACTIVITY	DAY
5.	<p>EVALUATION OF EVIDENCE (upon submission for decision)</p> <ul style="list-style-type: none"> • for a P.A. application, CCAD, within 10 days, prepares an evaluation and recommendation on the documentation submitted in support thereof; • for all submitted cases: CCAD prepares a technical/financial/economic evaluation of the evidence; • CCAD forwards case file with evaluation report to LD. Who prepare draft. • draft decision/order routed to CCAD for review; • draft decision/order submitted to Commission for signature. 	
6.	<p>PROMULGATION OF DECISION/ORDER</p> <ul style="list-style-type: none"> • Decision/orders signed by the Commissioner are deemed promulgated Upon entry in the NTC docket after release to the SECRETARIAT by the Commissioner's office; • SECRETARIAT releases copies to parties and to CCAD, normally the same day. 	NA
7.	<p>EFFECTIVITY, MONITORING AND ENFORCEMENT OF DECISIONS</p> <ul style="list-style-type: none"> • orders of the Commission are effective immediately, unless otherwise provided for or an injunction or restraining order has been issued by the Courts; • CCAD will monitor for compliance with the requirements of the decision, and inform the Commission of any failures, for Commission action. 	

STEP	ACTIVITY	DAY
8.	<p>APPEAL PROCESS</p> <ul style="list-style-type: none"> • motions for reconsideration by the Commission are to be filed within 15 days from receipt of questioned decision; • appeals to the Supreme Court (now the Court of Appeals) within 30 days from receipt of questioned decision. 	NA

Appendix E-I
Information Requirements

NTC INFORMATION REQUIREMENTS
FOR CPCN APPLICATIONS

The following documentation shall be submitted to the Common Carrier Authorization Dept. of the NTC, at least 7 days prior to the commencement of the initial hearing regarding any application for a CPCN. In addition to the basic information shown, the following sections describe the information required in support of applications for specific types of telecommunications systems.

BASIC (Applicable to all applications)

1. Franchise from the Congress of the Philippines or local government - provide a copy of the franchise document, together with a clear statement as to how the proposed service is in conformity with the franchise;
2. SEC registration certificate and articles of incorporation;
3. Feasibility Study - provide documentation showing the operational, financial and marketing feasibility of the project;

FINANCIAL (Applicable to all applications)

1. The company's latest audited financial statement;
2. For all new systems or services:
 - a) acquisition cost - provide estimate or quotation from supplier for all planned equipment associated with the project, plus the cost estimates for the installation of the system;
 - b) the business case for the system, providing proforma income statements and balance sheets for the first 10 years of operation. Projected operating expenses, depreciation charges, demand and revenue forecasts and rate assumptions shall be included.
 - c) Source of funding throughout the life of the project shall be provided. Initial financing plan shall be supported by documentation from any lending institutions involved with the financing. The local and foreign funding requirements shall be shown separately.
3. Other financial information which may be required will be identified in accordance with the following checklist:
 - I. Itemized list of existing and additional investment with corresponding costs of the project, showing:
 - a) Acquisition cost;
 - b) Appraised value by NTC;

- c) Accumulated depreciation;
 - d) Estimated life.
- II. Itemized list of projected expenses;
 - III. Itemized list of projected revenues and subscribers for each service;
 - IV. Clearance from payment of Supervision and Regulation and Permit Fees;
 - V. Articles of incorporation;
 - VI. Treasurer's affidavit.

TECHNICAL

1.0 TELEPHONE SYSTEM

- 1.1 Provide two copies of available working drawings of the project, signed by a registered Professional Engineer with respect to the electrical equipment in accordance with R.A. No. 184 and by a registered Electronics and Communications Engineer with respect to the electronics and communications equipment in accordance with R.A. No. 5734, showing the following:
 - a) A complete floor plan of the central office, showing all major frames and related equipment units;
 - b) A description of the system being installed;
 - c) System capacity, no. of switchboard positions etc.
 - d) Outside plant plan, layout, and drawings of typical support structure arrangements, ducting systems where applicable and manhole specifications;
 - e) A complete operational plan, including numbering plan, capacity plan (current and future demand estimates), additional systems planned for the future, and relevant statistics on such systems, including capacities, trunking plans, homing plan and numbering arrangements;
 - f) A full description of how the system is to be interconnected to the existing public switched telephone network, and all interconnecting agreements necessary for effecting same, for the Commission's approval.
 - g) If the system was, or is to be acquired competitively, provide technical specifications and relevant responses from the successful bidder.

2.0 VSAT SYSTEM

- 2.1 Provide two copies of available working drawings of the project, signed by a registered Professional Engineer with respect to the electrical equipment in accordance with R.A. No. 184

and by a registered Electronics and Communications Engineer with respect to the electronics and communications equipment in accordance with R.A. No. 5734, showing the following:

- a) Map showing the location of the master earth station or hub station, all planned micro earth stations, with geographical coordinates for each;
- b) Full technical specifications of the master earth station equipment, including the antenna;
- c) Full floor plan layout of the micro earth station location;
- d) Full technical specifications of the micro earth station equipment;

2.2 Functional block diagrams of the system as a whole, and a brief description of the operation of the system;

2.3 Contract documents covering the satellite to be used, prices for space segment capacity, restoration plans etc.;

2.4 Interconnect agreements with operators of the Public Switched Telephone Network, for all PSTN connections to be required;

2.5 A description of any plans to add toll network capacity to the existing domestic telephone network which may be required to accommodate the interconnection.

3.0 CELLULAR MOBILE TELEPHONE SYSTEM

3.1 Provide two copies of available working drawings of the project, signed by a registered Professional Engineer with respect to the electrical equipment in accordance with R.A. No. 184 and by a registered Electronics and Communications Engineer with respect to the electronics and communications equipment in accordance with R.A. No. 5734, showing the following:

- a) Map showing the location of the base station(s), and the cell sites with coverage areas planned;
- b) Antenna Specifications for all site installations, including radiation patterns, physical description, etc.;
- c) Coverage calculations for each cell site, showing expected field strengths at the edge of the service contour;

3.2 Description of Cell Sites, typical floor plans, with technical Specifications/manuals for equipment and subscriber units;

3.3 Traffic information, including demand forecasts, trunking plan, capacity of each base station;

3.4 Show clearly how the system will interconnect with the PSTN at each connection point, including traffic expected, trunks ordered/installed, and provide the interconnect agreements with PSTN operator(s) involved, showing how capacity and service quality will be monitored and maintained.

4.0 LEASED CIRCUITS, FACSIMILE SERVICE, PACKET SWITCHED SERVICE, VALUE ADDED NETWORKS.

- 4.1 List of equipment to be used for the service, including new equipment to be installed, if any;
- 4.2 Functional block diagram, system configuration and a brief description of the proposed system or service;
- 4.3 Any feasibility studies conducted to test the viability of the project, including market studies;
- 4.4 Copies of any interconnection agreements needed to put the system into operation.

5.0 RADIO SYSTEM

- 5.1 A map showing clearly the precise location, with longitude and latitude of the radio station transmitter/receiver;
- 5.2 A full description of the antenna system, including the make, type/model, antenna diagram and radiation pattern etc.;
- 5.3 Radio station floor plan, with equipment layout;
- 5.4 Functional block diagram or system configuration of the system.

6.0 PAGING SYSTEM

- 6.1 Provide two copies of available working drawings of the project, signed by a registered Professional Engineer with respect to the electrical equipment in accordance with R.A. No. 184 and by a registered Electronics and Communications Engineer with respect to the electronics and communications equipment in accordance with R.A. No. 5734, showing the following:
 - a) Map showing the location of the transmitter(s) (with latitude, longitude), community(ies) to be served, including coverage patterns;
 - b) Paging System Equipment - technical specifications for the transmitter/receiver, the antenna(s) to be used, including make, type/model, radiation pattern, height etc.;
 - c) Transmitting station floor pan and equipment layout;
 - d) Paging unit specifications;
- 6.2 **Functional block diagram and full description of the system operation;**
- 6.3 Copy of any interconnection agreement with the PSTN operator(s) involved.

Appendix E-II
Proforma Notice of Hearing

PROFORMA NOTICE OF HEARING

Republic of the Philippines
Department of Transportation and Communications
NATIONAL TELECOMMUNICATIONS COMMISSION
Quezon City

(XXXX) TELEPHONE COMPANY, INC.,
Applicant

NTC CASE NO. (YY)(NNN)-TEL

NOTICE OF HEARING

Applicant, (XXXX) TELEPHONE CO. INC., a corporation duly organized and existing in accordance with the laws of the Republic of the Philippines, requests in the above-entitled case for the issuance of a Certificate of Public Convenience and Necessity to (describe service, system) in (City, Province), predicated on (Legislative, Provincial, Municipal franchise - provide supporting information for the record). Applicant proposes to charge rates as shown in Annex "E" of the application.

Applicant further requests for a Provisional Authority pending final determination of the application. (this paragraph is optional, and assumes that the applicant will comply with the requirements set out form time to time by the Commission regarding PA applications - see also MC 9-14-90).

This application will be heard by the Commission on (DATE), at (HOUR) at its offices, National Telecommunications Commission, Vibal Bldg., Times St., corner EDSA, Quezon City at which hearing applicant shall present its evidence.

At least fifteen (15) days prior to the date of the initial hearing, applicant shall publish this Notice of Hearing once in one Metro Manila edited daily newspaper of general circulation in the Philippines and serve by registered mail or personal delivery copies of the application and the Notice of Hearing to all affected parties as appearing in the attached list.

Parties opposed to the granting of the application must file their written opposition on or before the date of the initial hearing, furnishing a copy of the same to the applicant and appear at the initial hearing with such evidence as may be proper in the premises. Failure on the part of any affected party to file his opposition on time or to appear at the initial hearing will be construed as a waiver of his right to be heard, the Commission will proceed to hear and decide the application on its merits.

WITNESS the Honorable (NAME), Commissioner, National Telecommunications Commission, this (Today's date).

(SIGNED) - Commission Secretary

COPY FURNISHED:

Applicant, (Provide name and address of lawyer representing applicant, or applicant address, as appropriate);

Commission on Audit, Quezon City;

Department of Transportation and Communications, Philcomcen Bldg., Ortigas Ave., Pasig, Metro Manila

**INSTRUCTIONS TO APPLICANT
(not to be published)**

Applicant, (XXXX) TELEPHONE COMPANY INC., requesting in the above-entitled case for the issuance of a Certificate of Public Convenience and Necessity to (describe service, system) in (City, Province), is required to submit the following data in writing as part of the evidence in support of the application, to wit:

1. Affidavit of publication and a copy of the Metro Manila edited daily newspaper of general circulation in the Philippines wherein the Notice of hearing was published at least 15 days prior to the date of the initial hearing;
2. Proof of service with registry receipts and return cards attached to it showing a copy of the application and the Notice of Hearing was served or mailed to all affected parties named below or in lieu thereof the unclaimed letters and the certification of postmaster as to the date when the first notice was given to the addressee;
3. Technical and Financial requirements hereto attached.

LIST OF AFFECTED PARTIES

(LIST OF AFFECTED PARTIES AND ADDRESSES WILL BE PROVIDE HERE)

INSTRUCTIONS TO APPLICANT

Applicant, (XXX) TELEPHONE COMPANY INC., requesting for a Certificate of Public Convenience and Necessity to install, operate and maintain a telephone exchange in (City, Province), is required to submit to CCAD staff of the NTC, Vibal Bldg, EDSA cor. Times St., Quezon City, for checking and approval at least seven (7) days prior to the initial hearing, the following:

TECHNICAL INFORMATION

(Here, the Technical Information required from the applicant is set out, as outlined in Appendix E-I of this part, for the various types of applications, For services not covered by the standard lists. CAD staff will develop information requirements and provide a specification in this space of the instructions)

FINANCIAL INFORMATION

(Here, the financial information required will be set out in the same way as shown above. CCAD staff will develop additional information requirements when necessary.)

Indorsed by:

Chief, CCAD.

That there is an urgent public need for the service, as there is presently no service in the area applied for (if none) or (state some other reasons to justify the application) and that the proposed rates are fair, just and reasonable;

That public convenience and necessity demand the immediate approval of this application;

And that applicant is willing and ready to comply with all applicable laws, rules and regulations which are now existing and which may be promulgated from time to time.

WHEREFORE, it is respectfully prayed that, after due notice and hearing, the corresponding CPCN and authority to charge rates be granted to applicant. Meanwhile pending hearing and final resolution of the application, it is requested that a provisional authority be granted to applicant, pursuant to C.A. 146, as amended, in the interest of public service.

Quezon City, Philippines.

Counsel for Applicant
Address
PTR No.

VERIFICATION

I, _____ of legal age, Filipino, married, after being duly sworn to in accordance with law, do hereby depose and say:

That I am the Chairman of the Board of Directors of the _____ Inc., applicant in this application for a certificate of public convenience and necessity (CPCN) and authority to charge rates for the installation, operation and maintenance of a _____ service in _____.

That I have caused the preparation of this application in my capacity as such, and that I have read its content; and that I don hereby attest to the truth of the facts stated herein of my own knowledge.

Affiant

Subscribed and sworn to before me this _____ 199 ____ , affiant having exhibited to me his Residence Cert. No. _____ issued at _____ on _____.

Doc. No. ____
Book No. ____
Page No. ____
Series of ____

Notary Public ____
Until Dec. 31 ____
PTR No. ____
Issued at ____ on _____

That applicant is legally, technically and financially qualified to undertake this;

That public interest and necessity demand the immediate approval of this application;

And that applicant is willing and ready to comply with all applicable laws, rules and regulations which are now existing and which may be promulgated from time to time.

WHEREFORE, it is respectfully prayed that, after due notice and hearing, the corresponding CPCN and authority to charge rates be granted to applicant. Meanwhile pending hearing and final resolution of the application, it is requested that a provisional authority be granted to applicant, pursuant to C.A. 146, as amended, in the interest of public service.

Quezon City, Philippines.

Counsel for Applicant
Address
PTR No.

VERIFICATION

I, _____ of legal age, Filipino, married, after being duly sworn to in accordance with law, do hereby depose and say:

That I am the Chairman of the Board of Directors of the _____ Inc., applicant in this application for the approval of its proposed upgrading, expansion and modernization project.

That I have caused the preparation of this application in my capacity as such, and that I have read its content; and that I don hereby attest to the truth of the facts stated herein of my own knowledge.

Affiant

Subscribed and sworn to before me this _____ 199 __ , affiant having exhibited to me his Residence Cert. No. _____ issued at _____ on _____.

Doc. No. ____
Book No. ____
Page No. ____
Series of ____

Notary Public ____
Until Dec. 31 ____
PTR No. ____
Issued at ____ on ____

PRO FORMA APPLICATION
(Authority to revise rates)

Republic of the Philippines
Department of Transportation and Communications
NATIONAL TELECOMMUNICATIONS COMMISSION
Quezon City

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Applicant

NTC Case No. _____

Re: Application for
authority to revise rates
with a request of the immediate
issuance of a Provisional authority.
X-----X

A P P L I C A T I O N

COMES NOW applicant and unto this Honorable Commission respectfully alleges:

That applicant is a Filipino Corporation duly organized and existing under Philippine laws, with its office address at (state complete address where it may be served notice).

That applicant is a grantee of a franchise (state type and Act No. of the franchise whether legislative, local or Presidential) duly approved on (state date of approval), copy of which is hereto attached as Annex "A", upon which this application is predicated.

That predicated on the above franchise, applicant is a grantee of a certificate of public convenience and necessity (CPCN) to install, operate and maintain a _____ serviced in the _____ area/s and the authority to charge rates pursuant to an Order/Decision rendered by this Commission in Case No. _____ issued on _____.

That after a careful review of its operation and its financial position, applicant now proposes to revise its existing rates, which is (state if a reduction or an increase), to wit:

That the proposed revised rates are fair, just and reasonable, and shall enable applicant to continue rendering adequate, efficient and satisfactory service.

That public interest and necessity demand the immediate approval of this application;

And that applicant is willing and ready to comply with all applicable laws, rules and regulation which are now existing and which may be promulgated from time to time.

WHEREFORE, it is respectfully prayed that, after due notice and hearing, the above proposed upgrading, expansion and modernization project be approved in the interest of public service. Meanwhile, pending hearing and final resolution of the application, it is respectfully prayed that a provisional authority be granted to applicant, pursuant to C.A. 146, as amended, in the interest of public service

Quezon City, Philippines.

Council for Applicant
Address
PTR No.

VERIFICATION

I, _____ of legal age, Filipino, married, after being duly sworn to in accordance with law, do hereby depose and say:

That I am the Chairman of the Board of Directors of the _____ Inc., applicant in this application for a certificate of public convenience and necessity (CPCN) and authority to charge rates for the installation, operation and maintenance of a _____ service in --.

That I have caused the preparation of this application in my capacity as such, and that I have read its content; and that I don hereby attest to the truth of the facts stated herein of my own knowledge.

Affiant

Subscribed and sworn to before me this _____ 199 __ , affiant having exhibited to me his Residence Cert. No. _____ issued at _____ on _____.

Doc. No. ____
Book No. ____
Page No. ____
Series of ____

Notary Public ____
Until Dec. 31 ____
PTR No. ____
Issued at ____ on ____

And that applicant is willing and ready to comply with all applicable laws, rules and regulation which are now existing and which may be promulgated from time to time.

WHEREFORE, it is respectfully prayed that, pending hearing and final determination of the application for the regular certificate o public convenience and necessity, in the interest of public service, that the provisional authority to render the proposed rates the corresponding authority to charge rates therefor be granted to herein applicant.

Quezon City, Philippines.

Council for Applicant
Address
PTR No.

VERIFICATION

I, _____ of legal age, Filipino, married, after being duly sworn to in accordance with law, do hereby depose and say:

That I am the Chairman of the Board of Directors of the _____ Inc., applicant in this application for a authority to charge rates for the _____ service it is authorized to render to the public.

That I have caused the preparation of this application in my capacity as such, and that I have read its content; and that I don hereby attest to the truth of the facts stated herein of my own knowledge.

Affiant

Subscribed and sworn to before me this _____ 199 __ , affiant having exhibited to me his Residence Cert. No. _____ issued at _____ on _____.

Doc. No. ____
Book No. ____
Page No. ____
Series of ____

Notary Public ____
Until Dec. 31 ____
PTR No. ____
Issued at ____ on ____

