



Republic of the Philippines
Department of Transportation
LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD
East Avenue, Diliman, Quezon City

RESOLUTION NO. 097 Series of 2021
(re: Accreditation of MOBER TECHNOLOGY PTE, INC.
as Transportation Network Company)

WHEREAS, on 12 October 2020, herein Applicant, SMESOFT, Inc. filed its Motion for Reconsideration based on the decision of the Pre-Accreditation Committee under Resolution No. 030, series of 2020, denying its Application for Accreditation for lack of merit and on the ground of laches;

WHEREAS, it may be recalled that as early as 13 June 2016, herein Applicant had already filed its Application for Accreditation, but was denied thru Resolution No. 058, series of 2018 on the ground of deficiencies in the documentary requirements, despite giving the Applicant ample opportunities to comply with the requirements thru Resolution Nos. 036, series of 2018 and 249, series of 2019;

WHEREAS, the dispositive portion of Resolution No. 249, series of 2019 reads:

“NOW THEREFORE, finding the allegations contained thereat to be impressed with merit and supported by evidence particularly for having filed the proper Application prior to the deadline set by the Board, the Pre-Qualification Committee resolves, as it hereby resolved to:

1. **GRANT** the Motion for Reconsideration as it established with merit the allegations contained thereat, and **SET ASIDE** Resolution No. 058 Series of 2018 dated July 9, 2018, and
2. For the applicant to submit Formal Offer of Evidence containing therein the requirements set forth under Department Order 2015-011, Re: FURTHER AMENDING DEPARTMENT ORDER NO. 97- 1097 TO PROMOTE MOBILITY and Memorandum Circular No 2015-015, Re: RULES AND REGULATIONS TO GOVERN THE ACCREDITATION OF TRANSPORTATION NETWORK COMPANIES within the period of Ten(10) days without any extension”

WHEREAS, it appears on record that Resolution No. 249, series of 2019 was signed by the Pre-Accreditation Committee on 12 November 2019 and was subsequently published and posted in the LTFRB website on November 2019, which directs herein applicant to submit the Formal Offer of Evidence within the unextendable period of ten (10) days;

WHEREAS, it was only on 12 January 2021 or after a year that herein applicant filed its Formal Offer of Evidence, manifesting that it has not received an official copy of Resolution No. 249, as it only learned about the resolution through an online search in the LTFRB;

WHEREAS, learning from the previous resolutions of the Board, all Applicants for Accreditation (as TNC, GPS provider, etc.) are well aware that Resolutions are not sent to the applicants, rather all are published and posted on the official website of the LTFRB for the information of the public. Apparently, despite posting of said Resolution, herein applicant did not even bother to check and make follow-up of the resolution, which belatedly filed its FOE;

NOW THEREFORE, for and in consideration of the foregoing, the Pre-Accreditation Committee hereby recommends to the Board to **DENY** the Application for Accreditation of Mober Technology PTE, Inc., without prejudice on the part of herein applicant to file an Appeal, or re-submit an Application once the moratorium on the acceptance of Application for TNC Accreditation is lifted by the Board.

RECOMMENDED and SIGNED by the undersigned OIC-Chairman and Members of the Pre-Accreditation Committee, this _____ day of AUG 2021 2021 at Quezon City, Philippines.


ATTY. MARK T. COHINO
OIC-Chairman


NIDA P. QUIBIC
Member


JOEL J. BOLANO
Member


ATTY. ZONA ROSSET M. TAMAYO
Member

Approved by:


ATTY. MARTIN B. DELGRA III
Chairman




PCol. JOEL C. PERNITO (Ret.)
Board Member

Attested by:


JOEL J. BOLANO
Chief, TD and OIC, Office of the Executive Director