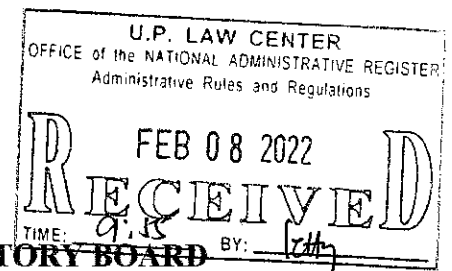




Republic of the Philippines
Department of Transportation
LAND TRANSPORTATION FRANCHISING & REGULATORY BOARD
East Avenue, Quezon City



MEMORANDUM CIRCULAR
NUMBER 2022 - 019

SUBJECT: OPENING OF APPLICATIONS FOR THE ISSUANCE OF NEW CERTIFICATE OF PUBLIC CONVENIENCE (CPC) OF THE APPROVED ROUTES OF DAVAO DEL SUR PROVINCE LOCAL PUBLIC TRANSPORT ROUTE PLAN (LPTRP) UNDER THE IMPLEMENTATION OF PUBLIC UTILITY VEHICLE MODERNIZATION PROGRAM (PUVMP)

WHEREAS, on 19 June 2017, the Department of Transportation (DOTr) issued Department Order No. 2017 – 011 also known as the Omnibus Guidelines on the Planning and Identification of the Public Road Transportation Services and Franchise Issuance adopting the rules and procedures for the issuance of the franchises for public transport routes and services;

WHEREAS, pursuant to Section 5(a) of Executive Order No. 202, dated 19 June 1987, the Land Transportation Franchising and Regulatory Board (LTFRB) shall have the power to “prescribe and regulate routes of service, economically viable capacities and zones or areas of operation of public land transportation services provided by motorized vehicles, xxxxx”;

WHEREAS, the DOTr has given LTFRB the authority to deliberate and take appropriate action on proposed new/additional routes pursuant to the Public Utility Vehicle Modernization Program (PUVMP) and Memorandum Circular No. 2018-006;

WHEREAS, the Local Public Transport Route Plan (LPTRP) of Davao del Sur Province was reviewed and evaluated by DOTr and recommended for the issuance of Notice of Compliance (NOC). On 10 September 2021, the LTFRB RFRO 11 issued NOC to Davao del Sur Province, approved and signed by Regional Director Nonito A. Llanos III requesting the Sangguniang Panlalawigan to pass an Ordinance adopting the said LPTRP pursuant to the OFG and the Joint Memorandum Circular (JMC) No. 001, s. 2017 between DOTr and the Department of Interior and Local Government (DILG), or the Guidelines on the Preparation and Issuance of Local Ordinances, Orders, Rules and Regulations concerning the LPTRP;

WHEREAS, pursuant to Section 4(f) of JMC No. 001, s. 2017 between DOTr and DILG, updating of the LPTRPs may be done by the LGUs at least once every three (3) years after the last approval;

WHEREAS, Sangguniang Panlalawigan in the Province of Davao del Sur passed Ordinance No. 21-105: “An act adopting the CY 2021 – 2024 Local Public Transport Route Plan (LPTRP) of the Provincial Government of Davao del Sur”, approved and signed by Governor Marc Douglas IV Chan Cagas dated 04 October 2021;

WHEREAS, pursuant to said Ordinance, a total of five (5) rationalized and one (1) new route have been approved;

NOW THEREFORE, upon the recommendation of DOTr and LTFRB, the following rationalized and new routes with corresponding Route Survey Information are hereby approved for the issuance of New CPCs:

ROUTE (Detailed Route Structure)	AUTHORIZED MODE	NO. OF AUTHORIZE D UNITS	ROUTE LENGTH (KM)
RATIONALIZED ROUTES			
<p>1</p> <p>ZONE III, DIGOS CITY – POBLACION, MALALAG</p> <p>Digos Central Market Terminal, Zone III, Digos City to Padada Terminal, Almendras District, Padada along Digos Diversion National Road, Davao Cotabato National Road, and Digos Makar National Road. Padada Terminal to Sulop Terminal, Poblacion Sulop along Digos Makar National Road. Sulop Terminal to Ochenta Terminal along Digos Makar National Road. Ochenta Terminal to Malalag Public Terminal, Poblacion, Malalag along Davao Sarangani Coastal National Road</p>	<p>PUJ Class 2</p>	<p>49</p>	<p>26.35</p>
<p>2</p> <p>ZONE III, DIGOS CITY – TACUL, MAGSAYSAY via Hagonoy and Matanao</p> <p>Digos Central Market Terminal, Zone III, Digos City to Hagonoy Dropoff Point, Poblacion, Hagonoy along Digos Makar National Road, and Leling-Sinayawan-Poblacion Hagonoy Provincial Road. Hagonoy Dropoff Point to Matanao Dropoff Point, Poblacion, Matanao along Poblacion Hagonoy-Maliit Digos-New Visayas Provincial Road, and Sinawilan-Matanao Provincial Road. Matanao Dropoff Point to Magsaysay Dropoff Point along Matanao-Calamagoy-Magsaysay Provincial Road. Magsaysay Dropoff Point, Poblacion, Magsaysay to Tacul Dropoff Point, Tacul, Magsaysay along Magsaysay Tacul Provincial Road</p>	<p>UVE Class 3</p>	<p>92</p>	<p>48.29</p>

3	<p>ZONE III, DIGOS CITY – INAWAYAN, STA. CRUZ</p> <p>Digos Central Market Terminal, Zone III, Digos City to Sta. Cruz Integrated Terminal, Zone III, Sta. Cruz along Digos Makar National Road, Davao Cotabato National Road and Davao Cotabato Bypass National Road. Sta. Cruz Integrated Terminal to Inawayan, Sta. Cruz along Davao Cotabato Bypass National Road and Davao Cotabato National Road</p>	PUJ Class 3	66	32.73
4	<p>ZONE III, DIGOS CITY – UPPER BALA, MAGSAYSAY</p> <p>Old Terminal, Zone III, Digos City to Bansalan Dropoff Point, Bansalan along Digos Makar National Road, Digos Junction National Road, and Davao Cotabato National Road. Bansalan Dropoff Point, Bansalan to Upper Bala Dropoff Point, Upper Bala, Magsaysay along Davao Cotabato National Road, Bansalan-Magsaysay Provincial Road, Barayong - Mabini - Bala - Upper Bala FMR Municipal Road</p>	PUJ Class 3	67	36.59
5	<p>ALMENDRAS DISTRICT, PADADA – POBLACION, KIBLAWAN</p> <p>Padada Public Terminal, Almendras District, Padada to Kiblawan Dropoff Point, Poblacion, Kiblawan along Limonzo-Tanwalang Kiblawan Provincial Road</p>	PUJ Class 2	22	13.10
NEW ROUTES				
6	<p>APLAYA, DIGOS CITY – POBLACION, BANSALAN via Kapatagan</p> <p>Bus Terminal, Aplaya, Digos City to Kapatagan Terminal, Kapatagan, Digos City along Digos Diversion Road, Davao Cotabato National Road, and Cogon-Kiagot-Kapatagan Provincial Road. Kapatagan Terminal, Kapatagan, Digos City to Bansalan Dropoff Point, Poblacion, Bansalan along Cogon-Kiagot-Kapatagan Provincial Road, and Bansalan-Mt. Apo National Park National Road</p>	UVE Class 3	15	63.04

	TOTAL NO. OF ROUTES / NO. OF UNITS	6	311	
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Only those units compliant with the OFG and DTI – PNS shall be accepted.

In case there are affected Transport Service Entities (TSEs), due to the results of the LPTRP study, the Regional Franchising and Regulatory Office (RFRO) shall conduct a stakeholders' consultation meeting to discuss the Transfer Plan and Social Support mechanism, in coordination with the Local Government Unit (LGU).

For **RATIONALIZED** routes, the provisions under MC 2019-066 shall apply except Item I.B.3 thereof. In which case, the existing provisions under MC 2021 - 021 Item I.A.1.v. shall apply, to wit:

- 6 months - 25% of the total number of authorized units
- 9 months - 50% of the total number of authorized units
- 12 months - 100% of the total number of authorized units

The Board shall issue a Certificate of Public Convenience to the applicant when the latter complies with the following required number of units:

- *If the number of authorized units (NAU) is more than fifteen (15), the applicant shall have at least fifteen OFG - compliant units;*
- *If the number of authorized units (NAU) is fifteen (15) or less, the applicant shall comply with all the NAU.*

If no existing operator filed for consolidation in the rationalized routes or if the consolidated entities fail to meet the unit requirement, the Board shall open the said route to qualified new entrants for application or to fill/complete the number of authorized units, respectively. In either case, the process of selecting the new entrant shall be governed by the procedures prescribed for NEW routes as provided in the following paragraphs.

For **NEW** routes, the procedures in the selection of the operator under Section V-B of MC 2019-013 shall apply except Item No. 6 thereof. In which case, the provisions under MC 2021 - 021 Item I.A.1.v. regarding the compliance period of the compliant units, which shall be within the following period:

- 6 months - 25% of the total number of authorized units
- 9 months - 50% of the total number of authorized units
- 12 months - 100% of the total number of authorized units

The Board shall issue a Certificate of Public Convenience to the applicant when the latter complies with the following required number of units:

- *If the number of authorized units (NAU) is more than fifteen (15), the applicant shall have at least fifteen OFG - compliant units;*
- *If the number of authorized units (NAU) is fifteen (15) or less, the applicant shall comply with all the NAU.*

Meanwhile, pending the issuance of CPC, the selected operator shall operate in an interim service within fifteen (15) days from receipt of the Notice of Selection using either its own units or units that are leased or chartered from other operators, manufacturers or dealers which must be roadworthy as determined by the Land Transportation Office (LTO). The corresponding Special Permit (for units with existing CPC) or Provisional Authority (for units without CPC) shall be issued, pursuant to the provisions of MC 2019-013.

The pre-qualification conferences shall be held at LTFRB Regional Office No. 11 on **18 February 2022 at 2:00 PM.**

Letter of Intent and qualification documents shall be submitted **NOT LATER THAN** the indicated deadline below:

Region	Route	Deadline	Venue of Submission
Region 11	All Routes	28 February 2022 @ 9:00 AM	Office of the Regional Director – RFRO 11

Opening of the sealed documents will immediately follow at **10:00 AM of the same date.**

A qualified Applicant may be selected for more than one (1) route and subsequently processed for the grant of CPC following the applicable provisions of Memorandum Circular No. 2019-013 also known as the Consolidated Guidelines on the Process of Issuance of Certificate of Public Convenience (CPC), and Provisional Authority (PA)/Special Permit (SP) under the Omnibus Franchising Guidelines & Public Utility Vehicle Modernization Program (PUVMP) dated 15 March 2019 and Memorandum Circular No. 2021-021 also known as Guidelines for the Issuance of Provisional Authority to Units of Individual Operators with Pending Application for Consolidation and those that Failed to File an Application for Consolidation Pursuant to the Omnibus Franchising Guidelines (OFG) and the Procedure in the Qualification and Selection of Applicants.

In case of failure on the initial qualification process, the Selection Committee shall issue a Resolution declaring the failure on the selection process, with the corresponding date for the

This Memorandum Circular shall take effect immediately following its publication in a newspaper of general circulation and the filing of three (3) copies hereof with the U.P. Law Center pursuant to Presidential Memorandum Circular No. 11 dated 09 October 1992.

SO ORDERED.

APPROVED and SIGNED by the undersigned chairman and members of the Board this 2nd of February 2022, Quezon City, Philippines.

EFFECTIVITY
DATE: **07 FEB 2022**



ATTY. MARTIN B. DELGRA III, REB REA EnP
Chairman 




P/Col. JOEL C. PERNITO (Ret.)
Board Member


Engr. SHERWIN MYLIL S. BEGYAN
Board Member

Attested by:


MARIA KRISTINA E. CASSION
Executive Director