

REPUBLIC OF THE PHILIPPINES
Department of Transportation and Communications
LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD
East Avenue, Quezon City

OED file

MEMORANDUM CIRCULAR
NUMBER 94-014

SUBJECT : 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 Hulog" 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 No. 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.

Quezon City, 17 October 1994.

Dante M. Lantini
DANTE M. LANTINI
Chairman

Nabor C. Gaviola
NABOR C. GAVIOLA
Board Member

Jesus C. Cruz
JESUS C. CRUZ
Board Member

Effectivity - November 3, 1994

A TRUE COPY:
Lino D. Lomongo
LINO D. LOMONGO
Executive Director

Chairman's office (Original) - 10-19
Bm Raulola - 10-19
Bm Cruz - 10-19
MID - 10-19
TED - 10-19
Legal - 10-19
Finance - 10-19
10-18-94 NCR - 10/19/94