

REPUBLIC ACT NO. 9046

ACT AMENDING REPUBLIC ACT NO. 8590, ENTITLED "AN ACT GRANTING THE CALBAYOG TELEPHONE SYSTEM, A FRANCHISE TO CONSTRUCT, ESTABLISH, INSTALL, MAINTAIN AND OPERATE LOCAL EXCHANGE NETWORK IN THE CITY OF CALBAYOG, PROVINCE OF SAMAR" AND ASSIGNING/TRANSFERRING THE SAME IN FAVOR OF WEST SAMAR TELECOMMUNICATIONS, INC.

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. Section 1 of Republic Act No. 8590 is hereby amended to read as follows:

"SECTION 1. *Nature and Scope of Franchise.* – Subject to the provisions of the Constitution and applicable laws, rules and regulations, there is hereby granted to Calbayog Telephone System, hereunder referred to as the grantee, its successors or assigns, a franchise to construct, establish, install, maintain and operate for commercial purposes and in the public interest, local exchange network, including public calling stations or pay telephone stations or wireless local loop and for such purpose provide basic telephone service or other means related to the foregoing now known to science or which in the future may be developed in the entire Island of Samar, for public domestic telecommunications."

SEC. 2. Section 4 of Republic Act No. 8590 is hereby amended to read as follows:

"SEC. 4. *Responsibility to the Public.* – The grantee shall conform to the ethics of honest enterprise and shall not use its stations for obscene or indecent transmission or for dissemination of deliberately false information or willful misrepresentation, or assist in subversive or treasonable acts.

"The grantee shall provide basic or enhanced telephone services in the entire Island of Samar, where it has an approved certificate of public convenience and necessity for the establishment, operation and maintenance of local exchange services, without discrimination to any applicants thereof, in the order of the date of their applications, up to the limit of the capacity of its local telephone exchange and should the demand for the telephone services at any time increases beyond the capacity thereof, the grantee shall increase the same to meet such demand: *Provided*, That in case the total demand to be satisfied by the expansion is less than that of the smallest viable local exchanges available in the market as determined by the Commission, the grantee shall not be obliged to furnish said services, unless the applicants for telephone services defray the actual expenses for the installation of the telecommunications apparatuses necessary for such services and in such case the Commission may extend the time within which the grantee shall furnish such services.

"The grantee shall operate and maintain all its stations, lines, cables, systems and equipment for the transmission and reception of messages, signals and pulses in a satisfactory manner at all times, and as far as economical and practicable, modify, improve or change such stations, lines, cables, systems and equipment to keep abreast with the advances in science and technology."

SEC. 3. *Assignment / Transfer of Franchise.* – The franchise granted to Calbayog Telephone System under Republic Act No. 8590 is hereby assigned/transferred in favor of West Samar Telecommunications, Inc.

SEC. 4. *Effectivity.* – This Act shall take effect fifteen (15) days from the date of its publication, upon the initiative of the grantee, in at least two (2) newspapers of general circulation in the Philippines.

Approved, March 22, 2001.