



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen

—oO—

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

January 21, 1994

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on January 21, 1994, at Lingayen, Pangasinan, the following Provincial Ordinance was approved:

PROVINCIAL ORDINANCE NO. 33

AN ORDINANCE GRANTING TO PRINCESS URDUJA COMMUNICATIONS, INC., A FRANCHISE TO ESTABLISH, OPERATE AND MAINTAIN A TELEPHONE SYSTEM WITHIN THE PROVINCE OF PANGASINAN AND FOR OTHER PURPOSES

The PROVINCIAL BOARD OF PANGASINAN hereby ordains as follows:

SECTION 1. Subject to the conditions established in this ordinance and the provisions of the Constitution and the laws, orders or issuances not inconsistent herewith, there is hereby granted to PRINCESS URDUJA COMMUNICATIONS, INC., its successors or assigns, for a period of twenty five (25) years from the approval of this Ordinance, subject to renewal for another twenty five (25) years, the right, privilege and authority to construct, maintain, operate, purchase, sell, manufacture, assemble and generally deal with a telephone system, including mobile, cellular wireless and/or wired telephone services, personal communication networks, fiber optics, paging and trunk radio services, multi-channel microwave distribution systems and other value-added services (such as, but not limited to the transmission of voice, data, facsimile, audio and video and all other improvements and innovations thereof), and to construct acquire and/or lease transmitting and receiving stations and central switching stations including, but not limited to, those which interconnect with the traditional wireline service and to provide such telephone service in and between the Province of Pangasinan and other countries and territories and for the purpose of providing said telephone services and connecting its telephone system with telecommunications systems of other countries, to construct, operate and maintain an international digital gateway facility and to lay submarine telecommunications cables in the surrounding waters of the Province of Pangasinan;

SECTION 2. A special right is reserved to the President of the Philippines in time of war, rebellion, public peril, calamity, emergency, disaster or disturbances or peace to take over and operate the transmitting, receiving and switching stations or to authorize the temporary use and operation thereof by any department of the Government upon due compensation to the grantee for the use of said stations during the period when they shall be so operated;

ASAM



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen

—oOo—

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

- 2 -

SECTION 3. The grantee may install, maintain and operate such telephone system within the Province of Pangasinan; Provided, that the National Telecommunications Commission certifies that the grantee is technically and financially capable of complying with all the requirements of public service;

SECTION 4. For the purpose of installing, operating and maintaining its telecommunications lines, it shall be lawful for the grantee, its successors or assigns, to make excavation or lay conduits in any of the public places, highways, streets, lanes, alleys, avenues, sidewalks bridges of the Province of Pangasinan and its municipalities; Provide, however, that any public disturbed, altered or changed by reason of the installation, operation and maintenance of said telecommunications line underground shall be required and replaced in a workmanlike manner by said grantee, its successors or assigns, to the satisfaction of the Provincial Government of Pangasinan. Should the grantee, its successors or assigns, after 30 days notice from proper authority, fail, refuse, or neglect to repair or replace any part of the public place, road, highway, street, lane, alley avenue, sidewalk, or bridge altered, changed or disturbed by said grantee, its successors or assigns, then the Provincial Government of Pangasinan shall have the right to have the same repaired and placed in good order and condition at the cost and expense of the grantee, its successors or assigns;

SECTION 5. All telecommunications systems owned, maintained or operated by the grantee, its successors or assigns, shall be operated and maintained at all times in a satisfactory manner;

SECTION 6. The grantee, its successors or assigns, shall keep a separate account of the gross receipts of the telecommunications service business transacted by it and shall furnish to the Provincial Treasurer of Pangasinan a copy of such account not later than the 31st of January of each year for the preceding twelve (12) months;

SECTION 7. The stations of the grantee shall be so constructed and operated and the wave lengths so selected as to avoid interference with existing stations and to permit the expansion of the grantee's services;

SECTION 8. No private property shall be taken for any purpose by the grantee without proper condemnation proceedings and just compensation paid or tendered therefor, and any authority to take and occupy land contained herein shall not apply to the taking, use or occupation of any land except such as is required for the actual and necessary purposes which this franchise is granted;

SECTION 9. The grantee is authorized to connect its telephone system to any other telecommunications system installed, maintained and operated by any other grantee in the Province of Pangasinan for the purpose of providing telecommunications services to the public on such terms and conditions as may be prescribed from time to time by the Governor of the Province of Pangasinan;

AAyer



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen

—oOo—

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

- 3 -

SECTION 10. The books and accounts of the grantee, its successors, or assigns, shall always be open to the inspection of the Provincial Treasurer of Pangasinan or his authorized representatives, and it shall be the duty of the grantee to submit to the Office of the Provincial Treasurer quarterly reports in duplicate showing the gross receipts and the net receipts for the quarter past and the general conditions of the business;

SECTION 11. The rights herein granted shall not be exclusive, and the rights and power to grant to any corporation, association, or person other than the grantee a franchise for the provision of telephone service or the installation, operation and maintenance of a telecommunications system shall not be impaired or affected by the granting of this franchise; Provided, that the telecommunications lines installed by virtue of any franchise for the provision of a telecommunications service or the installation, operation and maintenance of a telecommunications service or the installation, operation and maintenance of a telecommunications system granted subsequent to this franchise shall be so placed as not to impair the efficient and effective operation of the telecommunications systems installed under this franchise and actually in existence at the time of the granting of said subsequent franchise;

SECTION 12. The grantee shall not, without the previous and explicit approval of the Provincial Board of Pangasinan, directly or indirectly, transfer, sell, or assign this franchise to any person, association, company, or corporation or other mercantile or legal entity;

SECTION 13. The grantee is authorized to contract the installation and operation of the telecommunications system subject to this grant to private entities with expertise in the field of telecommunication under such terms and conditions as may be approved by the Provincial Government of Pangasinan;

SECTION 14. This franchise is granted with the understanding and upon the condition that it shall be subject to amendment, alteration, or repeal by the Provincial Board of Pangasinan, and that all lands or rights or use or occupation of lands secured by virtue of this franchise shall revert upon its termination to the national, provincial, or municipal governments which were the owners thereof upon the date on which this franchise was granted. These pertinent provisions of the Constitution are hereby incorporated in and made part of these presents, with the same effect as if they were expressed herein;

SECTION 15. The grantee shall:

a. Be liable to pay the same taxes on his real estate, buildings, personal property, exclusive of the franchise, as other persons or corporation are now or hereafter may be required by law to pay;

Asay



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen

—oOo—

OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

- 4 -

b. Pay to the Provincial Treasurer of Pangasinan or his duly authorized representative each year, within ten days after the audit and approval of the accounts as prescribed in this Ordinance, a franchise tax of one per cent (1%) of its total capital investment for the first year of its operation and, thereafter, based on gross receipts derived annually from the business transacted under this franchise, in lieu of any and all taxes except the real estate tax;

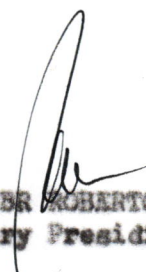
SECTION 16. Wherever in this franchise the terms "granted" is used, it shall be held and understood to mean and represent the PRINCESS URDUJA COMMUNICATIONS, INC., its representatives, successors or assigns;

SECTION 17. Separability Clause - If, for any reason or reasons, any part or provisions of this Ordinance shall be held to be invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect;


SECTION 18. EFFECTIVITY. This Ordinance shall take effect after ten (10) days from posting thereof in the Capitol Bulletin Board and two (2) other conspicuous places.

DOMINGO D. REFORMADO
Secretary to the Sanggunian

ATTESTED:


SP MEMBER ROBERTO N. FERRER
Temporary Presiding Officer

APPROVED:


AQUEDO F. AGUIYANI
Governor