



SENATE

S. Ct. Res. No. 6

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Introduced by Senator FRANKLIN M. DRILON

**CONCURRENT RESOLUTION
EXPRESSING THE SENSE OF THE CONGRESS THAT ABS-CBN
CORPORATION SHOULD CONTINUE TO OPERATE PENDING FINAL
DETERMINATION OF THE RENEWAL OF ITS FRANCHISE
BY THE 18th CONGRESS**

1 WHEREAS, Republic Act No. 7966 grants ABS-CBN Broadcasting Corporation a
2 franchise to "construct, install, operate and maintain, for commercial purposes and in
3 the public interest, television and radio broadcasting stations in and throughout the
4 Philippines, through microwave, satellite, or whatever means including the use of any
5 new technologies in television and radio systems, with the corresponding technological
6 auxiliaries or facilities, special broadcast and other broadcast distribution services and
7 relay stations;"

8 WHEREAS, Republic Act No. 7966 provides that the franchise of ABS-CBN
9 Broadcasting Corporation shall be for a term of twenty-five (25) years from the
10 effectivity of the Act, or until 4 May 2020;

11 WHEREAS, the various bills seeking to renew the franchise of ABS-CBN
12 Corporation remain pending in Congress;

13 WHEREAS, only eight (8) session days remain before the expiration of the
14 franchise of ABS-CBN Broadcasting Corporation and both the Senate and the House
15 of Representatives need additional time to review and determine whether or not ABS-
16 CBN Corporation shall be granted the renewal of its franchise;

17 WHEREAS, the Department of Justice has opined that: "The grant of a franchise
18 is an exercise of sovereign power and under our Constitution that power is vested in
19 the Congress. By necessary implication, such power of Congress also includes the
20 power to prescribe the rights of the franchisee-applicant pending final determination

1 of the renewal of its franchise by the Congress. It is therefore respectfully submitted
2 that the Congress, by concurrent resolution, may authorize the National
3 Telecommunications Commission (NTC) to issue a provisional authority, subject to
4 such terms and conditions as the NTC may deem fit, to ABS-CBN and other entities
5 similarly situated, authorizing them to continue operating subject to the Congress's
6 eventual disposition of the renewal applications." Now, therefore, be it

7 RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES
8 CONCURRING, To express the sense of the Congress that ABS-CBN Corporation should
9 be allowed to operate under the terms of its existing franchise pending final
10 determination of the renewal of its franchise by the 18th Congress and for the National
11 Telecommunications Commission (NTC) to issue ABS-CBN Corporation the appropriate
12 provisional authority.

Adopted,


FRANKLIN M. DRILON
Senator