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SENATE

S. No. 615

R BY:

Introduced by Sen. Antonio "Sonny" F. Trillanes IV

AN ACT

REQUIRING ALL FRANCHISE GRANTEEES USING WIRES AND CABLES IN THE OPERATION OF THEIR BUSINESS WITHIN THE PHILIPPINES TO PLACE THEIR WIRE AND CABLE CONNECTIONS UNDER THE GROUND, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES

EXPLANATORY NOTE

When super typhoon Yolanda slammed into the central part of the country, government officials located therein were unreachable, and the aforesaid affected areas were completely disconnected from the outside world. In the aftermath of the storm, one of the most pressing needs which require urgent action, is the restoration of power, as "90 percent of power poles are down and washed away,"¹ with "248 transmission towers and 198 poles either toppled or broken, and 120 poles leaning."² As the government and service providers struggle to restore electricity and communications, the feasibility and urgency of placing wire and cable connections underground, once more, surface into prominence.

Power outage is not a unique consequence of typhoon Yolanda. The country is met with natural disasters with frightening regularity. A large number of prolonged power outages are caused by these severe weather disturbances. Moreover, live wires and toppled power poles in the streets due to the same can pose grave threat to the safety of the people. Thus, year in and year out, time and resources are spent on the repair, maintenance and replacement of the damaged poles, wires and transformers. Add to these arcs the tangible and intangible impacts of extended outages such as unrest, discomfort, and lost economic activity among affected population.

In other countries, "concerns about the reliability of overhead lines, increases in their maintenance and operating costs and issues of public safety and quality of life arc leading more and more utilities and municipalities to the realization that converting overhead distribution lines to underground is the best way to provide high quality service to their customers."³ In the country, a city ordinance to move power lines underground was passed by

¹ Power restoration in typhoon-hit areas may take 2 months, Iris Gonzales (The Philippine Star) | Updated November 11, 2013 - 12:00am. Accessed from <http://www.philstar.com/headlines/2003/11/11/1255314/power-restoration-typhoon-hit-areas-may-take-2-months> on 11/24/2013

² Per National Grid Corporation of the Philippines. *Leyte and Samar islands still without power days after Yolanda super typhoon*. November 13, 2013 2:09 am. Accessed from <http://www.gmanetwork.com/news/story/335147/news/nation/leyte-samar-islands-still-without-power-days-after-yolanda-super-typhoon> on 11/24/2013

³ Converting overhead utilities to underground. Accessed from <http://www.governor.maryland.gov/documents/eOverheaT'oUnderground.pdf> on 11/20/2013.

the Cebu City Council. In Metro Manila, the Bonifacio Global City in Taguig supplies electric power, gas and fiber optic cabling, via underground lines.

Hence, recognizing the need to relocate overhead power cables and other utilities to make them less susceptible to the impacts of severe weather, this measure seeks to make it mandatory, within five years from its implementation, for all franchise grantees using wires and cables in the operation of their business within the country to place their wire and cable connections under the ground. This measure, further, metes out penalties for any violations to the provisions therein.

It is hoped that through the passage of this bill, the use of underground lines will prove, in the long run, to be more economical, safe and reliable than rebuilding from the exact same technology destroyed by said weather catastrophes.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator



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Introduced by Sen. Antonio "Sonny" F. Trillanes IV

AN ACT
REQUIRING ALL FRANCHISE GRANTEES USING WIRES AND CABLES IN THE
OPERATION OF THEIR BUSINESS WITHIN THE PHILIPPINES TO PLACE
THEIR WIRE AND CABLE CONNECTIONS UNDER THE GROUND, PROVIDING
PENALTIES THEREOF AND FOR OTHER PURPOSES

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

1 **SEC. 1. *Short Title.*** – This Act shall be known as the "Underground Wiring Act of
2 2016."

3 **SEC. 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to
4 protect and safeguard the interests of the public against the hazard posed by aerial wire and
5 cable installations of public utility firms especially during and after the occurrence of natural
6 calamities such as typhoons and earthquakes, and such other similar catastrophes.

7 **SEC. 3. *Installation and Relocation of Wires and Cables.*** – Within a period of five
8 (5) years from the effectivity of this Act, all franchise grantees engaged in the business of
9 providing telephone service and in supplying electric current to the public, or who are using
10 wires and cables in the operation of their business within the Philippines are hereby required
11 to place their wire and cable connection under the ground: *Provided, however,* That those
12 who shall commence the operation of the business referred to hereinabove, subsequent to the
13 effectivity of this Act shall comply with the provisions of this Act as soon as the operation of
14 the business is started.

15 The said franchise grantee shall use pipes and conduits which shall be safe, modern,
16 and first class in all respect, and said wires shall be carefully and systematically connected,
17 fastened, and insulated to assure physical safety to the public. Whenever the wires and
18 conduits are placed or installed under the ground whose surface is paved with concrete or
19 asphalt, the franchise grantee shall, after the completion of the construction, installation,
20 connection, or repair, properly replace, at his own expense without delay, the destroyed

1 pavement and such other property affected thereby, removing materials which may have been
2 placed there, taken up or dug up during the construction, installation, connection or repair of
3 the underground pipes or conduits, leaving all property in as good condition as before the
4 work started.

5 **SEC. 4. *Penalty.*** – Any franchise grantee who violates the provisions of this Act shall
6 be punished by a fine of not less than Fifty Thousand Pesos (Php 50,000.00) for each day
7 commencing:

8 a. From the first day immediately after the period of five years fixed under the next
9 preceding section has expired, until he has fully complied with the provisions of this
10 Act in the case of a franchise grantee already in operation of his business prior to the
11 effectivity of this Act; and

12 b. From the date such violation is committed, up to and including the date of his full
13 compliance with this Act in the case of a franchise grantee who will start the
14 operation of the business subsequent to the effectivity of this Act.

15 **SEC. 5. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations, other
16 issuances or parts thereof inconsistent with this Act are hereby repealed, amended, or
17 modified accordingly

18 **SEC. 6. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
19 in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,