

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

24 AUG 14 P5:44

RECEIVED BY: 

SENATE
S. No. 2782

Introduced by Senator Raffy T. Tulfo

AN ACT
MANDATING THE PROPER INSTALLATION AND MAINTENANCE OF OVERHEAD
ELECTRIC DISTRIBUTION, COMMUNICATION LINES, AND STRUCTURES BY
ALL ELECTRIC DISTRIBUTION, CABLE, AND TELECOMMUNICATIONS
COMPANIES

EXPLANATORY NOTE

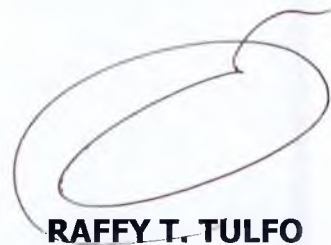
The presence of dangling cable wires has become a prevalent issue in both urban and rural areas across the country. This not only detracts from the visual appeal of these areas but also poses a significant public safety hazard. Numerous accidents have been reported due to the improper installation of utility poles. In 2014, two students and an employee were electrocuted by live dangling wires during heavy floods in Manila. In 2015, a teenager was killed when a PLDT's concrete post collapsed when a truck dragged the dangling and low-lying cable wires in Cebu. In 2022, a car crashed into a utility pole situated in the middle of the road in Leyte. In 2023, several accidents were reported due to the dangling wires improperly installed by a telephone company in Quezon City.

It is the policy of the State to protect life and property and to promote the general welfare. It is imperative that there should be proper maintenance of utility cables, poles and lines to prevent further accidents from happening. This proposed bill aims to mandate

a periodic inspection of overhead electric distribution and communication lines, in compliance with the standard clearance to the Philippine Electrical Code Part 2.

The Local Government Units are mandated to ensure that every electric distribution, telecommunication and cable company, within their territorial jurisdiction must comply with the standards and regulations provided under the Philippine Electrical Code. Furthermore, an Inter-Agency Committee will be established to monitor and set the prescribed standards for the overhead installation of lines, cables, utility poles, equipment, and accessories.

In view of the foregoing, the immediate approval of this measure is earnestly sought.

A handwritten signature in dark ink, consisting of a large, stylized loop followed by a smaller loop and a short horizontal stroke.

RAFFY T. TULFO

Senator

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

1 Section 1. *Short Title.* — This Act shall be known as the
2 “*Anti-Dangling Wires Act*”.

3 Sec. 2. *Declaration of Policy.* — It is hereby declared the policy of the State to:

- 4 a) Ensure the safety and protection of life and property;
5 b) Uphold the general welfare; and
6 c) Promote good housekeeping and implement sound maintenance of utility
7 poles, lines, cables, equipment and accessories in the conduct and delivery
8 of services by electric, cable and telecommunications companies to their
9 clients.

10 Sec. 3. *Responsibility of Electric Distribution, Cable, and Telecommunications*
11 *Companies.* — It shall be the responsibility of electric distribution, cable, and
12 telecommunications companies to safeguard life and property in the conduct and delivery
13 of services to their clients.

1 All electric distribution, cable and telecommunications companies shall ensure
2 public safety and prepare contingencies for calamities or any unforeseen event that may
3 cause harm, expose a person to peril and cause damage to property, by undertaking
4 necessary precautionary measures to prevent the same. Electric distribution, cable, and
5 telecommunications companies shall implement sound maintenance programs in all their
6 service areas. To this end, all electric distribution, cable, and telecommunications
7 companies shall perform the following:

8 (a) Conduct periodic inspection of overhead electric distribution and
9 communication lines, in compliance with the standard clearance under the
10 Philippine Electrical Code Part 2 (PEC 2) and as provided for in this Act or its
11 implementing rules and regulations;

12 (b) Fix and bundle-up dangling overhead secondary and communication lines;

13 (c) Remove unused overhead electric distribution and communication lines;

14 (d) Remove unused poles, relocate obstructing poles along carriageways and
15 public roads, and replace damaged or rotten utility poles; and

16 (e) Strictly adhere to and ensure compliance with the standards and regulations
17 provided under the Philippine Electrical Code (PEC), as approved and adopted by
18 the Board of Electrical Engineering of the Professional Regulation Commission
19 pursuant to the mandate vested upon the Board under Republic Act (RA) No. 7920,
20 otherwise known as the "New Electrical Engineering Law".

21 *Sec. 4. Joint Use of Structures.* — The joint use of structures shall be encouraged
22 for circuits along highways, roads, streets, and alleys. The choice between joint use of
23 structures and separate lines shall be determined through collaborative consideration of
24 all the factors involved, including the character of circuits, the total number and weight
25 of conductors, tree conditions, number and location of branches and service drops,
26 structure conflicts, and availability of right-of-way (ROW) and other factors as may be
27 provided in the rules and regulations to be promulgated to implement this Act.

28 Where such joint use is mutually agreed upon, it shall be subject to the appropriate grade
29 of construction specified in Article 3.5 of PEC 2.

1 *Sec. 5. Responsibility of the Local Government Units (LGUs).* — All cities and
2 municipalities shall, through their respective city or municipal engineers or the
3 Department of Public Works and Highways (DPWH) in the case of national roads, ensure
4 that every utility company, within their territorial jurisdiction, comply with the provisions
5 of Section 3 of this Act.

6 The Sangguniang Panlungsod or Sangguniang Bayan concerned shall, pursuant to
7 RA 7160, as amended, otherwise known as the "Local Government Code of 1991", enact
8 an ordinance governing the overhead installation of electric distribution lines, cables and
9 utility poles, in accordance with the Electrical Code, National Building Code (NBC), and
10 RA 11361, otherwise known as the "Anti-Obstruction of Power Lines Act", and in
11 consultation with the agencies concerned.

12 The city or municipal engineer, or the authorized representative of such city or
13 municipality shall, in addition to the authority to withhold the grant or renewal of licenses
14 or business permits, file a complaint against the electric distribution, cable, or
15 telecommunications company, which fails to conduct periodic inspection of its respective
16 utility line installations or fix or bundle up its utility lines or remove all old and unused
17 lines in violation of the regulations and standards provided for under the PEC 2 before
18 the court of competent jurisdiction. Any person may file an administrative complaint
19 against the city or municipal engineer who fails to monitor the compliance of electric
20 distribution, cable, and telecommunications companies with the standards and
21 regulations provided under the PEC 2.

22 Once it has been notified of a possible violation, the city or municipality, or the
23 DPWH in the case of national roads, shall send notice to the erring company to rectify its
24 error within a reasonable time or to explain its reasons for failure to comply with the
25 standards set forth in RA 7920 and its implementing rules and regulations.

26 Upon failure to rectify its error or continuous non-compliance without justifiable
27 cause, the city or municipal engineer, or the DPWH in the case of national roads, may
28 conduct an investigation upon due notice to the erring company. A finding of fault by the
29 authorized person conducting the investigation may result in the withholding of the

1 renewal of the corresponding business licenses or permits for erring electric distribution,
2 cable, and telecommunications companies.

3 The public utilities shall notify the LGU concerned on violations on the issuance of
4 building permits for non-compliance with the rules and the standards on setbacks and
5 clearances under the PEC, the NBC, and RA 11361, as provided in this Act.

6 *Sec. 6. Installation of Overhead Electric Distribution Lines, Cables and Utility Poles*
7 *and Standard Requirements.* — All overhead electric distribution lines, cables, and utility
8 poles shall be inspected by the city or municipal engineer, or the DPWH, whichever is
9 applicable. The installation of overhead electric distribution lines, cables, and utility poles
10 shall conform to the PEC 2, Philippine Distribution Code (PDC), Distribution Services and
11 Open Access Rules, NBC, and other applicable existing local and international standards,
12 of which compliance shall be ensured by the Inter-Agency Committee under Section 9 of
13 this Act. The specific location shall be inspected by the engineering officials prior to,
14 during and after the installation.

15 In cases where the ideal location to install a pole is unavailable, the concerned city
16 or municipal government, or the DPWH, shall assist the pole owner in identifying and
17 securing the right-of-way (ROW) for alternative pole locations, at no cost to the
18 government.

19 Pending the promulgation of standards by the Inter-Agency Committee under
20 Section 9 of this Act, or a uniform set of requirements by the barangay, city, or municipal
21 government unit on the overhead installation and maintenance of electric distribution
22 lines, cables, utility poles, equipment and accessories, the city or municipal government
23 shall assist the owner of a facility on issues concerning the same.

24 *Sec. 7. Creation of a Monitoring and Service Team.* — A Monitoring and Service
25 Team, led by the city or municipal engineer, whichever is applicable, and composed of
26 representatives from the pole owners and the electric distribution, cable, and
27 telecommunications companies, shall, in coordination with the barangay, city, or
28 municipal engineer or the DPWH, whichever is applicable, be created to perform the
29 immediate and necessary clean-up operation and maintenance of overhead electric

1 distribution lines, cables, utility poles, equipment, and accessories in compliance with the
2 provisions of this Act.

3 The removal or realignment of lines, cables, and utility poles shall be performed
4 by the concerned utilities. The clean-up operation shall commence within six (6) months
5 from the promulgation of the IRR pursuant to Section 12 of this Act.

6 *Sec. 8. Role of the Monitoring and Service Team.* — The Monitoring and Service
7 Teams shall conduct a semi-annual inspection to check compliance to Section 3 of this
8 Act and maintenance of their electric distribution lines, cables, utility poles, equipment
9 and accessories installed in a particular area for the efficient delivery of their services.
10 Maintenance shall include proper bundling, casing and replacement of damaged electric
11 distribution lines and cables, and repair and replacement of utility poles, equipment, and
12 accessories, and retirement of unused lines, cables and utility poles.

13 Upon finding of failure to comply with the relevant regulations, the Monitoring and
14 Service Teams shall inform the electric distribution, cable, and telecommunications
15 companies which shall be given a reasonable period of time to relocate and realign
16 displaced lines, cables, utility poles, equipment, and accessories as a result of a public
17 infrastructure work. Prior to the implementation of the construction project, the
18 implementing government agency or private entity shall inform and coordinate with the
19 electric distribution, cable, or telecommunication company concerned for the
20 reinforcement or relocation of its lines, cables, utility poles, equipment, and accessories.
21 The cost of reinforcing or relocating such lines, cables, utility poles, equipment and
22 accessories shall be shouldered by the implementing agency or private entity of the
23 construction project.

24 The implementing government agency of a construction project shall inform and
25 coordinate with the electric distribution, cable, or telecommunication company concerned
26 for the relocation of its lines, cables, utility poles, equipment and accessories. The cost
27 of relocating such lines, cables, utility poles, equipment and accessories shall be
28 shouldered by the implementing agency of the construction project. The implementing
29 government agency shall provide its plans, specifications and provide utility corridors for
30 the adequate evaluation of the design, construction, operation, and maintenance of

1 facilities. All costs that shall be incurred in the necessary relocation of facilities of the
2 public utilities concerned as a result of such public infrastructure work shall be borne by
3 the implementing agency or project proponent as part of its obligation to deliver the
4 ROW, or by the private concessionaire, as the case may be.

5 A real-time inspection and monitoring shall be done in cases of emergencies and
6 calamities.

7 Sec. 9. *Inter-Agency Committee.* — An Inter-Agency Committee to be co-chaired
8 by the ERC and DPWH and composed of authorized representatives from the Department
9 of the Interior and Local Government (DILG), Department of Information and
10 Communications Technology (DICT), National Telecommunications Company (NTC),
11 National Transmission Corporation (TransCo), National Electrification Administration
12 (NEA), Department of Human Settlements and Urban Development (DHSUD) and
13 representatives from the LGUs and public utilities, is hereby created to set the prescribed
14 standards in the overhead installation of lines, cables, utility poles, equipment, and
15 accessories, monitor the same and conduct periodic inspection thereof to ensure
16 compliance thereto and shall jointly plan for the conduct of clean-up drives, identify
17 issues, prioritize key areas, recommend best practices or way forward, to ensure
18 compliance of the latter with applicable existing laws, rules, and regulations of relevant
19 agencies or offices of the government, such as the PEC, the PDC, and the NBC.

20 The Inter-Agency Committee may invite resource persons, if deemed necessary,
21 from Professional Regulatory Board of Electrical Engineering (PREE), PRC-Board of
22 Electronics and Communications Engineering (PRC-BECE), the Institute of Integrated
23 Electrical Engineers of the Philippines (IIEE) and two (2) representatives from the private
24 sector.

25 Sec. 10. *Penalty Provisions.* — In addition to the civil liabilities prescribed by
26 Article 2176 of the Civil Code on quasi-delict and the penalties prescribed by Article 365
27 of the Revised Penal Code on criminal negligence, and unless otherwise provided under
28 special laws, an electric distribution, cable, or telecommunications company found in
29 violation of provision of this Act, may be punished with a fine of not less than Two
30 hundred fifty thousand pesos (P250,000.00) but not more than Five hundred thousand

1 pesos (P500,000.00) for the first offense; a fine of not less than Five hundred thousand
2 pesos (P500,000.00) but not more than One million pesos (P1,000,000.00) for the second
3 offense; and a fine of not less than One million pesos (P1,000,000.00) but not more than
4 Two million pesos (P2,000,000.00) for the third and succeeding offenses, as may be
5 determined by the court.

6 Sec. 11. *Joint Congressional Oversight Committee (JCOC).* — There is hereby
7 created a Joint Congressional Oversight Committee to monitor the effective
8 implementation of this Act, recommend the necessary remedial or administrative
9 measures, and perform such other duties and functions as may be necessary to attain
10 the objectives of this Act.

11 The JCOC shall be composed of ten (10) members, with the Chairpersons of the
12 Committees on Energy of both Houses of Congress as Co-Chairpersons. The Chairpersons
13 of the Senate Committee on Public Works, Senate Committee on Public Services, House
14 Committee on Public Works and Highways, and House Committee on Information and
15 Communications Technology shall be the Co-Vice Chairpersons. An additional two (2)
16 members from each House shall be designated by the Senate President and the Speaker
17 of the House of Representatives, respectively: Provided, That at least one (1) member
18 from each House shall be nominated by their respective Minority Leaders. The Secretariat
19 of the JCOC shall be the existing secretariat personnel of the concerned Committees of
20 both Houses of Congress.

21 Sec. 12. *Implementing Rules and Regulations (IRR).* — Within one hundred
22 twenty (120) days, the ERC and DPWH shall, in consultation with the DILG, DICT, NTC,
23 TRANSCO, PREE, PRC- BECE, NEA, IIEE, DHSUD, Institute of Electronics Engineers of the
24 Philippines, and representatives from the LGUs, the electric distribution, cable, and
25 telecommunications companies, promulgate the necessary IRR from the effectivity of this
26 Act.

27 Sec. 13. *Separability Clause.* — If, for any reason, any provision of this Act is
28 declared unconstitutional or invalid, the other provisions hereof, which are not affected
29 thereby shall continue to be in full force and effect.

1 Sec. 14. *Repealing Clause.* — All laws, decrees, orders, rules and regulations or
2 parts thereof, which are inconsistent with or contrary to the provisions of this Act, are
3 hereby repealed, amended or modified accordingly.

4 Sec. 15. *Effectivity.* — This Act shall take effect fifteen (15) days after its
5 publication in the Official Gazette or in a newspaper of general circulation.

Approved,