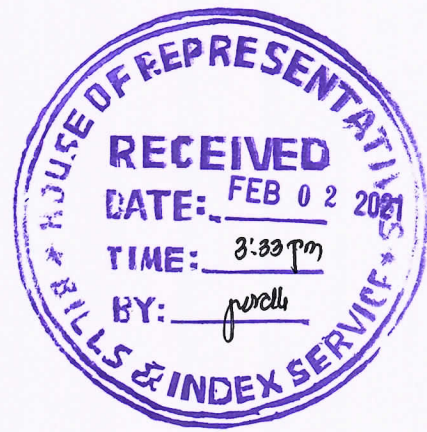




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 8609

Introduced by **REPRESENTATIVE JOEL MAYO Z. ALMARIO**

EXPLANATORY NOTE

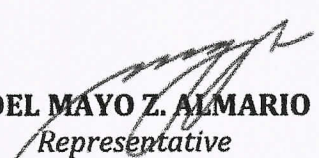
The Philippines faces yet another problem when it comes to utility services. In the recent years, the electricity supply in most areas in the country have been facing power interruptions, especially during storms in calamity prone areas, at the time when they need utilities the most. Worse, when calamities hit our country, not only do electricity go out, so does other utilities like water and internet connectivity, all at the same time.

These poor utility services lead to reduced productivity through disturbance of business processes, hampered online learning, inefficient work-from-home efforts, and adversarial effects on public order and safety.

It is suggested in this measure that consumers or subscribers who experience unintended utility services interruptions must be compensated through forfeitures in the overhead costs for the inconvenience brought by the outages, except when such outages qualify in the exemptions provided in this bill.

This bill seeks to charge a minute-based forfeiture on the fixed or overhead costs on utility bills whenever unintended outages or interruptions in their services arise. Most importantly, this measure will motivate the utility service providers to effectively resume their services in the earliest opportune time to minimize the interruptions brought by the unintended and unannounced utility outages.

Hence, the approval of this bill is earnestly sought.


JOEL MAYO Z. ALMARIO

Representative

2nd District, Davao Oriental



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AN ACT
IMPOSING FORFEITURES ON THE OVERHEAD CHARGES DUE TO
UNINTENDED OR UNANNOUNCED UTILITY SERVICE INTERRUPTION AND
FOR OTHER PURPOSES

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

1 **SECTION 1.** This Act shall be known as "*Utility Service Interruption Forfeiture Act*
2 *of 2021*".
3

4 **SEC. 2.** It is hereby declared the policy of the State to ensure that all citizens have
5 access to water, electricity, and interconnectivity.
6

7 **SEC. 3.** There shall be a minute-based forfeiture on the overhead and other fixed
8 charges of every subscriber or consumer whenever there arises utility service
9 interruptions whether unintended or unannounced.
10

11 **SEC. 4.** Forfeitures granted to subscribers and consumers on the overhead and
12 other fixed charges, within the ambit of this Act, shall apply only to unintended or
13 unannounced utility services interruptions; *Provided*, that said forfeitures shall
14 not apply to utility services interruptions due to scheduled maintenance breaks as
15 announced by the utility service providers; *Provided further*, that the utility service
16 providers shall notify all its consumers or subscribers through print, radio,
17 television, or social media platforms, at least forty eight (48) hours prior to the
18 scheduled maintenance break.
19

20 **SEC. 5.** The minute-based forfeitures shall be applied from the time the
21 unintended electricity outage starts until the utility service is fully restored.
22

23 **SEC. 6.** The minute-based forfeiture rates and overhead and other fixed charges
24 shall be determined by the Energy Regulatory Commission (ERC), Local Water

25 Utility Administration (LWUA), National telecommunications Commission (NTC),
26 as the case maybe, in coordination with the other concerned government agencies.
27

28 **SEC. 7.** Utility services interruptions due, but not limited, to force majeure, acts of
29 god, insurrection, rebellion, negligence by the consumer or subscriber, shall be
30 excluded from the forfeitures as provided for in this Act.
31

32 **Sec. 8.** Any utility service provider found in violation of the provisions of this Act
33 shall be punished with a fine of not less than Fifty Thousand (P50,000.00) Pesos
34 for each day of non-compliance commencing from the date the violation is
35 committed.
36

37 **Sec. 9.** The Department of Energy (DOE), Department of Information and
38 Communications Technology (DICT), in coordination with the ERC, LWUA, and
39 NTC and other concerned agencies shall formulate the Internal Rules and
40 Regulations (IRR) within sixty (60) days from the enactment of this Act.
41

42 **SEC. 10.** If any part, section or provision of this Act shall be held invalid or
43 unconstitutional, the rest of the provisions shall not be affected thereby.
44

45 **SEC. 11.** All laws, executive orders, rules and regulations or parts thereof which
46 are inconsistent with this Act are hereby repealed or modified accordingly.
47

48 **SEC. 12.** This Act shall take effect fifteen (15) days from the date of its publication
49 in the *Official Gazette* or in at least two (2) newspapers of general circulation.
50

51 *Approved.*