



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 225



Introduced by Representative **GERALDINE B. ROMAN**

EXPLANATORY NOTE

This bill seeks to mandate all electric, cable and telecommunications companies to conduct periodic inspections of their respective utility line installations to ensure strict compliance with the standards and regulations provided under the Philippine Electrical Code.

The Philippine Electrical Code has been approved and adopted by the Board of Electrical Engineering of the Professional Regulation Commission by virtue of its mandate under Republic Act No. 7920, also known as the "*New Electrical Engineering Law*." The Philippine Electrical Code serves as the basis in the installation of electrical system designs in the country.

Electric, cable and telecommunications companies already existing in the country such as MERALCO, PLDT, Bayantel, Skycable, observe and use the provisions of the Philippine Electrical Code in the installation of their utility lines. For instance, overhead power lines have strict guidelines for height clearances over streets, sidewalks, alleys, roads and driveways for the safety of the public. However, through the passage of time, in the absence of regular inspection and monitoring, the sagging of these wires and cables may happen which endangers the lives of people.

It is for this reason that this measure is proposed to mandate all electric, cable and telecommunications companies to conduct periodic inspections of their respective utility line installation and for the government agencies exercising jurisdiction over these installations to monitor the height clearance requirements for the safety of the public. This bill was approved on third reading and was transmitted to the Senate during the 18th Congress.

In view of the foregoing, approval of this bill is earnestly recommended.


GERALDINE B. ROMAN



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Introduced by Representatives Geraldine B. Roman

AN ACT
MANDATING THE PROPER INSTALLATION AND MAINTENANCE OF
OVERHEAD ELECTRIC SUPPLY, COMMUNICATION LINES, AND
STRUCTURE BY ALL ELECTRIC, CABLE AND TELECOMMUNICATIONS
COMPANIES FOR PURPOSES OF PUBLIC SAFETY AND GOOD
HOUSEKEEPING

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

1 SECTION 1. **Short Title.** This Act shall be known as the “*Proper*
2 *Installation and Maintenance of Overhead Electric Supply and Communication*
3 *Lines Act*”.

4 SEC. 2. **Declaration of Policy.** – It is hereby declared the policy of the
5 State to:

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

1 SEC. 3. **Responsibility of Electric, Cable and Telecommunications**
2 **Companies.** – It shall be the responsibility of electric, cable and
3 telecommunications companies to safeguard life and property in the conduct
4 and delivery of services to their clients.

5 They shall ensure public safety and prepare contingencies for calamities
6 or any unforeseen event that may cause harm, expose a person to peril and
7 cause damage to property, by undertaking necessary precautionary
8 measures to prevent the same. Electric, cable and telecommunications
9 companies shall maintain good housekeeping and implement sound
10 maintenance programs in all their service areas. Toward this end, all
11 electric, cable and telecommunications companies shall perform the
12 following:

13 (a) Conduct periodic inspection of overhead electric supply and
14 communication lines, in compliance with the standard clearance under the
15 Philippine Electrical Code Part 2 (PEC 2) and as provided in this Act or the
16 implementing rules and regulations;

17 (b) Fix and bundle-up of dangling overhead secondary and
18 communication lines;

19 (c) Remove unused overhead electric and communication lines;

20 (d) Replace all unused, misplaced, damaged and rotten utility poles; and

21 (e) Strictly adhere to and ensure strict compliance with the standards and
22 regulations provided under the Philippine Electrical Code, as approved and
23 adopted by the Board of Electrical Engineering of the Professional
24 Regulation Commission pursuant to the mandate vested upon the Board
25 under Republic Act No. 7920, otherwise known as the "*New Electrical*
26 *Engineering Law*".

27 SEC. 4. **Joint Use of Structure.** – The joint use of structure shall be
28 considered for circuits along highways, roads, streets, and alleys. The choice
29 between joint use of structures and separate lines shall be determined
30 through collaborative consideration of all the factors involved, including, but
31 not limited to, the character of circuits, the total number and weight of
32 conductors, tree conditions, number and location of branches and service
33 drops, structure conflicts, and availability of right-of-way and other factors

1 as may be provided in the implementing rules and regulations. Where such
2 joint use is mutually agreed upon, it shall be subject to the appropriate
3 grade of construction specified in Article 3.5 of PEC 2.

4 SEC. 5. **Responsibility of the Local Government Units (LGUs).** – All
5 cities and municipalities shall, through their respective city or municipal
6 engineers or the Department of Public Works and Highways (DPWH) in the
7 case of national roads, ensure that every utility company, within their
8 territorial jurisdiction, comply with the provisions of Section 3 of this Act.
9 The Sangguniang Panlungsod or Sangguniang Bayan concerned shall,
10 under the Local Government Code, issue an ordinance governing the
11 overhead installation of electric wires, cables and utility poles, in accordance
12 with the Electrical Code, National Building Code and RA11361 or The Anti-
13 Obstruction Of Power Lines Act and in consultation with the agencies
14 concerned.

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

26 Once it has been notified of a possible violation, the city or
27 municipality, or the DPWH in the case of national roads, shall send notice to
28 the erring company to allow it to rectify its error within a reasonable time or
29 to explain its reasons for failure to comply with the standards set forth in
30 Republic Act No. 7920 and its implementing rules and regulations. Upon
31 failure to rectify its error or continuous non-compliance without justifiable
32 cause, the city or municipal engineer, or the DPWH in the case of national
33 roads, may conduct an investigation, upon due notice to the erring

1 company. A finding of fault by the authorized person conducting the
2 investigation may result in the withholding of the renewal of the
3 corresponding business licenses or permits for erring electric, cable and
4 telecommunications companies.

5 The public utilities shall notify the LGU concerned on violations on the
6 issuance of building permits for non-compliance with the rules and the
7 standards on setbacks and clearances under the *Philippine Electrical Code*
8 the *National Building Code*, and the “*Anti-Obstruction of Power Lines Act*” or
9 Republic Act No. 11361, as provided in this Act.

10 SEC. 6. ***Installation of Overhead Electric Lines, Cables and***
11 ***Utility Poles and Standard Requirements.*** – All installation of overhead
12 electric lines, cables and utility poles shall be inspected by the city or
13 municipal engineer, or the DPWH, whichever is applicable. Installation of
14 overhead electric lines, cables and utility poles shall conform to the PEC 2,
15 Philippine Distribution Code (PDC), Distribution Services and Open Access
16 Rules (DSOAR), National Building Code (NBC), and other existing applicable
17 local and international standards, of which compliance shall be ensured by
18 the Inter-Agency Committee. The specific location shall be inspected by the
19 engineering officials prior to, during and after the installation.

20 In cases where the ideal location of pole installation is unavailable, the
21 city or municipal government, or the DPWH, whichever is applicable, shall
22 assist the pole owner in identifying and securing the right-of-way (ROW) for
23 alternative pole locations, at no cost to the government.

24 Pending the promulgation of standards by the Inter-agency Committee
25 under Section 9 of this Act or a uniform set of requirements by the
26 barangay, city or municipal government unit on the overhead installation
27 and maintenance of electric lines, cables, utility poles, equipment and
28 accessories, the city or municipal government shall assist the facilities
29 owner on issues concerning the same.

30 SEC. 7. ***Creation of a Monitoring and Service Team.*** – A Monitoring
31 and Service Team, led by the city or municipal engineer and composed of
32 representatives from the pole owners and the electric, cable and
33 telecommunications companies, shall, in coordination with the barangay,

1 city or municipal-engineer or the DPWH, whichever is applicable, be created
2 to perform the immediate and necessary clean-up operation and
3 maintenance of overhead electric lines, cables, utility poles, equipment and
4 accessories in compliance with the provisions of this Act. The clean-up
5 operation shall commence within six (6) months from the promulgation of
6 the Implementing Rules and Regulations (IRR) pursuant to Section 13 of this
7 Act.

8 SEC. 8. ***Role of the Monitoring and Service Team.*** – The Monitoring
9 and Service Teams of electric, cable and telecommunications companies
10 shall conduct a semi-annual inspection to check compliance to Section 3 of
11 this Act and maintenance of their electric lines, cables, utility poles,
12 equipment and accessories installed in a particular area for the efficient
13 delivery of their services. Maintenance shall include, among others, proper
14 bundling, casing and replacement of damaged electric lines and cables, and
15 repair and replacement of utility poles, equipment and accessories, and
16 retirement of unused electric wires, cables and utility poles.

17 Electric, cable and telecommunications companies shall be given a
18 reasonable period of time to relocate and realign displaced lines, cables,
19 utility poles, equipment and accessories as a result of a public
20 infrastructure work. The implementing agency of a construction project
21 shall inform and coordinate with the public utility company concerned for
22 the relocation of its lines, cables, utility poles, equipment and accessories.
23 The cost of relocating such lines, cables, utility poles, equipment and
24 accessories shall be shouldered by the implementing agency of the
25 construction project. The implementing agency shall provide its plans,
26 specifications and provide utility corridors for the adequate evaluation of the
27 design, construction, operation, and maintenance of facilities. All costs that
28 shall be incurred in the necessary relocation of facilities of the public
29 utilities concerned as a result of such public infrastructure work under the
30 Public-Private Partnership (PPP) Project, Build-Build-Build Program, or any
31 other similar program of the government shall be borne by the implementing
32 agency or project proponent as part of its obligation to deliver the right-of-
33 way, or by the private concessionaire, as the case may be.

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

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

17 The inter-agency committee may invite resource persons, if deemed
18 necessary, from Professional Regulatory Board of Electrical Engineering
19 (PRBEE), PRC-Board of Electronics and Communications Engineering (PRC-
20 BECE), the Institute of Integrated Electrical Engineers of the Philippines
21 (IIEE) and two (2) representatives from the private sector.

22 SEC. 10. **Penalty Provisions.** – Unless otherwise provided under
23 special laws, an electric, cable or telecommunications company found in
24 violation of any provision of this Act, in addition to the civil liabilities
25 prescribed by Article 2176 of the *Civil Code* on quasi-delict and the penalties
26 prescribed by Article 365 of the *Revised Penal Code* on criminal negligence,
27 shall be punished with a fine of not less than Two hundred fifty thousand
28 pesos (P250,000.00) but not more than Five hundred thousand pesos
29 (P500,000.00) for the first offense; a fine of not less than Five hundred
30 thousand pesos (P500,000.00) but not more than One million pesos
31 (P1,000,000.00) for the second offense; and a fine of not less than One
32 million pesos (P1,000,000.00) but not more than Two million pesos

1 (P2,000,000.00) for the third and succeeding offenses, as may be determined
2 by the court.

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

8 The oversight committee shall be composed of ten (10) members, with
9 the Chairpersons of the Committees on Energy of both Houses of Congress
10 as Co-Chairpersons. The Chairpersons of the House Committee on
11 Information and Communications Technology and Senate Committee on
12 Public Services shall be the Co-Vice Chairpersons. An additional three (3)
13 members from each House, shall be designated by the Senate President and
14 the Speaker of the House of Representatives, respectively. *Provided,* That at
15 least one (1) member from each House shall be nominated by their
16 respective Minority Leaders. The secretariat of the JCOC shall be the
17 existing secretariat personnel of the concerned Committees of both Houses
18 of Congress.

19 SEC. 12. **Implementing Rules and Regulations.** – The ERC shall, in
20 consultation with the DPWH, DILG, DICT, NTC, TRANSCO, PRBEE, PRC-
21 BECE, NEA, IIEE and representatives from the LGUs, the electric, cable and
22 telecommunications companies, promulgate the necessary Implementing
23 Rules and Regulations (IRR) within one hundred twenty (120) days from the
24 effectivity of this Act.

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

28 SEC. 14. **Repealing Clause.** – All laws, decrees, orders, rules and
29 regulations or parts thereof, which are inconsistent with or contrary to the
30 provisions of this Act, are hereby repealed, amended or modified
31 accordingly.

1 SEC. 15. ***Effectivity.*** – This Act shall take effect fifteen (15) days after
2 its publication in the Official Gazette or in a newspaper of general
3 circulation.

4 Approved,