

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 7069



Introduced by Representative Joseph Gilbert F. Violago

EXPLANATORY NOTE

Traditionally, companies, service providers, and entities engaged in the business of providing cable, internet, telephone, and power supply to consumers use overhead lines in order to operate. These overhead lines are not only visual nuisances when not properly maintained, these are also prone to damage because of exposure to the elements. Severe weather conditions like strong typhoons or torrential rains, as well as earthquakes, more often than not cause service interruption because of damaged posts and lines. Other factors such as tampering, theft and pilferage, vandalism, and intentional destruction, not to mention road mishaps that topple posts, also pose a great risk.

For this reason, there is great wisdom in relocating and installing cables and wires underground. First, underground cables and wires can be installed in densely populated public places, especially in urban areas, without resorting to right-of-way acquisition – thus, minimizing the costs against the companies and franchisees. Second, these cables and wires will not be exposed to the harsh weather conditions and other external factors that cause damage and destruction – hence, service interruption, especially during crucial times such as public emergencies, will be kept at a minimum. Third, public safety will be ensured because the risk of electrocution, entanglement, and fire, among other hazards, will be virtually eliminated. Finally, from an aesthetic standpoint, it will help in the general housekeeping of localities in terms of cleanliness and orderliness, as dangling lines and cables and ruined poles will be removed.¹

Hence, this bill seeks to mandate all franchise grantees engaged in providing telephone, cable, internet service and electric supply to the public, to relocate or install their wire and cable system underground. Penal provisions for non-compliance, as well as damage to property and injury to persons, are likewise provided.

A similar version of this commendable bill was filed in the 18th Congress and the present proponent is acknowledging the wisdom and hard work of his predecessors.

¹ N.a. "Top 5 Reasons to Use Underground Transmission Lines". HDR Inc. 19 February 2018. Web. Accessed on 15 December 2022. <<https://www.hdrinc.com/insights/top-5-reasons-use-underground-transmission-lines>>

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



JOSEPH GILBERT F. VIOLAGO

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**AN ACT
REQUIRING ALL FRANCHISE GRANTEES, UTILITY COMPANIES AND
OTHER SIMILAR ENTITIES USING WIRES AND CABLES IN THE
OPERATION OF THEIR BUSINESSES TO RELOCATE OR INSTALL ALL
WIRES AND CABLES UNDERGROUND, PROVIDING FOR PENALTIES
THEREOF, AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* – This Act shall be known as the "Underground Cable and Wire System Act."

SECTION 2. *Coverage.* – Within a period of ten (10) years from the effectivity of this Act, all franchise grantees, utility companies, and other similar entities engaged in the business of providing telephone, cable, internet, and electric supply to the public, including all other industries that utilize wires and cables in the operation of their business within the Philippines, are hereby mandated to relocate or install all its wires and cables underground: *Provided, however,* that those who shall commence the operation of the business referred herein, subsequent to the effectivity of this Act, shall comply with the provisions of this Act as soon as the operation of their business commences.

The franchise grantees, utility companies, and other similar entities shall use wires and cables that are safe, durable, modern, and of highest quality. All wires and cables shall be carefully and systematically connected, fastened, secured, and insulated to assure the physical safety of the public. The wires and cables to be relocated underground shall be tagged or marked by the franchise grantees, utility companies, and other similar entities in order to differentiate their wires and cables from others.

SECTION 3. *Periodic Inspection.* – All franchise grantees, utility companies, and other similar entities under this Act shall conduct mandatory periodic inspection of their underground installations to ensure strict compliance with the standards and regulations as provided by the Philippine Electrical Code and other relevant laws.

SECTION 4. *Penal Provisions.* – Any franchise grantee found in violation of the provision of this Act shall suffer the following penalties:

1. Any franchise grantee using wires and cables in the operation of their business that failed to relocate and/or establish their cable system underground upon effectivity of this Act shall pay a fine of not less than Fifty thousand pesos (Php50,000.00) for each day of non-compliance.
2. Any franchise grantee whose relocation and installation caused any damage to property or cause injury to another shall shoulder full costs and pay a fine of not less than double the amount of costs of damages and/or medical expenses.

SECTION 5. *Implementing Rules and Regulations.* – Within one hundred twenty (120) days from the effectivity of this Act, the Department of Public Works and Highways (DPWH), the National Grid Corporation of the Philippines (NGCP), the Department of Information and Communications Technology (DICT), the Department of Interior and Local Government (DILG), the Bureau of Fire Protection (BFP), and the Department of Science and Technology (DOST), in consultation with appropriate government agencies and other stakeholders, shall promulgate the necessary rules and regulations to implement this Act.

SECTION 6. *Separability Clause.* – If any provision or part of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION 7. *Repealing Clause.* – All laws, decrees, executive orders, presidential issuances and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,