

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

TWENTIETH CONGRESS

First Regular Session

HOUSE BILL NO. 64



Introduced by Representative Jurdin Jesus M. Romualdo

EXPLANATORY NOTE

This is a refiled bill from the 19th Congress and was filed by Rep. Mark O. Go wherein I was one of his co-authors for I have a similar bill on the same subject.

This bill was approved by the House of Representatives on Third Reading on August 7, 2024 and was transmitted on the same day to the Senate. However, it remained pending at the Committee level.

We have in mind here the safety and protection of lives and properties as well as ensure the general welfare of the people who are recipients of various services by utility providers such as from electric distribution utilities, cable providers, and telecommunications companies.

We are accustomed to seeing on the streets of urbanized centers dangling wires of various sorts from poles which were installed and attached to these poles to provide connection from the source to the household or business clients' area. However, these lines and poles ought to be maintained well by these providers as pole owners also collect fees to any provider that will use its structured poles which are sometimes made of wood, cement or steel.

It is high time that we implement a sound maintenance for all types of utility pole, line, cable, equipment and accessories in the delivery of various services from these providers to their respective clients and promote good housekeeping practices.

Key provisions of the bill includes:

1. Requiring of periodic inspection of overhead distribution and communication lines in compliance with the standard clearance provided in the Philippine Electoral Code;
2. Requiring all electric distribution, cable, and telecommunication line providers to maintain good housekeeping and implement sound maintenance programs in all their service areas;
3. Mandating local government units shall ensure that every electric distribution, cable, and telecommunication company within their territorial jurisdiction shall comply with the standards provided in the Philippine Electoral Code;
4. A monitoring and service team shall be created composed of the city or municipal engineering office and representatives from these utility companies shall, in coordination with, the barangay or DPWH, whichever is applicable, to perform immediate and necessary clean-up operations and maintenance of overhead electric lines, cables, utility poles, equipment, and accessories in compliance with the provisions of this Act.
5. An inter-agency committee composed of ERC as Chairperson, and

representatives from DPWH, DILG, DICT, NTC, TRANSCO, NEA, DHUSD and LGU's and from public utility providers shall be created to set the prescribed standards in the overhead installation of lines, cables, utility poles, equipment, and accessories, including monitoring and conducting periodic inspection to ensure compliance of the provisions of this Act;

6. Violations to any provisions of this Act shall be meted with various penalties of the Civil Code under Article 2176 on quasi-delict and criminal negligence under Article 365 of the Criminal Code with corresponding fines;
7. A Joint Congressional Oversight Committee shall be created to monitor the effective implementation of this Act.

Let us make our communities and streets safe from overhead hazards which has caused injuries and deaths aside from damages to properties. Let us be responsive citizens mindful of our duties and report immediately overhead hazards to appropriate offices to avoid injury to lives and damage to properties. Let us encourage these service utility providers to be responsible of their overhead installations.

Your support and favorable approval of this bill is earnestly sought.



JURDYN JESUS M. ROMUALDO

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AN ACT

MANDATING THE PROPER INSTALLATION AND MAINTENANCE OF OVERHEAD ELECTRIC DISTRIBUTION, COMMUNICATION LINES, AND STRUCTURES BY ALL ELECTRIC DISTRIBUTION, CABLE, AND TELECOMMUNICATIONS COMPANIES FOR PURPOSES OF PUBLIC SAFETY AND GOOD HOUSEKEEPING

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 "*Proper Installation and*
2 *Maintenance of Overhead Electric Distribution and Communication Lines 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 poles,
7 lines, cables, equipment and accessories in the conduct and delivery of services by
8 electric, cable and telecommunications companies to their clients.

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

12 All electric distribution, cable and telecommunications companies shall ensure public safety
13 and prepare contingencies for calamities or any unforeseen event that may cause harm, expose
14 a person to peril and cause damage to property, by undertaking necessary precautionary
15 measures to prevent the same. Electric distribution, cable, and telecommunications companies
16 shall implement sound maintenance programs in all their service areas. Toward this end, all
17 electric distribution, cable, and telecommunications companies shall perform the following:

- 18 a) Conduct periodic inspection of overhead electric distribution and communication lines, in
19 compliance with the standard clearance under the Philippine Electrical Code Part 2 (PEC
20 2) and as provided for in this Act or its implementing rules and regulations;
- 21 b) Fix and bundle-up dangling overhead secondary and communication lines;
- 22 c) Remove unused overhead electric distribution and communication lines;
- 23 d) Remove unused poles, relocate obstructing poles along carriageways/public roads, and
24 replace damaged or rotten utility poles; and
- 25 e) Strictly adhere to and ensure compliance with the standards and regulations provided

1 under the Philippine Electrical Code (PEC), as approved and adopted by the Board of
2 Electrical Engineering of the Professional Regulation Commission pursuant to the
3 mandate vested upon the Board under Republic Act (RA) No. 7920, or the *"New Electrical*
4 *Engineering Law"*.

5 **SEC. 4. *Joint Use of Structures.*** - The joint use of structures shall be encouraged for circuits
6 along highways, roads, streets, and alleys. The choice between joint use of structures and
7 separate lines shall be determined through collaborative consideration of all the factors involved,
8 including the character of circuits, the total number and weight of conductors, tree conditions,
9 number and location of branches and service drops, structure conflicts, and availability of right-
10 of-way and other factors as may be provided in the rules and regulations to be promulgated to
11 implement.

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

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

18 The Sangguniang Panlungsod or Sangguniang Bayan concerned shall, pursuant to RA 7160,
19 as amended, or the *"Local Government Code"*, enact an ordinance governing the overhead
20 installation of electric distribution lines, cables and utility poles, in accordance with the Electrical
21 Code, National Building Code (NBC) and RA 11361 or the *"Anti-Obstruction of Power Lines Act"*
22 and in consultation with the agencies concerned.

23 The city or municipal engineer, or the authorized representative of such city or municipality
24 shall, in addition to the authority to withhold the grant or renewal of licenses or business permits,
25 file a complaint against the electric distribution, cable, or telecommunications company, which
26 fails to conduct periodic inspection of its respective utility line installations or fix or bundle up its
27 utility lines or remove all old and unused lines in violation of the regulations and standards
28 provided for under the PEC 2 before the court of competent jurisdiction. Any person may file an
29 administrative complaint against the city or municipal engineer who fails to monitor the compliance
30 of electric distribution, cable, and telecommunications companies with the standards and
31 regulations provided under the PEC 2.

32 Once it has been notified of a possible violation, the city or municipality, or the DPWH in the
33 case of national roads, shall send notice to the erring company to allow it to rectify its error within
34 a reasonable time or to explain its reasons for failure to comply with the standards set forth in RA
35 7920 and its implementing rules and regulations.

36 Upon failure to rectify its error or continuous non-compliance without justifiable cause, the city
37 or municipal engineer, or the DPWH in the case of national roads, may conduct an investigation,
38 upon due notice to the erring company. A finding of fault by the authorized person conducting the
39 investigation may result in the withholding of the renewal of the corresponding business licenses
40 or permits for erring electric distribution, cable and telecommunications companies.

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

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

12 In cases where the ideal location of a pole installation is unavailable, the concerned city or
13 municipal government, or the DPWH, shall assist the pole owner in identifying and securing the
14 ROW for alternative pole locations, at no cost to the government.

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

20 **SEC. 7. *Creation of a Monitoring and Service Team.*** - A Monitoring and Service Team, led
21 by the city or municipal engineer, whichever is applicable, and composed of representatives from
22 the pole owners and the electric distribution, cable, and telecommunications companies, shall, in
23 coordination with the barangay, city, or municipal engineer or the DPWH, whichever is applicable,
24 be created to perform the immediate and necessary clean-up operation and maintenance of
25 overhead electric distribution lines, cables, utility poles, equipment and accessories in compliance
26 with the provisions of this Act.

27 The removal or correction of lines, cables, and utility poles shall be performed by the concerned
28 utilities. The clean-up operation shall commence within six (6) months from the promulgation of
29 the Implementing Rules and Regulations (IRR) pursuant to Section 13 of this Act.

30 **SEC. 8. *Role of the Monitoring and Service Team.*** - The Monitoring and Service Teams of
31 electric distribution, cable, and telecommunications companies shall conduct a semi-annual
32 inspection to check compliance to Section 3 of this Act and maintenance of their electric
33 distribution lines, cables, utility poles, equipment and accessories installed in a particular area for
34 the efficient delivery of their services. Maintenance shall include proper bundling, casing and
35 replacement of damaged electric distribution lines and cables, and repair and replacement of
36 utility poles, equipment and accessories, and retirement of unused lines, cables and utility poles.

37 Electric distribution, cable, and telecommunications companies shall be given a reasonable
38 period of time to relocate and realign displaced lines, cables, utility poles, equipment and
39 accessories as a result of a public infrastructure work. Prior to the implementation of the
40 construction project, the implementing government agency or private entity of a construction

1 project shall inform and coordinate with the electric distribution, cable, or telecommunication
2 company concerned for the reinforcement or relocation of its lines, cables, utility poles, equipment
3 and accessories. The cost of reinforcing or relocating such lines, cables, utility poles, equipment
4 and accessories shall be shouldered by the implementing agency or private entity of the
5 construction project.

6 The implementing government agency of a construction project shall inform and coordinate
7 with the electric distribution, cable, or telecommunication company concerned for the relocation
8 of its lines, cables, utility poles, equipment and accessories. The cost of relocating such lines,
9 cables, utility poles, equipment and accessories shall be shouldered by the implementing agency
10 of the construction project. The implementing government agency shall provide its plans,
11 specifications and provide utility corridors for the adequate evaluation of the design, construction,
12 operation, and maintenance of facilities. All costs that shall be incurred in the necessary relocation
13 of facilities of the public utilities concerned as a result of such public infrastructure work shall be
14 borne by the implementing agency or project proponent as part of its obligation to deliver the
15 ROW, or by the private concessionaire, as the case may be.

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

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

29 The Inter-Agency Committee may invite resource persons, if deemed necessary, from
30 Professional Regulatory Board of Electrical Engineering (PRBEE), PRC-Board of Electronics and
31 Communications Engineering (PRC-BECE), the Institute of Integrated Electrical Engineers of the
32 Philippines (IIEE) and two (2) representatives from the private sector.

33 **SEC. 10. *Penalty Provisions.*** - In addition to the civil liabilities prescribed by Article 2176 of
34 the Civil Code on quasi-delict and the penalties prescribed by Article 365 of the Revised Penal
35 Code on criminal negligence, and unless otherwise provided under special laws, an electric
36 distribution, cable, or telecommunications company found in violation of any provision of this Act,
37 may be punished with a fine of not less than Two hundred fifty thousand pesos (P250,000.00) but
38 not more than Five hundred thousand pesos (P500,000.00) for the first offense; a fine of not less
39 than Five hundred thousand pesos (P500,000.00) but not more than One million pesos
40 (P1,000,000.00) for the second offense; and a fine of not less than One million pesos

(P1,000,000.00) but not more than Two million pesos (P2,000,000.00) for the third and succeeding offenses, as may be determined by the court.

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

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

SEC. 12. *Implementing Rules and Regulations.* - The ERC shall, in consultation with the DPWH, DILG, DICT, NTC, TRANSCO, PRBEE, PRC- BECE, NEA, IIEE, DHUSD, Institute of Electronics Engineers of the Philippines (IECEP), and representatives from the LGUs, the electric distribution, cable and telecommunications companies, promulgate the necessary Implementing Rules and Regulations (IRR) within one hundred twenty (120) days from the effectivity of this Act.

SEC. 14. *Separability Clause.* - If, for any reason, any provision of this Act is declared unconstitutional or invalid, the other provisions hereof, which are not affected thereby shall continue to be in full force and effect.

SEC. 15. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or parts thereof, which are inconsistent with or contrary to the provisions of this Act, are hereby repealed, amended or modified accordingly.

SEC. 16. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,