

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4101



Introduced by **Pangasinan Fifth District Representative**
HON. RAMON N. GUICO JR.

EXPLANATORY NOTE

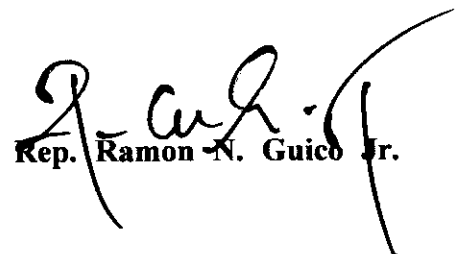
Amidst the country's metropolitan sprawls, to the nooks and crannies of residential areas, and extending almost infinitely in our streets and roads, are distribution and transmission lines hanging overhead. These facilities, so sloppily arranged, have become synonymous with urban and industrial blight, and serves only to detract from the livability of our towns and cities. Moreover, aside from its unaesthetic appearance, these overhead facilities are also incredibly susceptible to the numerous typhoons that befall the country, including fires or road accidents, thus disrupting the provision of various services in critical circumstances.

To address these problems, a solution often touted is the conversion of overhead facilities into underground ones. Undergrounding these distribution and transmission lines can beautify major roadways, residential and commercial areas, including public areas that hold significant historical or cultural value. Additionally, it can also elevate property values, lessen the visual impact of urban decay, and enhance service reliability. Suffice it to say, underground facilities are expected to be a safer, more reliable, and aesthetically pleasing alternative to its overhead counterpart.

Considering these, it is the intent of this representation to provide for the necessary rules and standards to facilitate the undergrounding of overhead facilities. Keeping in mind that undergrounding will be costly for both the service providers, local governments, and the utility ratepayers, strict and specific standards have been duly provided, and no such undergrounding will take place without prior consultation with the affected stakeholders and an ordinance mandating the same.

The march of progress should be orderly and alluring. If we are to become a truly developed country, it is important that we not only perform like one, but also look like one. Beauty and order in our environ is important to elicit pride and confidence from our countrymen, without which we become accustomed to mediocrity and disorderliness.

For both aesthetic and safety reasons, immediate approval of this measure is earnestly sought.


Rep. Ramon N. Guico Jr.

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AN ACT
PROVIDING RULES AND STANDARDS FOR THE UNDERGROUNDING OF
DISTRIBUTION AND TRANSMISSION LINES BY COMPANIES, SERVICE PROVIDERS,
INDUSTRIES, AND OTHER SIMILAR ENTITIES ENGAGED IN THE PROVISION OF
CABLE TELEVISION, INTERNET, POWER SUPPLY, AND TELEPHONE SERVICES TO
THE PUBLIC

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 “*Cable Management Act.*”

2 **SEC. 2. *Definition of Terms.*** – For the purposes of this Act, the following terms are defined as:

3 a. **Overhead facilities** consist of poles, distribution and transmission lines, and related
4 equipment installed to deliver cable television, internet, power supply, and telephone
5 services; and

6 b. **Undergrounding** refers to the conversion of existing overhead facilities to
7 underground facilities consisting of trenches lined with conduit housing the
8 distribution and transmission lines, underground vaults, and/or surface mounted
9 structures for transformers and equipment. It shall also refer to the construction of
10 new lines, line extensions, and service extensions built underground.

11 **SEC. 3. *Overhead-to-Underground Conversion.*** – All companies, service providers, industries,
12 and other similar entities engaged in the provision of cable television, internet, power supply, and
13 telephone services to the public shall replace its existing overhead facilities with underground electric
14 facilities along public streets and roads, and on public lands and private property across which rights-
15 of-ways satisfactory to the service provider have been obtained, Provided that, the local government
16 unit (LGU) of the city or municipality in which such facilities are and will be located has:

17 a. Determined, after consultation with the service providers and after holding public
18 hearings on the subject, that such undergrounding is in the public interest for one or
19 more of the following reasons:

1. Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead facilities;
2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;
3. Wheelchair access is limited or impeded in a manner that is not compliant with Republic Act No. 7277, otherwise known as the Magna Carta for Persons with Disability, as amended; or
4. The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of scenic, cultural, and/or historical significance to the public.

- b. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located requiring, among other things, (1) that all existing overhead facilities in such district shall be removed, (2) that each property served from such overhead facilities shall have installed in accordance with the service providers' rules for underground service, all facility changes on the premises necessary to receive service from the underground facilities of the service provider as soon as it is available, and (3) authorizing the service providers to discontinue its overhead service.

In circumstances other than those covered by subsection (a) of this Act, the service providers will replace its overhead facilities with underground facilities along public streets and roads or other locations mutually agreed upon when requested by an applicant or applicants when all the following conditions are met:

- a. All property owners served from the overhead facilities to be removed first agree in writing to have the wiring changes made on their premises so that service may be furnished from the underground distribution system in accordance with the service providers rules and that the service providers may discontinue its overhead service upon completion of the underground facilities; or
- b. Suitable legislation is in effect requiring such necessary wiring changes to be made and authorizing the service providers to discontinue its overhead service.
- c. The applicant has:
 1. Furnished and installed the pads and vaults for transformers and associated equipment, conduits, ducts, boxes, pole bases, and performed other work related to structures and substructures including breaking of pavement, trenching, backfilling, and repaving required in connection with the installation of the underground system, all in accordance with the service providers' specifications, or in lieu thereof, paid the service providers to do so;
 2. Transferred ownership of such facilities, in good condition, to the service providers; and
 3. Paid a non-refundable sum equal to the excess, if any, of the estimated costs, of completing the underground system and building a new equivalent overhead system.

- 63 d. The area to be undergrounded includes both sides of a street for at least two hundred
64 meters (200m) and all existing overhead facilities within the area will be removed.
- 65 e. The costs of removal of the overhead poles, lines, and facilities are the responsibility
66 of the service providers and will be paid for by the service providers.

67 **SEC. 4. Periodic Inspection.** – All companies, service providers, industries, and businesses
68 under this Act shall conduct mandatory periodic inspection of their underground facilities to ensure
69 strict compliance with the standards of and regulations as provided by the Philippine Electrical Code
70 and other relevant laws.

71 **SEC. 6. Penal Provisions.** – The following are the imposed penalties of those in violation of the
72 Act herewith:

- 73 a. Any company, service provider, industry, or any similar entity that fails or refuses to
74 relocate and/or establish their cable system underground in accordance with the
75 provisions of this Act shall pay a fine of not less than **One Hundred Thousand**
76 **Pesos (P100,000.00)** for each day of non-compliance.
- 77 b. Any company, service provider, industry, or any similar entity whose relocation and
78 installation caused any property damages and/or medical emergencies shall shoulder
79 the full costs and pay a fine of not less than double the amount of the cost of
80 damages and/or medical expenses. Their involved personnel shall also be penalized
81 by imprisonment depending on the gravity of the crime as determined by law.

82 **SEC. 5. Implementing Rules and Regulations.** – Within ninety (90) days from the effectivity
83 of this Act, the Department of Public Works and Highways (DPWH), the National Grid Corporation of
84 the Philippines (NGCP), the Department of Information and Communications Technology (DICT), the
85 Department of Interior and Local Government (DILG), the Bureau of Fire Protection (BFP), and the
86 Department of Science and Technology (DOST), in consultation with the appropriate government
87 agencies and other stakeholders, shall promulgate the necessary rules and regulations for the effective
88 implementation of this Act.

89 **SEC. 6. Repealing Clause.** – All laws, executive orders, rules and regulations, or parts thereof
90 which are inconsistent with this Act are hereby repealed or modified accordingly: Provided; however,
91 That nothing in this Act shall amend, modify or repeal the provisions of Republic Act No. 7160,
92 otherwise known as the Local Government Code.

93 **SEC. 7. Separability Clause.** – If any part or provision of this Act is declared invalid or
94 unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

95 **SEC. 8. Effectivity.** – This Act shall take effect fifteen (15) days from the date of its publication
96 in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,