

HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

5845
HOUSE BILL NO. _____



Introduced by Rep. Bernadette Herrera-Dy

**AN ACT MANDATING ALL COMPANIES, SERVICE PROVIDERS, INDUSTRIES,
AND OTHER SIMILAR ENTITIES THAT USE WIRES AND/OR CABLES,
ESPECIALLY THOSE THAT ARE ENGAGED IN THE BUSINESS OF PROVIDING
TELEPHONE, CABLE, INTERNET SERVICE, AND POWER SUPPLY TO THE
PUBLIC, TO RELOCATE AND/OR INSTALL THEIR WIRE AND CABLE SYSTEM
UNDERGROUND**

Explanatory Note

According to the California Public Utilities Commission, when wooden/utility poles were introduced, the public complained that they are an "eyesore." Recently, people claim that they are unreasonably risky. Every year, many weather events destroy above-ground utility poles. In the context of the Philippines, the country experiences many typhoons due to its geographical location. In a year, there are at least 20 cyclones¹ that hit the Philippines and have caused numerous damages. Due to the recent typhoon, the National Grid Corporation (NGCP) of the Philippines reported that they are carrying out aerial inspection and foot patrol of all areas affected since large areas of land were devastated by the storm. At the same time, the mobilization of line personnel and equipment will continue as well as restoration activities. This goes to show that it is a reality of the Philippines to be disaster-prone. Thus, it is necessary to exhaust all means to ensure safety in all public spaces.

Since 2014, Davao City has begun the work to place traditional overhead wires underground. With the recent ordinance filed by Davao City Mayor Sara Duterte, the city government ordered the power utility to construct a system that would place all cables underground, including those of other utilities such as cable, internet, telcos, and other pole users. The order also imposed heavy fines on pole users whose lack

¹ PAGASA report

of cooperation would delay work on the underground cabling of the wires. PLDT, Smart, Globe, as well as other pole users were also tasked to coordinate with local government and were made to comply with the requirement. Following this system would be beneficial to the Philippines because it will not only clear the streets of tangled wires and unsafe utility poles, but will also prevent and minimize blackouts and service interruptions. Underground lines and cables prove to be safe and reliable since they are more calamity-resistant. Also, many poles are replaceable due to age because it may pose risks to the public. By placing wires underground, poles will also decrease in number and will be further eliminated since the underground installation system does not require utility poles to be maintained.

The state must ensure the safety of its citizens. To this end, the state shall pursue a policy that mandates all companies, service providers, industries, and other similar entities that use wires and/or cables, especially those that are engaged in the business of providing telephone, cable, internet service, and power supply to the public, to relocate and/or install their wire and cable system underground.

The passage of this measure is earnestly sought.


BERNADETTE HERERRA-DY

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13 AN ACT MANDATING ALL COMPANIES, SERVICE PROVIDERS, INDUSTRIES,
14 AND OTHER SIMILAR ENTITIES THAT USE WIRES AND/OR CABLES,
15 ESPECIALLY THOSE THAT ARE ENGAGED IN THE BUSINESS OF PROVIDING
16 TELEPHONE, CABLE, INTERNET SERVICE, AND POWER SUPPLY TO THE
17 PUBLIC, TO RELOCATE AND/OR INSTALL THEIR WIRE AND CABLE SYSTEM
18 UNDERGROUND

19 **Section 1. *Short Title.*** This Act shall be known as the "Nationwide Underground
20 Cable System Act."

21 **Section 2. *Coverage.*** All companies, service providers, and other similar entities
22 engaged in the business of providing telephone, cable, internet service and power
23 supply to the public, and all other industries that use wires and cables in their
24 operations are hereby required to relocate and/or install all its wires and cables
25 underground within ten (10) years upon the effectivity of this Act. Wires and utility poles
26 that are non-operational must also be dismantled and/or taken down within the given
27 time period.

28 **Section 3. *Safety Standards.*** All wires used must be safe and of high quality. Wires
29 and cables shall be properly and systematically relocated, fastened, and insulated to
30 assure physical safety of the public. On areas where wires are located, warning signs
31 and labels must be placed for public safety and information. These areas must also
32 have a protective strip that must be kept free of deep-rooting trees and shrubs and
33 buildings are not allowed to be built. Installation guidelines and safety standards shall
34 be determined by the Department of Public Works and Highways (DPWH), the
35 National Grid Corporation of the Philippines (NGCP), the Department of Information
36 and Communications Technology (DICT), and other relevant stakeholders.

37 **Section 4. *Periodic Inspection.*** All companies, service providers, industries, and
38 businesses under this Act shall conduct mandatory periodic inspection of their
39 underground installations to ensure strict compliance with the standards and
40 regulations as provided by the Philippine Electrical Code and other relevant laws.

41 **Section 5. *Penal Provisions.*** The following are the imposed penalties of those in
42 violation of the Act herewith:

- 1 1. Any company, service provider, industry, or any similar entity that failed to
2 relocate and/or establish their cable system underground upon effectivity of this
3 Act shall pay a fine of not less than one hundred thousand pesos (P100,000.00)
4 for each day of non-compliance.
- 5 2. Any company, service provider, industry, or any similar entity whose relocation
6 and installation caused any property damages and/or medical emergencies
7 shall shoulder full costs and pay a fine of not less than double the amount of
8 costs of damages and/or medical expenses. Their involved personnel shall also
9 be penalized by imprisonment depending on the gravity of the crime as
10 determined by law.

11 **Section 6. *Implementing Rules and Regulations.*** Within ninety (90) days from the
12 effectivity of this Act, the Department of Public Works and Highways (DPWH), the
13 National Grid Corporation of the Philippines (NGCP), the Department of Information
14 and Communications Technology (DICT), the Department of Interior and Local
15 Government (DILG), the Bureau of Fire Protection (BFP), and the Department of
16 Science and Technology (DOST), in consultation with appropriate government
17 agencies and other stakeholders, shall promulgate the necessary rules and
18 regulations to implement this Act.

19 **Section 7. *Separability Clause.*** If, for any reason or reasons, any part of the provision
20 of this Act shall be held to be unconstitutional or invalid, other parts or provisions
21 hereof which are not affected thereby shall continue to be in full force and effect.

22 **Section 8. *Repealing Clause.*** All laws, decrees, orders, rules, and regulations, or
23 parts thereof, inconsistent with the provisions of this Act are hereby repealed,
24 amended, or modified accordingly.

25 **Section 9. *Effectivity Clause.*** This Act shall take effect after fifteen (15) days
26 following its publication in the Official Gazette and at least two (2) newspapers of
27 general circulation.

28 **Approved,**