



Republic of the Philippines  
CITY COUNCIL  
City of Manila

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REGULAR SESSION NO. 55

9<sup>TH</sup> CITY COUNCIL

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Begun and held in the City Council on Tuesday,  
the twenty first day of January, Two Thousand Fourteen

**ORDINANCE NO. 8340**

**AN ORDINANCE** GRANTING A FRANCHISE TO B.C. NET, INCORPORATED, AUTHORIZING IT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM, BROADBAND-OVER-CABLE, AND OTHER VALUE-ADDED SERVICES IN THE CITY OF MANILA

PRINCIPAL AUTHORS: HON. ERNESTO C. ISIP, JR., HON. JOEL R. CHUA,  
HON. MARLON M. LACSON, Majority Floor Leader and HON. ERNESTO M.  
DIONISIO, JR., Acting Presiding Officer

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Be it ordained by the City Council of Manila, in session assembled, *THAT*:

**SECTION 1.** The B.C.NET, Inc., is hereby granted a franchise and is hereby authorized to construct, establish, install, operate and maintain for commercial purposes and in the public interest, community antennae and cable television system in the City of Manila, through the reception of audio, visual and other signals of the different national and local television and radio stations in the Philippines, and those of foreign television, radio and other stations, including pay television and data, broadband and value-added services rendered over the community antennae and cable system of the Franchisee, and the distribution or transmission of the same to homes, offices, condominiums, subdivisions, hotels, restaurants and other residential, commercial and industrial structures and establishments within the City of Manila by means of electromagnetic waves, optics or any other kind of energy, force, variations or impulses, radiated through space or transmitted through cable or any other medium as are at present available or will be available in the future through science and technological advances; to originate, distribute, transmit and receive through said system news and documentaries, entertainment, informational and educational programs, both live and recorded; all forms of data and data services that can be transmitted and/or hosted or services through broadband and value-added services carried over the systems authorized by the City of Manila to the Franchisee; and to establish, construct, maintain and operate such other system as are essential or convenient to carry out the purpose of the franchise, subject to the following terms and conditions:

- a. The period of authority hereby granted shall be for fifteen (15) years from the date the System is first placed in operation in the City of Manila, which shall be within two (2) years from the date of issuance of all necessary permits from concerned government agency, renewable for the same terms and conditions or upon other terms and conditions as they may stipulate and mutually agree upon;
- b. B.C. NET, Inc., will pay the City of Manila in the amount of FIFTY THOUSAND PESOS (PhP. 50,000.00), excluding business tax fee;
- c. A special right is reserved the President of the Republic of the Philippines in times of war, rebellion, public peril, calamity, emergency, disaster or disturbance of peace and order to take over and to operate the stations, transmitter systems, facilities and equipment of B.C. NET, Inc. or to authorize the temporary use and operation thereof by any department of government upon due compensation to B.C. NET, Inc., for the use of its stations, transmitter system, facilities and equipment during the period when they are so operated;
- d. In the event B.C. NET, Inc., fails to operate their services continuously for at least two (2) years, this approval shall be deemed revoked "ipso facto" and/or if the operations thereof prove to be financially unprofitable, B.C. NET, Inc., may be authorized by the Sangguniang Panlungsod to discontinue the service after at least three (3) months notice to the city;
- e. The right-of-way over all city properties is hereby granted by the City of Manila for the construction, installation, operation and maintenance of the system including the right to install its cable on all proper places and the right to attach its facilities to all city facilities; *PROVIDED*, That the same is in accordance with the law; and *PROVIDED FURTHER*, That B.C. NET, Inc., shall undertake said installations and attachments at its own expense; and *PROVIDED FURTHERMORE*, That these will not prejudice service operation by the city;



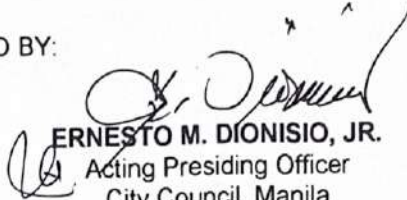
- f. B.C. NET, Inc., shall retain ownership of all construction and installation of each line and other materials directly related to the business subject of this Ordinance upon expiration of the term granted herein;
- g. B.C. NET, Inc., shall be granted all necessary authorities, permits and licenses in order to construct, install, operate and maintain its services subject to existing laws on the matter and the payment of the proper fees and charges for the said authorization including permits and licenses; *PROVIDED*, That nothing herein shall be construed as exempting B.C. NET, Inc., from compliance with the Building Code and related rules and regulations; *PROVIDED FURTHER*, That the exemptions shall include construction which are directly needed in the operation of its services such as building, roads and others; *PROVIDED FINALLY*, That they are not in violation of any existing laws and regulations;
- h. B.C. NET, Inc., shall secure requisite clearances and/or certificate of public convenience from the Department of Transportation and Communications (DOTC) and National Telecommunications Commission (NTC) and shall charge its subscribers such rates, installation charges, monthly subscription fees, deposits and/or other charges consistent with its right to a fair and reasonable return on investments as may be determined by the said Commission;
- i. The B.C. NET, Inc., in the operation of WiFi facilities shall undertake to protect Filipino morals and values;
- j. The WiFi Services and cable system from head-end of central station to within the city as shown in the plan of cable distribution shall be filed with the City Engineer's Office within one (1) year from the date this Ordinance is approved and a copy is received by B.C. NET, Inc.; and
- k. In case of any violation by B.C. NET, Inc., of any of the terms and conditions, the city may, after hearing and deliberation, exercise its rights to withdraw the authority granted to it by virtue hereof.

**SEC. 2. Effectivity Clause.** – This Ordinance shall take effect upon its approval.

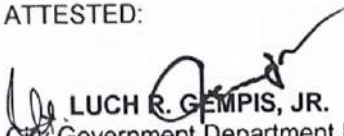
This Ordinance was finally enacted by the City Council of Manila on February 18, 2014.

*h.s.*

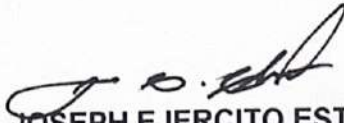
PRESIDED BY:

  
**ERNESTO M. DIONISIO, JR.**  
Acting Presiding Officer  
City Council, Manila

ATTESTED:

  
**LUCH R. GEMPIS, JR.**  
City Government Department Head III  
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON AUG. 14, 2014.

  
**JOSEPH EJERCITO ESTRADA**  
Mayor  
City of Manila

ATTESTED:

  
**EDWARD S. SERAPIO**  
City Government Department Head III  
(Secretary to the Mayor)

EZB: acl/jhb/rmd/rd