

16

Item No.: 16

12 FEB 2023

REPUBLIC OF THE PHILIPPINES
Department of Information & Communication Technology
NATIONAL TELECOMMUNICATIONS COMMISSION
Quezon City

Pls include in our agenda.
Thanks!

SP Records
FEB-08-2023
dy 20723
PROVINCE OF LEYTE

**DCTV CABLE NETWORK
BROADBAND SERVICES, INC.**

Applicant.

BMC CASE NO. 2022-172

X----- X

NOTICE OF HEARING

Applicant, **DCTV CABLE NETWORK BROADBAND SERVICES, INC.**, is a domestic corporation duly organized and existing under and by virtue of Philippine Laws, registered with the Securities and Exchange Commission (S.E.C.), and pursuant to the provisions of Executive Order No. 436 and Executive Order No. 205, request for the issuance of a **Certificate of Authority (CA)** to install, operate and maintain a **Cable Television (CATV) System** in **ISABEL, LEYTE**.

Applicant, further requests for the issuance of a **Provisional Authority (PA)** pending final determination of the application.

In view thereof, this will be heard by this Commission on **DECEMBER 12, 2022, (Monday) at ten o'clock in the morning (10:00A.M.)** at the Legal Branch, 3rd Floor, NTC Building, National Telecommunications Commission, BIR Road, East Triangle, Diliman, Quezon City, via zoom hearing, wherein applicant shall present its compliance with the Commission's jurisdictional requirements, as well as its evidences, if warranted.

In lieu of face to face hearing, a virtual hearing shall be conducted. A link to join the virtual hearing will be sent to your e-mail address on the same day of hearing at least 15 minutes before the scheduled time. In connection to this, you are hereby ordered to send your e-mail address through **legal@ntc.gov.ph** and **secretariat@ntc.gov.ph**

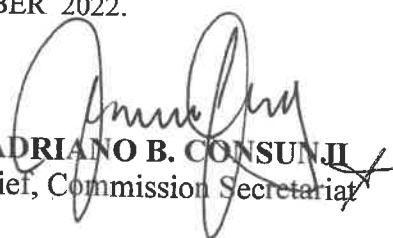
However, should the hearing date be declared a holiday or non-working day due to force majeure, the said hearing shall be held on the NEXT regular working day.

At least fifteen (15) days prior to the date of hearing, applicant shall publish this Notice of Hearing in a newspaper of general circulation in the Philippines. This Notice, as well as the copy of the application shall also be served by registered mail or through personal delivery to all listed affected parties.

Any party opposed to the granting of the application is hereby directed to appear at the scheduled hearing and must file its verified opposition, on or before the date of hearing, furnishing the applicant with a copy of the same. Failure on the part of any affected party to file its opposition on time and to appear at the scheduled hearing shall be construed as a waiver of its right to be heard and the Commission shall proceed to hear and decide the application on its merit.

Please see the "Interim Guidelines of the Proceedings before the NTC Legal Branch during the Public Health Emergency" available in our website, **www.ntc.gov.ph**. For more information please contact the Legal Branch (89243746) (**legal@ntc.gov.ph**) and Commission Secretariat (89243738) (**secretariat@ntc.gov.ph**)

WITNESS, the **HON. ELLA BLANCA B. LOPEZ**, Deputy Commissioner, National Telecommunications Commission, this 14th day of NOVEMBER 2022.


ADRIANO B. CONSUNJI
Chief, Commission Secretariat

ABC/alice

EPUBLIC OF THE PHILIPPINES
Office of the President
NATIONAL TELECOMMUNICATIONS COMMISSION
Quezon City

NATIONAL TELECOMMUNICATIONS COMMISSION
COMMISSION SECRETARIAT

APPLICATION FOR A CERTIFICATE OF
AUTHORITY (CA) TO INSTALL,
OPERATE AND MAINTAIN A CABLE
TELEVISION (CATV) SYSTEM IN
ISABEL, LEYTE WITH PRAYER FOR
ISSUANCE OF PROVISIONAL
AUTHORITY (PA)

SEP 13 2022

RECEIVED BY: Sly

TIME: 1:07pm

2022-172
NTC CASE No.

DCTV CABLE NETWORK BROADBAND
SERVICES, INC.,

Applicant.

x-----x

A P P L I C A T I O N

Applicant DCTV CABLE NETWORK BROADBAND SERVICES, INC., by the undersigned counsel and unto this Honorable Commission, respectfully states that:

1. Applicant DCTV Cable Network Broadband Services, Inc. is a 100% Filipino domestic corporation duly organized and existing under and by virtue of laws of the Republic of the Philippines with principal address at PBC Bldg., Fr. J.L. Bates, Brgy.14, Ilawod, Legazpi City. For purposes of the present application, Applicant may be served with notices, orders, resolutions and other legal processes of this Honorable Commission at the address of its counsel below indicated.

2. Pursuant to the provisions of Executive Order No. 436 and the provisions of Executive Order No. 205 dated 30 June 1985, as well as relative laws pertinent thereto, Applicant seeks to secure a Certificate of Authority to install, operate and maintain a Cable Television (CATV) system in ISABEL, LEYTE.

3. Applicant is legally, professionally and financially, qualified to install, operate and maintain the service herein applied for. Certified machine copies of Applicant's Certificate of Filing of Amended Articles of Incorporation, Amended Articles of Incorporation and By-Laws are herewith attached and marked as ANNEX "A", ANNEX "A-1" and ANNEX "B", respectively.

4. DCTV Cable Network Broadband Services, Inc. shall submit the Financial and Economic Feasibility Study, as well as relevant financial requirements/documents, and the Technical Feasibility Study with the relevant technical plans and specifications for this project to the Honorable Commission during the hearing of the instant application.

5. Applicant binds itself to provide ample public service through the cable-casting of quality television programs as enunciated by pertinent laws, and that applicant further pledges that it will at all times adhere and conform to the standards set for quality television programs.

6. The public interest urgently requires the immediate approval of the proposed service and Applicant warrants that it shall operate and maintain the service applied for in accordance with the relevant laws, as well as the policies, standards, rules and regulations issued by the Honorable Commission.

PRAYER

WHEREFORE, premises considered, it is respectfully prayed of this Honorable Commission that:

1. After due notice and hearing, this application for a Certificate of Authority (CA) to install, operate and maintain a Cable Television (CATV) system in ISABELA, LEYTE be granted and issued in favor of herein Applicant;

2. The application for the necessary permits to purchase, possess and construct the cable television head-end station be approved; and,
3. Pending hearing and/or pending release of the Certificate of Authority, a Provisional Authority (PA) to install, operate and maintain a Cable Television (CATV) system in the ISABEL, LEYTE be issued in favor of herein Applicant.

Such remedies and other measures of relief as this Honorable Commission may deem proper and equitable under the premises are similarly prayed for.

Pasig City for Quezon City, 16 July 2022.



JENNY LYNNE T. FULLANTE

Counsel for the Applicant

Unit 1106 11th Floor, Prestige Tower

F. Ortigas Jr. Road, Ortigas Center, Pasig City

Telefax No. (02) 4773123

Email address: fullantelaw@yahoo.com

Roll No. 60537

IBP No. 174166/03 January 2022/Manila

PTR No. 8131607/04 January 2022/Pasig City

MCLE Comp. No. VI- 0018264/06 February 2019

(7th Compliance Period Extended until 14 April 2023 per SC Resolution dated 15 Feb 2022)

VERIFICATION AND CERTIFICATION

(CATV Application in ISABEL, LEYTE)

I, **RICHARD D. CALLEJA**, of legal age, Filipino, with residence at Kiwalo, Daraga, Albay after having been duly sworn to in accordance with law depose and state that:


1. I am the President/Chief Executive Officer of **DCTV CABLE NETWORK BROADBAND SERVICES, INC.**
2. I have been duly authorized by the Board of Directors of the said Corporation to cause the preparation of the foregoing Application before the National Telecommunications Commission pursuant to a Secretary's Certificate attached to this Verification.
3. I have read and understood the allegations contained in the Application and the same are true and correct of my own personal knowledge and/or based on authentic records;
4. This pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation and the factual allegations therein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery;
5. I have not commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency and there is no such other action or claim pending therein;
6. In case I should thereafter learn that the same or any similar action has been filed or is pending, I undertake to report the said fact within five (5) days therefrom to the Commission where our Corporation's action is pending or filed.


RICHARD D. CALLEJA
Affiant

SUBSCRIBED AND SWORN TO before me this 23 AUG 2022 in

~~LEYTE CITY~~ Affiant personally appearing and exhibiting to me Tax Identification Card with TIN 183-277-879 as competent evidence of identity.

Doc. No. 413 ;
Page No. 84 ;
Book No. 89 ;
Series of 2022.


AMORE REY B. RANESES
Notary Public for Legazpi City & Province of Albay
City of Legazpi No. NP-201240
Telephone No. (052) 821-1111 ext. 1000
Mobile No. (0917) 821-1111
Residential Address: Legazpi City
Date of Birth: 1967-01-01
Date of Commission: 2015-01-01
Date of Expiration: 2025-01-01
Notary Public for Legazpi City & Province of Albay
City of Legazpi No. NP-201240
Telephone No. (052) 821-1111 ext. 1000
Mobile No. (0917) 821-1111
Residential Address: Legazpi City
Date of Birth: 1967-01-01
Date of Commission: 2015-01-01
Date of Expiration: 2025-01-01

SECRETARY'S CERTIFICATE

I, **VIVIAN B. LORIA**, of legal age, Filipino, and with business address at 2F DCTV Centre, No. 8 Fr. J.L. Bates Street, Old Albay, Legazpi City, Albay after being duly sworn in accordance with law, state that:

1. I am the duly elected and incumbent Corporate Secretary of **DCTV CABLE NETWORK BROADBAND SERVICES, INC.** (the "Corporation"), a corporation duly organized and existing under the laws of the Republic of the Philippines, with principal office at PBC Bldg., Fr. J.L. Bates Street, Brgy. 14, Ilawod, Legazpi City.
2. At the special meeting of the Board of Directors of the Corporation held in the principal office on July 16, 2022 at which meeting a quorum was present and acting throughout, the following resolutions were passed and unanimously approved:

RESOLVED, that DCTV Cable Network Broadband Services, Inc. (the "Corporation") cause the filing before the National Telecommunications Commission (NTC) Application for Certificate of Authority (CA) and/or Provisional Authority (PA) to install, operate and maintain Cable Television (CATV) System in various areas in the Philippines, namely: (1) Albuera, Leyte; (2) Isabel, Leyte; and, (3) Merida, Leyte.

RESOLVED FURTHER, that the Corporation authorizes, constitutes and appoints Richard D. Calleja (President) and Vivian B. Loria (Corporate Secretary), any one of whom acting and signing singly, as its representatives, to do the following acts:

3. File the aforementioned Applications;
4. Execute and/or sign verifications and certifications of non-forum shopping for the application and in any pleading or motion needed to be signed relative to the above applications; and,
5. Request for the issuance of Provisional Authority pending the hearings and/or final determination of the applications.

x x x

RESOLVED FURTHER, that the Corporation authorizes Richard D. Calleja (President), Vivian B. Loria (Corporate Secretary) and Atty. Jenny Lynne T. Fullante (Counsel for the Corporation), during the proceedings for the above-entitled cases, any one of whom acting and signing singly, as its representatives, to do the following acts:

1. To attend, represent, negotiate, enter and sign into compromise agreement/ amicable settlement;
2. To submit to alternative modes of dispute resolution; and,
3. To execute all corresponding required documents/papers/pleadings to be filed before the National Telecommunications Commission and other agencies as may be required, in behalf of the Corporation.

x x x

RESOLVED FURTHER, that the Corporation gives and grants unto said attorney/s-in-fact full power and authority whatsoever requisite, necessary and/or proper for all intents and purposes as the Corporation might or could lawfully do under the premises, and hereby ratifying and confirming all that said attorney/s-in-fact shall do or cause to be done under and by virtue of this resolution.

RESOLVED FURTHER, that the above-mentioned authorized individuals be allowed to perform any other act as may be deemed necessary and pertinent to the said purpose.

RESOLVED FINALLY, that the Corporate Secretary be, and is hereby authorized to execute the necessary Secretary's Certificate attesting to the approval of the foregoing resolutions.

3. The foregoing resolutions are in accordance with the records of the Corporation.

IN WITNESS WHEREOF, I have affixed my signature this 11 6 AUG 2022 in LEGAZPI CITY.

Vivian B. Loria
VIVIAN B. LORIA
Corporate Secretary

SUBSCRIBED AND SWORN TO before me this 11 6 AUG 2022 in LEGAZPI CITY Affiant personally appearing and exhibiting to me LTO Driver's License No. E02-18-001026 Expiring on 2022/12/02 as competent evidence of identity.

NOTARY PUBLIC

AMORE REX B. RAÑESES
Notary public for Legazpi City & Province of Albay
Commission No. NP 2012-06
Issued on February 10, 2012 valid until December 31, 2023
P.O. Box 60-13
IBP NO. 2012-1-04 Legazpi City
PTR No. 12-001-01 Legazpi City
P.O. Box 731-0010
Issued on February 10, 2012 valid until December 31, 2023
P.O. Box 60-13 Legazpi City
P.O. Box 731-0010
Email Add: amorerezraneses@yahoo.com

Doc. No. 2914 ;
Page No. 60 ;
Book No. 87 ;
Series of 2022.