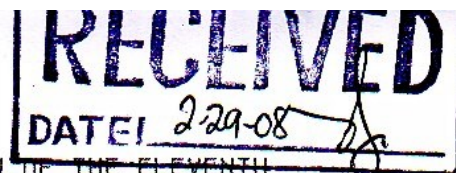


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE ELEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON FEBRUARY 28, 2008

PRESENT:

Hon. Nepomuceno P. Aparis I,	Vice Mayor & Presiding Officer
Hon. Claudio P. Larrazabal,	City Councilor, Floor Leader
Hon. Sotero M. Pepito,	City Councilor, Assist. Floor Leader
Hon. Demosthenes F. Tugonon,	City Councilor
Hon. Mariano Y. Corro,	City Councilor
Hon. Fe S. Lladoc,	City Councilor
Hon. Filomeno P. Maglasang,	City Councilor
Hon. Rafael C. Omega, Jr.,	City Councilor
Hon. Fernando P. Parrilla,	City Councilor
Hon. Jose C. Alfaro, Jr.,	City Councilor
Hon. Corinne M. Corro,	Ex-Officio City Councilor, SK Federation President

ABSENT:

Hon. Ruben R. Capahi,	(Special Leave), City Councilor
Hon. Lea Doris C. Villar,	(On Leave), Ex-Officio City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc

RESOLUTION NO. 2008-035

A RESOLUTION REMINDING AND URGING THE NATIONAL
TRANSMISSION CORPORATION (TRANSCO) OF ITS OBLIGATION TO
PAY THE FRANCHISE TAX TO THE CITY GOVERNMENT OF ORMOC.

WHEREAS, Section 137 of RA 7160 otherwise known as the Local
Government Code of 1991 (LGC), in part provides;

"Notwithstanding any exemption granted by any law or other
special law, the Province may impose a tax on business enjoying a
franchise, at the rate not exceeding 50% of 1% of the Gross Annual
Receipts for the preceding calendar year based on the incoming
receipts or realized within its territorial jurisdiction X X X";

WHEREAS, SECTION 151 of the LGC, first paragraph thereof, in part
provides;

"Except as otherwise provided in this Code, the CITY may levy
the taxes, fees and charges which the Province or Municipality may
impose X X X"

WHEREAS, National Transmission Corporation (TRANSCO) is operating
within the territorial jurisdiction of Ormoc City, and is therefore,
liable to pay the franchise tax to Ormoc City, in the light of the
ruling of the Supreme Court, in the cases of "National Power Corp. vs.
City of Cabanatuan, G.R. No. 141910" and "National Power Corp. Province
of Isabela, G.R. No. 165827;

WHEREAS, it is to the advantage and benefit of both TRANSCO and the
City Government of Ormoc that the franchise tax due and payable to the
latter be paid soonest, so as to the suspend the accumulation of the
surcharges/penalties accruing thereto for late payment of the tax, and
for the City Government of Ormoc to be able to enjoy and make use of the
tax due therefrom, for the benefit of its constituents;

WHEREFORE, foregoing premises considered, on motion of the Honorable City Councilor Mariano Y. Corro, Chairman, Committee on Ways and Means, severally seconded by City Councilors Sotero M. Pepito, Demosthenes F. Tugonon and Fe S. Lladoc; be it


RESOLVED AS IT IS HEREBY RESOLVED, to pass a resolution REMINDING AND URGING THE NATIONAL TRANSMISSION CORPORATION (TRANSCO) OF ITS OBLIGATION TO PAY THE FRANCHISE TAX TO THE CITY GOVERNMENT OF ORMOC;

ADOPTED, February 28, 2008.

RESOLVED, to furnish copies of this resolution each to the Office In Charge of Transco, Brgy. Milagro, Ormoc City, Honorable City Mayor Eric C. Codilla, the City Treasurer and all others concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


JOEL S. DUERO
Secretary to the
Sangguniang Panlungsod

ATTESTED:


NEPOMUCENO P. APARIS
Vice Mayor & Presiding Officer