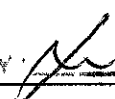


SENATE

10 JUL 22 P2:39

P. S. Res. No. 47

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Introduced by Sen. Ralph G. Recto

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**A RESOLUTION**

**URGING THE APPROPRIATE SENATE COMMITTEES TO INVESTIGATE, IN AID OF LEGISLATION, THE REPORTED WATER SUPPLY SHORTAGE IN METRO MANILA WITH THE END VIEW OF ENSURING A STEADY AND STABLE SUPPLY OF WATER NOT ONLY IN METRO MANILA BUT IN OTHER PARTS OF THE COUNTRY AND PREVENTING A SIMILAR OCCURRENCE IN THE FUTURE**

WHEREAS, Section 5, Article II of the Constitution provides that: "The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy";

WHEREAS, the Constitution also mandates that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the supreme law recognizes the importance of public utilities in the promotion of the general welfare when it stated in Section 11, Article XII that: "No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines, at least sixty per centum of whose capital is owned by such citizens; nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or repeal by the Congress when the common good so requires. The State shall encourage equity participation in public utilities by the general public";

WHEREAS, the Constitution continues to underscore the value of public utilities when it provided for in Section 17, Article XII that: "In times of national emergency, when the public interest so requires, the State may, during the emergency and under reasonable terms prescribed by it, temporarily take over or direct the operation of any privately-owned public utility or business affected with public interest";

WHEREAS, because of the enactment of the National Water Crisis Act in 1995, the operation of water utilities was privatized;

WHEREAS, two water and wastewater utility concessionaires – Maynilad Water Services, Inc. (Maynilad) and Manila Water Co. – were granted each by the government a 25-year exclusive concession to operate, maintain and invest in the water and sewerage system covering their respective areas through the government-owned Metropolitan Waterworks and Sewerage System;

WHEREAS, Maynilad is the water utility concessionaire for the 17 cities and municipalities that comprise the West Zone of the greater Metro Manila area, which comprises of Caloocan, Las Piñas, Malabon, Manila, Muntinlupa, Navotas, Pasay, Parañaque, Valenzuela, parts of Quezon City, a part of Makati, Cavite City, and the municipalities of Rosario, Imus, Noveleta, Bacoor, and Kawit in Cavite;

WHEREAS, Manila Water, on the other hand, provides water and wastewater services to the 23 cities and municipalities of eastern Metro Manila and Rizal province which include Makati, Pasig, Mandaluyong, Marikina, most parts of Quezon City, some parts of Manila, and the municipalities of San Juan, Taguig, and Pateros, as well as cities and municipalities in the Rizal province further east of Metro Manila;

WHEREAS, this month, reports of water shortages in a large part of Metro Manila have been making headlines in newspapers and complaints from affected residents continue to mount;

WHEREAS, according to latest reports, only 18 percent of Maynilad's customers had water supply for only up to six hours, while only 29 percent of its customers enjoy 7 to 12 hours of water services and 53 percent for 13 to 24 hours;

WHEREAS, the shortage in water supply had been blamed largely on the low water elevation in dams supplying potable water to Metro Manila, particularly Angat Dam, whose water elevation has remained in alert levels despite a series of typhoons that battered the country last year and this year;

WHEREAS, reports also indicate that Public Works Secretary Rogelio Singson is blaming National Power Corp. (Napocor) for releasing from Angat Dam last year an amount of water that was equivalent to three months supply of domestic use for Metro Manila;

WHEREAS, because of the water supply shortage, both the government and the two water utility firms shall employ measures to mitigate its effects;

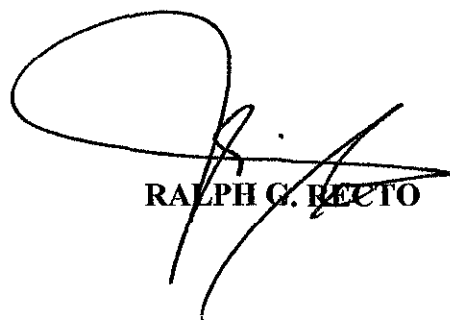
WHEREAS, the water supply shortage now affecting a large part of Metro Manila is a matter of utmost public interest and, as such, Congress should investigate its causes;

WHEREAS, ensuring a steady, stable and sustainable supply of water, not only in Metro Manila but for the whole country as well, is part and parcel of the government's responsibility to promote the general welfare and protect the right to health of the people;

WHEREAS, as the water shortage continues to affect millions of people in Metro Manila, steps should be taken to ensure that a similar occurrence is prevented in the future;

*Now Therefore, Be It Resolved*, by the Philippine Senate, to direct the appropriate Senate Committees to investigate, in aid of legislation, the reported water supply shortage in metro manila with the end view of ensuring a steady and stable supply of water not only in Metro Manila but in other parts of the country and preventing a similar occurrence in the future.

*Adopted,*



RALPH G. RECTO