



JAN 28 2002

PPA MEMORANDUM CIRCULAR
NO 06 2002

T O All Port District Managers
Port Managers
Cargo Handling Operators
Port Users and Stakeholders
Others Concerned

SUBJECT Procedures in the Conduct of Public Hearings for Rate Increases

In order to ensure transparency and thorough deliberation during the conduct of public hearings for rate increases in cargo handling services or other port fees, encourage active participation of port users and other government agencies concerned as well as provide management with accurate reports and recommendation on the results thereof the following procedures are hereby issued

1 Hearing Panel

- 1 1 A Hearing Panel is hereby created which shall be composed of the Technical Assistants of the Members of the Board of Directors representing NEDA, DTI, DOF, Private Sector, MARINA and DPWH
- 1 2 The Port Manager of the port where the application or request for rate increase has been filed shall act as the Moderator during the conduct of the public hearings. His office shall provide the Secretariat to send out notices or invitations, record all deliberations of the hearings and prepare and certify the Minutes thereto. In the absence of the Port Manager, the Port District Manager concerned will act as the Moderator

2 Issuance of Invitations

- 2 1 No public hearing for rate increase shall be conducted without the proper Notice sent by the PMO Secretariat concerned at least seven (7) days prior to the scheduled hearing. The Notice shall state clearly the purpose of the public hearing, contain the agenda and the specific proposal(s) together with their supporting documents
- 2 2 The PMO Secretariat shall ensure that concerned port users, stakeholders, relevant industry sectors and associations and other interested parties are all invited

2 3 Notices shall be delivered directly to all concerned who shall duly acknowledge receipt of the same

3. Conduct of Public Hearing

3 1 During the hearing, the primary purpose and objective of public hearing shall be fully explained to the attendees

3 2 The proposal, together with supporting documents, shall be presented, discussed and justified by the proponent

3 3 The attendees shall be allowed to freely express their opinions, comments and recommendations

3 4 In case of an agreement or concurrence, all participants, witnessed by the PMO Manager concerned, shall duly sign the same

3 5 The Hearing Panel may create such working groups with representation from all stakeholders to assist it in its work or evaluation

4. After the Public Hearing

4 1 When required, the participants shall be allowed to submit their positions in writing within one (1) week after the public hearing. Position papers received after the prescribed period shall not be included in the evaluation

4 2 Minutes of public hearing(s), agreements by the stakeholders, and recommendation of the Hearing Panel shall be forward to the General Manager through the Port District Manager concerned/AGM for Operations

4 3 Upon request in writing, the participants may ask for copies of the Minutes of the public hearing(s)

5. Head Office Review

5 1 The Office of the AGM for Operations shall prepare the consolidated report,

5 2 The complete report together with the appropriate recommendation shall be submitted to the Board through the General Manager for final consideration

6. Costs of Public Hearing

- 6 1 Any honoraria which may be authorized for the members of the Hearing Panel shall comply with existing policies or regulations
- 6 2 Necessary and incidental expenses for public hearings conducted outside of Manila shall be shouldered by PPA

For compliance



ALFONSO G. CUSI
General Manager