



Republic of the Philippines  
Supreme Court  
Manila

EN BANC

PISTON CHAIRPERSON  
MODESTO T. FLORANDA,  
EDWIN P. MABAZZA, JASON  
M. FAJILAGUTAN, BAYAN  
MUNA PARTY-LIST  
COORDINATOR GAYLORD F.  
DESPUEZ, PARA-  
ADVOCATES FOR  
INCLUSIVE TRANSPORT  
MEMBER EDRICH JOHN B.  
SAMONTE, NO TO PUV  
PHASEOUT COALITION OF  
PANAY MEMBER ELMER P.  
FORRO, and KOMYUT  
SPOKESPERSON MA.  
FLORA-MAY M. CERNA,  
Petitioners,

G.R. No. 270750

- versus -

DEPARTMENT OF  
TRANSPORTATION,  
Represented by Hon. Jaime J.  
Bautista in His Capacity as  
Secretary of Transportation, and  
LAND TRANSPORTATION  
FRANCHISING AND  
REGULATORY BOARD  
(LTFRB), Represented by Hon.  
Teofilo E. Guadiz III in His  
Capacity as Chairperson of the  
LTFRB,

Respondents.

X-----X

TO: \* DEPARTMENT OF TRANSPORTATION  
Represented by Secretary Jaime J. Bautista (x)  
DOTr Central Office, The Columbia Tower,

\* Already furnished with copy of petition.

Brgy. Wack-Wack, Ortigas Avenue  
1555 Mandaluyong City

\* LAND TRANSPORTATION FRANCHISING AND REGULATORY  
BOARD, represented by Chairperson Teofilo E. Guadiz III (x)  
LTFRB Central Office, East Avenue  
Diliman, Quezon City

GREETINGS:

WHEREAS, a Petition for *Certiorari* and Prohibition with Urgent Application for a Temporary Restraining Order [TRO] and/or Writ of Preliminary Injunction dated December 19, 2023 was filed by counsels for petitioners, seeking to enjoin the enforcement and declare the nullity of the following administrative issuances of the Department of Transportation (DOTr) and Land Transportation Franchising and Regulatory Board (LTFRB):

i. DOTr Department Order No. 2017-011 (Omnibus Guidelines on the Planning and Identification of Public Road Transportation Services and Franchise Issuance);

ii. LTFRB Memorandum Circular (MC) 2018-008 (Consolidation of Franchise Holders in Compliance with Department Order No. 2017-011, otherwise known as the Omnibus Franchising Guidelines [OFG]);

iii. LTFRB MC 2019-066 (Simplified Process for Applications for Consolidation of Individual and Existing Franchise Holders in Compliance with the PUVMP and the OFG);

iv. LTFRB MC 2020-084 (Extension of Time to File Application for Consolidation Pursuant to Industry Consolidation of PUVMP);

v. LTFRB MC 2021-021 (Guidelines for the Issuance of Provisional Authority to Units of Individual Operators with Pending Application for Consolidation and Those That Failed to File an Application for Consolidation Pursuant to the OFG and the Procedure in the Qualification and Selection of Applicants);

vi. LTFRB MC 2023-047 (Guidelines for the Acceptance of Application for Consolidation); and

vii. LTFRB MC 2023-051 (Allowing Operations of Consolidated Transport Services Entities in All Routes with

Filed Applications for Consolidation On or Before December 31, 2023);

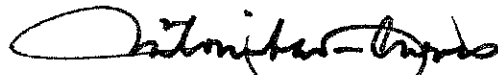
WHEREAS, considering the allegations contained, the issues raised, and the arguments adduced in the Petition, but without necessarily giving due course thereto, respondents DOTr and LTFRB should **COMMENT** on the petition and on the urgent application for a TRO and/or writ of preliminary injunction within a **NON-EXTENDIBLE** period of 10 days from notice hereof;

NOW, THEREFORE, You, respondents DOTr and LTFRB are hereby required to **COMMENT** on the petition and on the urgent application for a TRO and/or writ of preliminary injunction within a **NON-EXTENDIBLE** period of 10 days from notice hereof.

The respondents shall *personally file* with this Court and *personally serve* on the petitioners their respective comments.

The Office of the Clerk of Court, through its Process Servicing Unit, shall likewise *personally serve* copies of this Order on the parties.

GIVEN by authority of the Honorable Senior Associate Justice MARVIC MARIO VICTOR F. LEONEN, Acting Chief Justice of the Supreme Court of the Philippines, upon the written recommendation of the Member-in-Charge, this 28<sup>th</sup> day of December 2023, in Manila, Philippines.



MARIFE M. LOMIBAO-CUEVAS  
Clerk of Court

ATTY. NERI JAVIER COLMENARES (x)  
Counsel for Petitioners  
c/o Bayan Muna Headquarters  
Block 25 Lot 34 Gabriela Silang Street  
New Capitol Estates I, Batasan Hills  
Quezon City  
[bayanmuna1999@gmail.com](mailto:bayanmuna1999@gmail.com)

\*THE SOLICITOR GENERAL (x)  
Office of the Solicitor General  
134 Amorsolo Street, Legaspi Village  
Makati City  
[doCKET@osg.gov.ph](mailto:doCKET@osg.gov.ph)



ATTY. CARLOS ISAGANI T. ZARATE (x)  
Counsel for Petitioners  
Klima Center, Manila Observatory  
Ateneo de Manila University Campus  
Katipunan Avenue, Quezon City 1101  
[atty.kaloi.zarate@gmail.com](mailto:atty.kaloi.zarate@gmail.com)

NATIONAL UNION OF PEOPLES' LAWYERS –  
NATIONAL CAPITAL REGION [NUPL-NCR] (x)  
(through Attys. Maria Kristina C. Conti,  
Mae Diane M. Azores,  
Fermina Carmen A. Agudo, and Lisa Marie J. Clemente)  
Co-counsel for Petitioners  
3<sup>rd</sup> Floor Erythrina Building  
1 Maaralin corner Matatag Streets  
Central District, Diliman, Quezon City 1101  
[nuplncr@yahoo.com](mailto:nuplncr@yahoo.com)

PUBLIC INFORMATION OFFICE (x)  
Supreme Court  
[scphpio@gmail.com](mailto:scphpio@gmail.com)  
[pio@sc.judiciary.gov.ph](mailto:pio@sc.judiciary.gov.ph)  
[pio.sc@judiciary.gov.ph](mailto:pio.sc@judiciary.gov.ph)

*\*Already furnished w/ copy of Petition*