

COMMISSION RESOLUTION NO. 22-2018

**APPROVING THE REASONABLE FEE FOR A PER-PAGE COPY OF
TRANSCRIPT OF STENOGRAPHIC NOTES**

WHEREAS, under Section 12(s) of the Philippine Competition Act, the Philippine Competition Commission ("PCC" or the "Commission") shall have the power to charge reasonable fees to defray the administrative cost of the services rendered;

WHEREAS, under Section 8 of the PCC's Freedom of Information ("FOI") Manual, the PCC shall not charge any fee for accepting FOI requests, however, the requesting party shall bear the reasonable costs of reproducing records/information which may be incurred by the PCC in acting on the FOI request;

WHEREAS, the Implementing Rules and Regulations of Administrative Order No. 31, Series of 2012,¹ provides that a reasonable fee may be determined by summing the (i) direct costs (supplies/materials and salaries/wages of personnel involved) and proportionate share in the overhead expenses incurred by the agency and proportionate expenses incurred by the agency in rendering the service; and (ii) such other readily identifiable incidental expenses incurred in rendering the service;

WHEREAS, in coming up with a reasonable estimate of fee that may be charged, the following steps are paramount²: a) determine and build up the flow process of the service rendered for which a fee is charged; b) identify the personnel directly involved at each step/procedure and the estimated time (man-days/hours/minutes) spent/allocated by each personnel in performing the task; c) impute the salaries and wages of all personnel involved in rendering the service proportionate to the time spent by each individual; and d) determine the variable and overhead costs that may be involved;

WHEREAS, the fees and charges should reflect the cost of supplies and materials, salaries and wages of personnel directly involved in the service, and the proportionate share in the overhead expenses of the agency or department, including the depreciation costs of equipment used.³

WHEREAS, considering the labor, variable, and overhead costs that will be incurred vis-à-vis the end-to-end process in processing the request for a copy of transcript of stenographic notes ("TSN"), the conservative estimate that may be charged per page for the TSN request is **Fifty Pesos (PhP 50.00)**.

¹ Rationalization of Rates of Fees and Charges, Increase in Existing Rates, and Imposition of New Fees and Charges.

² Raposas, Jason P. "Rationalization of Fees and Charges via Administrative Order No. 31." NTRC Tax Research Journal Vol. XXIV.5. September-October Issue (2012).

³ Section 5, Implementing Rules and Regulations ("IRR") of Administrative Order No. 31, Series of 2012.

NOW, THEREFORE, the Commission has **RESOLVED**, as it hereby **RESOLVES**, that the charging of TSN request, pursuant to administrative regulations, is necessary and proper, and that the charge of **Fifty Pesos (PhP 50.00)** per page of the TSN is reasonable.

DONE this 4th day of September 2018 in Quezon City, Philippines.



ARSENIO M. BALISACAN
Chairman



JOHANNES BENJAMIN R. BERNABE
Commissioner



STELLA LUZ A. QUIMBO
Commissioner

(on official business)
AMABELLE C. ASUNCION
Commissioner

