

**Certification No. 22-201  
Series of 2022**

**MEMORANDUM**

Subject : **PROPOSED INCREASE FOR THE EMPTY STORAGE (MISCELLANEOUS FEE)**

This certifies that:

The records of the Board Secretariat show that during the One Hundred Thirty Ninth (139<sup>th</sup>) Meeting of the Board of Directors of the Subic Bay Metropolitan Authority held last 14 June 2022 wherein there was a quorum to validly transact business, the following resolution was approved:

**Resolution No. 22-06-2570**

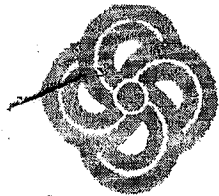
“Resolve, as it is hereby resolved, that upon recommendation of Management and without prejudice to COA Regulations and pertinent laws on the matter, the Board hereby confirms that the proposed increase of Php60.00 for 20ft and Php120.00 for 40ft/45ft rate for the Empty Storage (Miscellaneous Fee) was part of its Board approval of the 2019 Tariff Increase during the October 3, 2019 Board Meeting under Resolution No. 19-10-1451.

Management’s Memorandum dated February 14, 2022 and hard copy of Management’s PowerPoint presentation on the matter are incorporated herein by way of reference.”

Issued this 28<sup>th</sup> day of June 2022.

  
**JENNIFER T. GUIANG**  
Board Secretary V





**SUBIC BAY**  
METROPOLITAN AUTHORITY

*[Handwritten signature]*  
**APPROVED**



**MEMORANDUM**

**FOR :** ATTY. WILMA T. EISMA  
Chairperson and Administrator

**THRU :** MARIA CECILIA BOBADILLA - BITARE  
Chairperson, ADHOC Committee on Ports  
Board of Director

**THRU :** RONNIE R. YAMBAO  
Senior Deputy Administrator for Operations

**FROM :** JEROME M. MARTINEZ  
General Manager

**SUBJECT :** REQUEST FOR PRESENTATION TO THE  
ADHOC COMMITTEE ON PORTS  
TO CLARIFY THE EMPTY STORAGE (MISCELLANEOUS FEES)

**DATE :** February 14, 2022

SD/PMD20220214-01  
SOP 22-124  
DMD-02-09757

May we respectfully request for the presentation of the above subject in Enclosure (1) to the ADHOC Committee on Ports for guidance.

Based on Board Resolution No. 19-10-1451 dated October 3, 2019, the resolution only approves the implementation of the 12 % increase of miscellaneous tariff for containerized cargoes and fees for Empty Container Handling. However, the SBTIC proposal on the said fees with reference to Board Resolution No. 19-07-1341 (Proposed Adjustments on Miscellaneous Tariff for Containerized Cargoes to conduct Public Hearing) dated July 18, 2019 under Management's Power Point Presentation Slides 9 and 14, shows that the figures exceed the required 12%.

In view of the foregoing, may we seek the guidance of the committee to clarify the issue.

For your consideration.

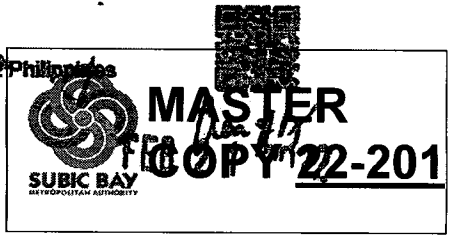
Encl. (1) Power Point Presentation on Empty Storage

JMM/AADC/sor

*Manaw*  
*2/23/2022*  
*117f*

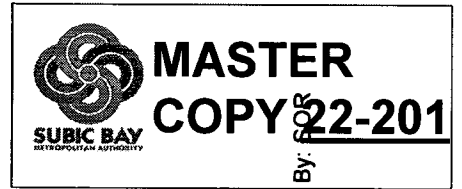
Subic Bay Metropolitan Authority  
SEAPORT DEPARTMENT  
New Seaport Bldg. corner Waterfront and Sampson Road, Subic Bay Freeport Zone 2222 Philippines  
\*Tel: +6347 252.4225/4371 \*Fax: +6347 252.4894 \*Email: [seaport@sbma.com](mailto:seaport@sbma.com)

**FEB 24 2022**





# Empty Storage (Miscellaneous Fee)



# Presentation Highlights

1. Public Hearing Agenda
2. The inclusion of the increase proposal for Empty Container Handling Fee and Empty storage
3. Empty storage charges alignment in Manila port
4. Empty storage remittance
5. Carrier's position

The SBITC proposal was Php 60 and Php 120 respectively, with a 900% rate increase is consistent with their direction to be at par and competitive with Manila which charge the same rate

Possible SBMA Share revenue based on 2022 forecast will be Php. 1,700,301



Consequently on item number 2, we do agree with you that indeed, a confusion has been created as there is no clause or provision under Board Resolution No. 19-10-1451 of Empty Storage Charge proposal when it said the requirement on proper due action, hearing and submission process had been complied with without conflict from stakeholders.

The Empty Storage Charge is specifically proposed under Metropolitan Tagik's lettering its big capacity from the storage being used by Manila terminal. The context of this particular item is clearly clearly transmitted to SBMA in a letter dated Feb. 19, 2019<sup>1</sup> and its attachments where the amount of this particular charge includes the need to implement the change proposed (P100/100). Nevertheless, as a reminder unannounced by appropriate customer stakeholders, we decided to place to SBMA a co-ordinator and equal cost the Empty Storage Charge rates, as proposed and listed without least last 2019, in an appropriate resolution or issuance.

Please know that our proposal on the Empty Storage Charge is consistent with our direction to be at par and competitive with Manila port which charges the same rate under the regulatory oversight of the Philippine Ports Authority (PPA). Together with such document, we are requesting the relevant stakeholders for SBMA - all in keeping with the policy and mandate of SBITC's constitution.

As to item number 3, we clarify that the issue on which the 92% increase in 2019 was computed from is under SBMA's Board Resolution No. 13-03-001 dated on October 11, 2019. For your information to date, we also explain that such rate is likewise included in the updated official SBMA's tariffing.

Looking forward for your kind consideration.

Thank you and nice power.

Respectfully,  
Henry Narva  
Terminal Manager

<sup>1</sup> Same letter quoted in slide 8 of SBMA Support public hearing presentation



January 18, 2022

MRS. ROMANE VARELA  
Senior Deputy Administrator  
Subic Bay Metropolitan Authority  
Subic Bay Frequent Zone 1

ATTN: MR. JEROME MARTINEZ  
General Manager - Support

Dear SON Yantian,

In support of our letter dated December 2, 2021 which is in response to your letter dated November 16, 2021 (Request for Exemption of Miscellaneous Fee for Empty Storage), and in continuation of your comments on various electronic mails during our meeting on December 14, 2021, we further supplement your clarification.

1. That SBITC Miscellaneous Fee, as approved, be included in the SBMA Tariffing of containers for easy reference of our customers;
2. To allow the increase that should be applied for Empty Storage Charge under Miscellaneous Tariffing consistent with the 2019 tariffing proposal mentioned on slide 9 and in the context of slide 8 of the public hearing presentation;

From	To
Storage Empty Container for 2019	PHP 60.00   PHP 60.00
Storage Empty Container for 2022	PHP 120.00   PHP 120.00

3. That SBMA be SBITC and SBMA agreement on the updated empty-storage charges in line with the 2019 rate increase proposal/public hearing.

We welcome that on item number 1, we are merely asking that the Miscellaneous Charge, as approved, be included in an official Tariff Table to be issued by SBMA which incorporates the Empty Storage Charge under item number 2. This is to have an official documentation for our customer's reference when they pay.





**Subic Bay  
International  
Terminal Corporation**

February 15, 2019

**ATTY. WILMA T. EISMA**

Chairperson and Administrator  
Subic Bay Metropolitan Authority  
Bldg. 220, Waterfront Road  
Central Business District  
Subic Bay Freeport Zone 2222

Dear Chair Army,

In light of the recent challenges in Manila regarding empty container evacuation via the out ports, we are starting to see this volume increasing and we are having to pay for the lack of empty evacuation performance the carriers have had during the year and the national government is turning to both Subic and Batangas to relieve the pressure faced in Manila.

We strongly urge SBMA to consider our request and for immediate implementation on March 1, 2019. Concurrently, we have spoken to the shipping lines and depot operator we work with that a 12% increase in LOLO and hustling is fair. Since these are miscellaneous tariff fees, the customer will not feel like we are raising rates again since these services, especially Empty Container storage, was "free" in the past and in low volume environments, one can absorb these costs but the rise in empty container traffic requires us to consider the increase. Since there is a precedent in 2009, we'd like to make sure



# RATIONALE

1. The SBMA & SBITC implemented the recent 12% tariff increase for container handling charges into two tranches on June 15, 2018 & October 1, 2018. However, the miscellaneous tariff for container cargo were not included along with non-tariff items such as Lift-On-Lift-Off (LOLO) and hustling which are vital in moving cargoes;
2. Empty containers storage was free since there was a low volume. SBITC/ISI can absorb the cost, yet, the abrupt unexpected surge in empty containers traffic requires to consider the cost of storage to align with MICT-Manila;
3. SBITC/ISI has sub-leased the "Race Track" (April 5, 2019) from Subic Seaport Terminal Inc. (SSTI) to serve as the storage area for empty containers which will cost huge amount for SBITC/ISI. Considerably, for the convenience of Port Terminal Clients.

# RECOMMENDATION

Seaport Department concurs with the study conducted by Subic Bay International Terminal Corp. (SBITC) and ICTSI Subic Inc. (ISI), and we are putting forward recommendation for a 12% rates adjustments in containerized miscellaneous tariff rates and align storage empty containers rates with Manila International Container Port (MICP) :

- Manila Misc. Fee is higher by an average of 221.82% than Subic;
- Manila is higher by an average of Php2,207.14 than Subic in over-all charges;
- Batangas Misc. Fee is higher by an average of 38.81% than Subic;
- Batangas is higher by an average of Php526.61 than Subic in over-all charges;

Misc. rates adjustment shall be subjected into a "Public Hearing".





**Meeting:** Public Hearing on Miscellaneous  
**Date:** August 8, 2013 (Thursday)  
**Time:** 9:00AM - 11:00AM  
**Presiding officer:** Roberto Lucin  
**Secretary:** Charles De Guzman

**Attendees:** Attendance sheet attached

- Mervin Macapagal, SBMA Director
- Jerome Maricopa, General Manager, Support Department SBMA
- Rodolfo Almador Jr., Head Administrative Services Branch, PMAO, Support Department
- Atty. Dennis Dillo, Legal Department, SBMA
- Rommel Joel Lazo, Internal Audit, SBMA
- Roberto R. Lucin, President, SBTC
- Henry Y. Datas, Terminal Manager, SBTC
- Randy S. Igeada, Operations Manager, SBTC
- Nicolaso Maricopa, Safety and Health Asst. Manager, SBTC
- Alfred Peralta, Operations Analyst, SBTC
- Arison Gallardo, Billing Staff, SBTC
- Dennis De Vera, Yuzon Logistics
- Josiah Gozales, Global Aerial/Naval Fabrications, Sibic Inc.
- All Venzone, Pacific Sibic Bay Inc.
- Clinton Dato Cruz, F2 Global Logistics Inc.
- Marlene Burquatin, F2 Global Logistics Inc.
- Helen Ocaso Yumang, Royal Cargo Inc.
- Jerry Dato, Ato High PHL Logistics Inc.
- Nezary Galibero, Portex Logistics PHL, Inc.
- Mary Grace Bernatchez, Portex Logistics PHL, Inc.
- Henry Yumang, Win-Hai Lines (Subic)
- Bernardo Ferrera Jr., Win-Hai Lines (Subic)
- Arny Hernandez, c/o National Line
- Arny Dato Cuesta, Evergreen Shipping Agency PHL Corp.
- Ben Sam Bialdo, Senior Operations Manager
- Emmanuel Manchaca, Hapag Lloyd Container Shipping

**CALL TO ORDER** - Public Hearing commenced at 10:30AM.

**1. AGENDA OF THE MEETING**

The Public Hearing commenced with a short prayer led by Mr. Amador. The moderator of SBTC, Mr. Medelico Maricopa, acknowledged the presence of Mr. Roberto Lucin, PMAO Board of Directors, Atty. Dennis Dillo of Legal Department, Mr. Roberto Lucin of SBTC and Mr. Jerome Maricopa of Support Department. Likewise, welcomed and appreciated the presence of all attendees.

Sibic Bay Metropolitan Authority  
 Support Department  
 New Support Administration Building (Maricopa Road, Cor. Sanjeron Road, SBTC, Philippines 2222)  
 Tels: 45847 253-4232/4231 Fax: 45847 253-4684 Email: support@sbma.com



and made clear the rationale and house rules to be followed during the public hearing. Mr. Maricopa also gave his welcome message and officially opened the discussion.

• Mr. Maricopa emphasized the house rules that there will be an opportunity for everyone to speak at the end of the presentation during the Q&A portion and to enforce one question and one follow-up question and a 3-minute limit for each concern. The position paper must be submitted within 15 calendar days after the public hearing and will be considered with the same weight as oral testimonies heard today. Position paper received after the prescribed period shall no longer be entertained.

• The Public Hearing started with the Presentation by Mr. Lucin entitled *W/Idem3.20K*.

• Mr. Igeada of OMR-CGMA asked when is the implementation date for the increase miscellaneous fees. GM Maricopa answered that the 12% shall be implemented within the end of year 2013. September is the tentative date for the first tranche of 5% and another 4% by December of current year.

• Mr. Portales of Wan Hai suggested for the container handling fee to wait for the Philippine Ports Authority (PPA), however Mr. Lucin retorted and said that SBMA and SBTC is not governed by PPA. Mr. Lucin further explained PPA wanted this also, this fee exists to all PPA ports.

**• OTHER MATTERS**

• Mr. Lucin shared with the attendees the increased of their 2-year equipment to avoid the onslaught of empty container that happened last October, November and December 2012. He also shared the upgrading of their thermal operating system 3.6 which is useful for tracking containers. Likewise, SBTC leased the former main dock to SSI to serve as the empty container depot, which cost huge amount, considerably for the purpose of convenience of the port terminal clients.

• Mr. Randy Igeada of SBTC shared the stakeholders to attend the Open Forum away quarter on SBTC premises to discuss the feedbacks and concerns.

**ACKNOWLEDGMENT**

Mr. Lucin encouraged the attendees to ask any other questions or concerns, and with no further concerns, he officially thanked all the ladies and gentlemen for their valuable support and attendance. Mr. Lucin officially adjourned the Public Hearing at exactly 11:04AM.

GM Maricopa of Support Department thanked the closing remarks.

To the best of our knowledge:

Prepared by:  
 CHARLOTTE GUBANIH  
 Clerk II

Reviewed by:  
 RODOLFO ALMADOR JR.  
 Branch Head, Maritime Regulations

Noted by:  
 JEROME MARICOPA  
 General Manager

Sibic Bay Metropolitan Authority  
 SUPPORT DEPARTMENT  
 New Support Administration Building (Maricopa Road, Cor. Sanjeron Road, SBTC, Philippines 2222)  
 Tels: 45847 253-4232/4231 Fax: 45847 253-4684 Email: support@sbma.com



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# AUTHORITY AND RATIONALE

## AUTHORITY

RA No. 7227

Sec. 13. Powers and function of the

(b) The Subic Metropolitan Authority shall have the following powers & Function:

- (3) To undertake and regulate the establishment, operation and maintenance of utilities, other services and infrastructure in the Subic Special Economic Zone including shipping and related business, stevedoring and port terminal services or concessions, incidental thereto and airport operations in coordination with the Civil Aeronautics Board, and to fix just and reasonable rates, fares, charges and prices therefor;

## RATIONALE

In The SBMA's SBIC implemented their local 12% tariff in 2016. Consider how the charges into two batches on August 15, 2017 & November 1, 2016. However, the miscellaneous terminal container fees (see 15) included along with non-terminal services like Lift-on-Lift-off (LLO) and handling which are vital to moving cargoes.

Empty containers storage fees, including the services of forklifts, SBTG/ISI absorb the cost, yet, the abrupt/ unexplained surge in empty containers storage fees requires to consider the cost of storage to be aligned with MICT-Manila.

3. SBTG/ISI has sub-leased the "Race Track" (April 5, 2019) from Subic Seaport Terminal Inc. (SSTI) to serve as the storage area for empty containers which will cost huge amount for SBTG/ISI. Considerably, for the convenience of Port Terminal Clients.

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An ICTSI Group Company



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## Recommendation

In the regular meeting of the Board of Directors of the Subic Bay Metropolitan Authority held on July 18, 2019 that upon recommendation of Management and without prejudice to COA Regulations and pertinent laws on the matter, the Board PASSED and RATIFIED a resolution approving the following on the Proposed Adjustments on Miscellaneous Tariff for containerized cargoes:

- Wherein Subic Bay Metropolitan Management discuss with Subic Bay International Terminal Corporation to determine only one charge for Lift On Lift Off (L.O.L.O) empties disregarding whether for import/export since same activities are involved in both processes, same categories of costs and labor, fuel and equipment are used.

Manila Misc. Fee is higher by an average of 27.82% than Subic

Manila is higher by an average of Pnp/267.14 than Subic in over-all charges

Batangas Misc. Fee is higher by an average of 38.81% than Subic

Batangas is higher by an average of Pnp526.61 than Subic in over-all charges;

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# Background

Based on Board Resolution No. 19-07-1341 (Proposed Adjustments on Miscellaneous Tariff for Containerized Cargoes to conduct Public Hearing) dated July 18, 2019 under Management's Power Point Presentation Slides 9 and 14 shows the SBITC proposal on the Empty Storage under Miscellaneous fee.



Circularization No. 19-071  
Series of 2019

**MEMORANDUM**

Subject:

PROPOSED ADJUSTMENTS ON MISCELLANEOUS CARGOES TARIFF FOR CONTAINERIZED CARGOES

This certifies that:

The records of the Board Secretariat show that during the Sixty-Fourth (64<sup>th</sup>) Meeting of the Board of Directors of the Subic Bay Metropolitan Authority held last 18 July 2019 wherein there was a quorum to validly transact business, the following resolution was approved:

**COMPARATIVE RATES: Subic vs Manila**  
PAGKILALAYAN NG PANG-ALAYAN NG SUBIC VS MANILA

No.	ITEM	SBMA Rate (Current)	SBMA Rate (Proposed)	Difference	Remarks
9.	For each loaded 14.5 tons per hour (tph) of 40 ft. (Standard)	791.25	841.25	1,101.25	Rate is 14.5% higher than Manila
	For each loaded 3 tons per hour (tph) of 40 ft. (Standard)	0.00	314.00	314.00	Rate is 31.4% higher than Manila
10.	Crane Reel/Chover (tph. of 8 hrs. (Standard))	0.00	6.00	6.00	Rate is 6.0% higher than Manila
11.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	1,012.00	1,012.00	Rate is 101.2% higher than Manila
12.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	481.25	481.25	Rate is 48.1% higher than Manila
13.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	1,012.00	1,012.00	Rate is 101.2% higher than Manila
14.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	1,012.00	1,012.00	Rate is 101.2% higher than Manila

**COMPARATIVE RATES: Subic vs Batangas**  
PAGKILALAYAN NG PANG-ALAYAN NG SUBIC VS BATANGAS

No.	ITEM	SBMA Rate (Current)	SBMA Rate (Proposed)	Difference	Remarks
9.	For each loaded 14.5 tons per hour (tph) of 40 ft. (Standard)	791.25	841.25	112.50	Rate is 14.35% higher than Batangas
	For each loaded 3 tons per hour (tph) of 40 ft. (Standard)	0.00	0.00	N/A	
10.	Crane Reel/Chover (tph. of 8 hrs. (Standard))	0.00	6.00	1.00	Rate is 17.0% higher than Batangas
11.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	1,012.00	220.42	Rate is 24.0% higher than Batangas
12.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	0.00	N/A	
13.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	12.00	12.00	
14.	Crane Service/Chover (tph. of 8 hrs. (Standard))	0.00	12.00	12.00	

**Resolution No. 19-07-1341**

Resolved, that it is hereby resolved, that upon recommendations of Management and without prejudice to COA Resolutions on present basis on the matter, the Board hereby approves the following in the Proposed Adjustments on Miscellaneous Tariff for Containerized Cargoes:

- For Management to discuss with the Subic Bay International Terminal Corporation (SBITC) to determine only one charge for LRU's LRU's (Laid) services depending whether for direct export since some activities are involved in both processes, same categories of costs and labor, fuel, and equipment are used.
- To reduce the implementation by adding the increase in two tranches and the specific attach and year of implementation to be identified.
- To review the rates regularly and establish the rates in Subic Port to adjust to Manila Port's increases in rate synchronized with the increase in consumer's price index.
- To allow the Support Department to immediately conduct a public hearing on the proposed adjustments on miscellaneous tariff for containerized cargoes.
- For Support Department to compare handling costs in Manila.

Management's Power/Unit presentation is incorporated herein by way of reference.

Issued this 9<sup>th</sup> day of August 2019

**GINOY**  
Board Secretary V

Subic Bay Metropolitan Authority  
BOARD SECRETARIAL  
Room 202, Westport Road, Subic Bay Freeport Zone, 2222 P.O. Box  
+78-4504 282-41754178 + Fax: 4504 282-4175



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**However, in reference to Board Resolution No. 19-10-1451 dated October 3, 2019, the resolution only approves the implementation of the 12 % increase of miscellaneous tariff for containerized cargoes and fees for Empty Container Handling**



Certification No. 19-370  
Series of 2019

**MEMORANDUM**

**Subject: IMPLEMENTATION OF THE 12% INCREASE OF MISCELLANEOUS TARIFF FOR CONTAINERIZED CARGOES AND FEES FOR EMPTY CONTAINER**

This certifies that:

The records of the Board Secretariat show that during the Seventeenth (17<sup>th</sup>) Meeting of the Board of Directors of the Subic Bay Metropolitan Authority held last 3 October 2019 wherein there was a quorum to validly transact business, the following resolution was approved:

**Resolution No. 19-10-1451**

"Resolved, as it is hereby resolved, that upon recommendation of Management and subject prior to the COA Review and other pertinent laws on the matter, the Board hereby approves the implementation of the 12% increase of Miscellaneous Tariff for Containerized Cargoes in two (2) tranches, 6% on November 18, 2019 and 6% on February 20, 2020.

Resolved further, the Board adopts the following fees for Empty Container Handling:

Import and Export = Php1,945.00  
20 footer = Php1,945.05  
40 and 45 footer = Php1,945.05"

Issued this 17<sup>th</sup> day of October 2019.

*JENNIFER T. GOSANG*  
Board Secretary V

Subic Bay Metropolitan Authority  
BOARD SECRETARIAT  
Building 206, Watersport Road, Subic Bay Freeport Zone - 3022 Philippines



**If we follow the Board Resolution No. 19-10-1451,  
on the 12 % increase, the computation should be:**

Misc. Empty Storage at 12%	From	To
20'	PHP 6.00	PHP 6.72
40'/45'	PHP 12.00	PHP 13.44

The SBITC proposal was Php 60 and Php 120 respectively, with a 900% rate increase, which does not conform to Board Resolution No. 19-10-1451.

Misc. Empty Storage at 900%	From	To
20'	PHP 6.00	PHP 60.00
40'/45'	PHP 12.00	PHP 120.00

# Empty Storage Charges and Remittance

Empty Allocation charges February 2020 to April 25, 2022						
Empty Storage	15,409,350.00	122,958	826,345.88	9,551,741.76	786,209.00	1,536,546.70
Empty Storage	2,236,927.50	988,932	2,537,829.88	20,572,453.82	2,497,455.83	
<b>TOTAL 2020</b>	<b>PHP 17,646,277.50</b>	<b>PHP 1,211,890</b>	<b>PHP 1,363,175.76</b>	<b>PHP 29,124,195.58</b>	<b>PHP 30,700.25</b>	
<b>TOTAL 2021</b>	<b>PHP 15,409,350.00</b>	<b>PHP 1,238,456</b>	<b>PHP 1,772,945.82</b>	<b>PHP 29,735,963.68</b>	<b>PHP 1,536,546.70</b>	
<b>TOTAL 2022</b>	<b>PHP 17,646,277.50</b>	<b>PHP 1,229,988</b>	<b>PHP 2,537,829.88</b>	<b>PHP 50,557,159.26</b>	<b>PHP 786,209.00</b>	
<b>GRAND TOTAL</b>	<b>PHP 50,701,905.00</b>	<b>PHP 3,680,334</b>	<b>PHP 5,673,951.52</b>	<b>PHP 109,417,318.52</b>	<b>PHP 3,822,455.95</b>	



# Recommendation

May we respectfully request a resolution to reconsider the proposed Php 60.00 and Php 120.00 increase on the Empty Storage (Miscellaneous Fees), since said item was presented during the Public Hearing and to be competitive with Manila.

The requested resolution on the proposed Php 60 and Php 120 increase is not part of the 12% increase in rate computation based on the Board Resolution No. 19-10-1451.



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**END OF THE PRESENTATION  
THANK YOU**