



Republic of the Philippines
Department of Environment and Natural Resources
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E-mail: web@denr.gov.ph; Website: www.denr.gov.ph

MEMORANDUM

TO : ALL REGIONAL EXECUTIVE DIRECTORS
Except NCR and CARAGA

FROM : THE UNDERSECRETARY
Field Operations and Environment

SUBJECT : 3rd TRACER RE: PENDING APPLICATION OF PLDT / SMART
COMMUNICATIONS INC. FOR SPECIAL AGREEMENT ON
PROTECTED AREAS AND SPECIAL LAND USE PERMIT FOR
THEIR CELL SITES

DATE : MAY 12 2021

This pertains to the letter dated 19 April 2021 from Smart Communications Inc., regarding the above-mentioned subject.

Smart Communications Inc. claims that to date, they have only secured around 11 tenurial instruments out of 106 applications for their cell sites nationwide. We have sent them the reports you submitted to apprise them of the situation of their application and to alert them on the way forward.

However, they are requesting to be allowed to secure provisional permits pending evaluation/completion of their application requirement.

Relative to this, you are hereby instructed to coordinate with them and discuss all possibilities in assisting them in accordance with pertinent rules, laws and regulations on the matter. Submit report of compliance citing document tracking number OUFOU-2021-000375 for record and monitoring purposes.

For compliance.


ATTY. JUAN MIGUEL T. CUNA, CESO I

Cc: All Assistant Secretaries
Field Operations

Atty. Alma Alexandra Martinez
Anti-Red Tape Authority
Ground Floor HPGV Building
395 Sen. Gil Puyat Avenue
Makati City

MEMO NO. 2021 - 359

Let's Go Green



19 April 2021

**THE HONORABLE
UNDERSECRETARY JUAN MIGUEL T. CUNA**
Undersecretary – Field Operations
Department of Environment and Natural Resources
DENR Central Office, Visayas Avenue, Quezon City
Metro Manila

Dear Undersecretary Cuna:

Greetings from Smart Communications, Inc!

We hope that you and your family are keeping safe amidst the ongoing pandemic. This letter is meant to report on SMART's ongoing endeavors pertinent to the SLUP & SAPA applications of 106 pre-identified cellsites throughout the Philippines. We also hope to present our current challenges and finally convey our recommendations.

Since 2018, SMART has reached out to all 14 DENR Regional Offices. Out of the 106 cellsites, we have so far secured only 11 SLUPs. Attached is a detailed accounting of the sites while below is the summary of the same:

Region	Total Sites	Returned/ for re- submission	Submitted, awaiting Order of Payment	User's Fee paid, awaiting issuance of permits	Not within Forested Land/ Protected Area	Decommissioned for dismantling of Towers	SLUP Secured	SAPA Secured	Ongoing Permitting Process out of 106 sites (36 + 25 + 17)
1	7	1	3	0	0	3	0	0	4
2	7	0	0	1	1	0	5	0	1
3	6	0	0	1	0	0	5	0	1
5	8	7	0	0	0	1	0	0	7
6	15	8	4	1	0	2	0	0	13
7	10	6	1	1	0	2	0	0	8
8	12	8	2	1	1	0	0	0	11
9	5	0	1	0	1	2	1	0	1
10	3	0	0	2	1	0	0	0	2
11	3	0	2	1	0	0	0	0	3
13	3	0	0	3	0	0	0	0	3
4-A	2	1	1	0	0	0	0	0	2
4-B	23	5	10	6	1	1	0	0	21
CAR	2	0	1	0	0	1	0	0	1
Total	106	36	25	17	5	12	11	0	78

Smart Communications, Inc.
6799 Ayala Avenue, 1226 Makati City, Philippines
www.smart.com.ph

We wish to share with you the challenges and the request of SMART for support relative to the application of these permits amid the limitations posed by the nationwide community quarantines.

Challenges	Support Requests	Benefits
Some Regions accept electronic versions while other Regions require original, certified true copies.	Requesting for Regional Offices to accept submission of electronic documents.	<p>1. This will eliminate the unfortunate possibility of losing or misplacing files regardless of place of work (home or office), and irrespective of personnel movements.</p> <p>2. Faster submission, multiple viewers and approvers can check simultaneously, and no need to produce several duplicate copies.</p> <p>3. Convenient to return in case there is lacking information.</p>
Difficulty in identifying Regional DENR contact persons from various offices.	Exchange of contact directories between PLDT/SMART and DENR.	Faster and more direct communication.
Requirement for physical site surveys conducted by Geodetic Engineers together with PLDT/SMART employees.	Deferment of physical site surveys in favor of utilizing online platforms (e.g., Google Earth) in determining lost areas, and right of way calculations.	The 106 SMART cellsites have been in existence for several years. All of them were identified by DENR in 2017 hence inclusion to the list. The sites' exact locations including its longitude & latitude coordinates have been supplied hence it would be faster, safer and more convenient for all parties involved.
Face to face Barangay or Municipal Hearings	Requesting for the waiver of the Barangay/Municipal Resolution in favor of a Certification for <u>all existing sites</u> .	Barangay/Municipal Resolutions were secured prior to the construction of the cellsites. While we acknowledge the importance of Barangay Resolutions, it may be more applicable to new/upcoming sites. Issuance of Certificates on existing, long standing sites will save time and resources.
Five (5) sites not under Protected Area / Forested Land	Acknowledgment and Certification from DENR that	This will completely settle all obligations of SMART with DENR.

	these sites are not subject to SLUP or SAPA.	
Twelve (12) decommissioned sites for tower dismantling	Requesting for consideration if possible to waive the fees for these sites in favor of a standard, one-time special use permit fee.	
Seventeen (17) sites that have special use fees already settled.	Seeking your kind assistance in expediting of SLUP/ MOA issuance so that SMART can immediately process for FLAG/ SAPA.	
Securing of permits for the balance of Seventy-Eight (78) sites that do not have SLUP & SAPA yet.	Requesting for streamlining of requirements across all sites.	

We hope that our request will merit your review and consideration. It is our desire to be able to settle all our permitting obligations with DENR.

As you may be aware, a telecommunications tower ordinarily occupies only more or less three hundred (300) square meters. The infrastructure environmental footprint of SMART is very small compared to those in extractive industries and yet we are subjected to the same stringent DENR application process. Telecom projects are not identified in Presidential Proclamation 2146 as an environmentally critical project (ECP), which requires an impact assessment and environmental compliance certificate, wherever it is located. However, mindful of our duty to preserve the environment especially in Protected Areas, we still commit to provide a description of our project, outlining how we will manage our environment impacts. We do hope though that requirements and processes be more 'relaxed' in recognition of our non-extractive nature.

In this light, we would like to reiterate our request to secure Provisional Permits from the DENR, pending evaluation or completion of requirements. We are however willing to settle the assessed fees immediately.

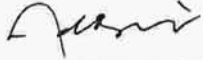
In closing, may we request for an online meeting with you to further expound on the details of our request. Should you have any clarifications, I can be reached anytime at 0928-5044892, or at jvrobillo@pldt.com.ph.

Thank you.

Very truly yours,

PLDT, INC.

By:



ATTY. AILEEN D. REGIO

First Vice President

Head - Regulatory and Strategic Affairs

SMART COMMUNICATIONS, INC.

By:



ATTY. ROY D. IBAY

Department Head/Vice President

Legal and Regulatory Group



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JACOB ZACHARY V. ROBILLO

Site Portfolio and Technology

Engagement Manager

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