

the Board or its duly designated representative shall set the time and the place for the meeting of the parties interested in said application or their attorneys, and shall notify said parties or their attorneys in writing to appear: *Provided*, That, if publication has been dispensed with, the Board shall immediately set the time and place for the meeting of the parties.

SEC. 18. Non-appearance.—If a party interested in the application fails to appear or if no party appears at the designated time and place, the Board or its duly designated representative may proceed *ex parte* or, in his discretion adjourn the proceeding for a future date, giving notice to the absent party or parties of the adjournment.

SEC. 19. Depositions.—The Board or its duly designated representatives may, in any investigation or hearing, by order in writing, cause the depositions of witnesses residing within or without the Philippines to be taken in the manner prescribed by the Rules of Court.

Witnesses whose depositions are necessary shall be entitled to mileage fees at the same rates as those allowed in the Courts of First Instance.

SEC. 20. Hearings and records of proceedings.—Hearings on all applications shall be open to the public unless the Board shall determine otherwise for reasons of national security.

Proceedings shall be recorded in such form and manner as may be determined by the Board and the record of proceedings shall become part of the records of the application.

SEC. 21. Issuance of permit.—The Board shall issue a permit authorizing the whole or any part of the service covered by the application, if it finds: (1) that the applicant is not willing and able to perform such service properly in conformity with the provisions of this act and the rules, regulations, and requirement issued thereunder, and (2) that such service is required by the public convenience and necessity, otherwise the application shall be denied.

SEC. 22. Modification, suspension or revocation.—The Board, upon petition or complaint or upon its own initiative, may, by order entered after notice and opportunity for hearing, alter, amend, modify or suspend any permit, in whole or in part, if public convenience and necessity so require, or may revoke any permit, in whole or in part, for intentional failure to comply with any provision of this Act or any order, rule or regulation issued thereunder, or any term condition or limitation of such permit: *Provided*, That the Board, for good cause, may, by order without notice and hearing suspend, for a period not to exceed thirty days, any permit or the exercise or any privilege or authority issued or granted under this Act whenever such step shall, in the judgment of the Board, be necessary to avoid serious or irreparable damage or inconvenience to the public. Any interested person may file with the Board a protest or memorandum in support of or in opposition to the alteration, amendment, modification, suspension or revocation of any permit.

SEC. 23. Transfer of permit.—No permit may be transferred unless such transfer is approved by the Board as being consistent with the public interest.

SEC. 24. Effective date and duration of permit.—Each permit shall be effective from the date specified therein and shall continue