

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR THE
APPROVAL OF THE
PROPOSED CAPITAL
EXPENDITURE PROJECTS
FOR THE YEARS 2019 - 2021
WITH APPLICATION FOR
AUTHORITY TO SECURE
LOAN FROM THE NATIONAL
ELECTRIFICATION
ADMINISTRATION (NEA)
AND/OR PRIVATE
FINANCIAL INSTITUTION**

ERC CASE NO. 2022-005 RC

**CEBU II ELECTRIC
COOPERATIVE, INC.
(CEBECO II),**

Promulgated:
June 24, 2022

Applicant.

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NOTICE OF VIRTUAL HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 24 January 2022, Cebu II Electric Cooperative, Inc. (CEBECO II) filed an *Application* dated 08 November 2021, seeking the Commission's approval of its proposed Capital Expenditure projects for the years 2019 to 2021, with authority to secure loan from the National Electrification Administration (NEA) and/or private financial institution.

The pertinent allegations of the *Application* are hereunder quoted as follows:

THE APPLICANT

1. CEBECO II, is an electric cooperative created and existing pursuant to the provisions of Presidential Decree No. 269 as amended, with principal office located at Malingin, Bogo City, Cebu, Philippines, represented herein by its General Manager,

Lowell O. Belcina, duly authorized by virtue of Board Resolution No. 63-A, Series of 2021 dated July 10, 2021 of the Board of Directors, copy of which is attached hereto as Annex "A" and made integral part hereof.

The filing of the instant *Application* is likewise authorized under the afore-mentioned Resolution;

2. Applicant has been granted by the National Electrification Administration (NEA) an authority to operate and distribute electric light and power within the coverage area comprising the Cities of Danao, and Bogo and the Municipalities of Borbon, Carmen, Catmon, Compostela, Daanbantayan, Medellin, San Remegio, Sogod, Tabogon, Tabuelan and Tuburan, all in the Province of Cebu;

LEGAL BASES FOR THE APPLICATION

3. This Application is filed in compliance with ERC Resolution No. 26, Series of 2009 (A Resolution Amending the Rules for Approval of Regulated Entities' Capital Expenditure Projects)" adopted pursuant to the mandate of Section 43 of Republic Act No. 9136 otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA) and its implementing Rules and Regulations, which categorically provides that all capital expenditure projects (CAPEX) shall be submitted to and for the approval of the Commission prior to its implementation, in relation to ERC Resolution No. 20, Series of 2011 which sets the timelines for the filing of the instant application;
4. The aforecited amended rules was issued by the Honorable Commission to ensure that the projects are timely, appropriate, necessary and cost efficient; to ensure that the proposed capital projects are consistent with the Distribution Development Plan (DDP), the Philippine Grid Code (PGC), the Philippine Distribution Code (PDC), and other relevant government issuances; and to ensure that the procurement of equipment, materials and services are transparent, competitive and compliant with the applicable laws and regulations;
5. In accordance with the Amended CAPEX Rules, consistent with the Distribution Development Plan and the Philippine Distribution Code, Applicant shall acquire, construct and implement the following capital expenditure projects for the years 2019 - 2021, with a total approximate cost of **Five Hundred Forty-Four Million Two Hundred Sixty-Three Thousand Five Hundred Seventy (PhP544,263,570.00) Pesos;**

THE PROPOSED CAPITAL EXPENDITURE
PROJECTS

5.a. Description of the Projects:

5.a.1 Network CAPEX Projects

Safety Capital Projects

Project Title	Project Justification	Project Cost (Php) (P'ooo)
Replacement of Damaged/Defective Equipment installed in the Substation	This project aims to replace the damaged and defective electrical equipment installed in the Substations caused by electrical surges and natural calamities.	20,854.00
Refurbishment of the 6.4 Circuit kilometer 69KV Subtransmission Line from Canamucan, Compostela to Sabang, Danao City	The project is intended to refurbish the dilapidated and hazardous structures along the 69KV Subtransmission Line from Canamucan, Compostela to Sabang, Danao City.	22,647.30
Installation of Distribution Feeder Circuit Recloser Protection	To address the safety requirement and protection of distribution feeders by detecting and isolating low magnitude faults that cannot be sensed by substation circuit breakers.	7,000.00
Refurbishment and Uprating of 13.2 KV Distribution Back Bone Line	This project is intended to refurbish, rehabilitate and uprate the damaged and antiquated 13.2 KV Distribution Back Bone Line that serves the Municipalities of Medellin, Tabuelan, Catmon, San Remigio and Compostela and the Cities of Danao and Bogo.	44,888.28
Total Cost (Php)		95,389.58

Capacity Capital Projects

Project Title	Project Justification	Project Cost (Php) (P'ooo)
New 10 MVA Putat Power Substation with 69KV Subtransmission Lateral Lines	This project is intended to augment the increasing capacity requirement in the areas served by the 5MVA Lugo Substation which is currently at 117.78% loading capacity and is beyond the maximum rated capacity set by the distribution utility planning manual.	130,140.14

Total Cost (Php)	130,140.14
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Reliability Capital Projects

Project Title	Project Justification	Project Cost (Php) (P'ooo)
Construction of new 69KV Subtransmission Line from Taytay to Dunguan, Danao City	The construction of a new 69KV subtransmission line from Taytay, Danao City to Dungu-an, Danao City will further improve the reliability of power supply by providing an alternative source of power in the event of power interruptions caused by either the NGCP Talisay Daan Bantayan Substation or the NGCP Canamucan, Compostela Substation.	16,326.77
Total Cost (Php)		16,326.77

Rural Electrification Capital Projects

Project Title	Project Justification	Project Cost (Php) (P'ooo)
Rural Electrification Projects (non-subsidized)	To further improve the level of energization at sitio level under the coverage area of CEBECO II towards total electrification.	66,007.31
Electrification Projects Advanced by Real Estate Developer	This project is intended to reimburse the cost of distribution network expansion advanced by the developer in accordance with the amended Distribution Services and Open Access Rules (DSOAR).	33,788.39
Total Cost (Php)		99,795.70

System Loss Reduction Capital Projects

Project Title	Project Justification	Project Cost (Php) (P'ooo)
Replacement of Defective kWh Meters	One of the factors contributing to reduced system efficiency are the antiquated, inaccurate, defective and faulty kilowatt-hour meters. The replacement of these meters will greatly improve system efficiency by providing more accurate readings.	20,728.50

Total Cost (Php)	20,728.50
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5.a.2 Other Network CAPEX Projects

Project Title	Project Justification	Project Cost (Php) (P'ooo)
Procurement of kWh Meter for New Residential Consumers	To address the metering requirements for new customers.	29,066.40
Procurement of Service Drop Wires for New Residential Consumer	To address the metering requirements for new customers.	17,836.20
Procurement of New Distribution Transformers	Procurement of additional Distribution Transformers is necessary to provide the capacity requirement due to load growth and new customers.	8,898.40
Total Cost (Php)		55,801.00

5.a.3 Non - Network CAPEX Projects

Project Title	Project Justification	Project Cost (Php) (P'ooo)
Construction of New Area Office Building and Other Facility Improvement	The project is intended to enhance the delivery of services and address consumer concerns and complaints in the Municipalities of Borbon, Tabogon, Catmon and San Remegio.	16,074.75
Procurement of New Service Motorcycle and 4-Wheel Vehicle	The acquisition of additional vehicles are intended to meet the growing demand and number of customers of CEBECO II thereby improving mobility and response time of any consumer complaints and other related field service operations.	19,280.00
Procurement of New Crane truck and Manlift Vehicle	The procurement of new heavy equipment is intended to improve area maintenance works and for other related service operations.	62,400.00

Acquisition of laboratory and field testing equipment	The acquisition of special tools and equipment will greatly improve testing and monitoring of the substation facilities and meter shop.	8,270.00
SCADA Automation Distribution Facility Phase-II	In compliance with the DOE's policy on the modernization of distribution system facilities for a more reliable and efficient distribution system by installing SCADA-Ready equipment for real-time and remote monitoring.	5,919.00
Procurement of IT Logistical equipment	This project aims to further improve the customer service efficiency of CEBECO II through the procurement of new IT logistical equipment for hardware automation and software optimization.	7,943.20
Procurement of Additional Logistic Tools and Equipment	Procurement of additional tools and equipment intended for maintenance crew logistic support	3,356.63
Procurement of Additional Personnel Safety Paraphernalia Protective Equipment	Procurement of additional personnel safety paraphernalia protective equipment logistic support.	2,838.30
Total Cost (Php)		126,081.88

SUMMARY OF PROJECTS

PROJECT	AMOUNT PER YEAR (Php) (P'ooo)			TOTAL PROJECT COST (Php) (P'ooo)
	2019	2020	2021	
NETWORK PROJECTS	130,140.14	-	232,240.55	362,380.69
OTHER NETWORK PROJECTS	14,512.40	24,365.75	16,922.85	55,801.00
NON-NETWORK PROJECTS	2,828.43	-	123,253.45	126,081.88
GRAND TOTAL	147,480.97	24,365.75	372,416.85	544,263.57

5.b TYPE OF THE CAPITAL EXPENDITURE PROJECTS IN ACCORDANCE WITH SECTION 2.3 OF RESOLUTION NO. 26, SERIES OF 2009;

- 5.b.1 As described above in Section 5.a.1, the projects are categorized as Network CAPEX which will address safety, capacity, reliability, rural electrification and system loss of the Applicant's distribution system;
- 5.b.2. The Other Network CAPEX projects as shown in 5.a.2 are necessary in terms of meters, service drop wires and distribution transformers to meet annual customer growth as forecasted including replacement.
- 5.b.3 And the Non-Network CAPEX projects of the cooperative as categorized and indicated in 5.a.3 will enhance its capability in responding to customer requests and concerns for better and efficient electric service. Further, its facilities and equipment will be responsive to the quality service that the consumers deserve.

JUSTIFICATION OF THE CAPITAL PROJECTS

- 6. With the prevailing situation in the electric power industry vis-à-vis the consumers' demand, Applicant deems it appropriate to embark on asset development and expansion in order to meet the member-consumers' growing demands; and
- 7. The procurement of the aforementioned project is of great necessity in the schedules herein provided, otherwise service decline is eminent, to the prejudice of the consumers;
- 8. That the afore-enumerated capital projects will be implemented on staggered basis, and, if a Force Majeure or Fortuitous event, as the case may be occurs causing delay in the implementation, the Applicant shall inform the ERC of such condition and seek the latter's confirmation of the delayed implementation of the particular CAPEX;

RELATED AND INDISPENSABLE DOCUMENTS

- 9. Consistent with the requirement of the filing of applications for approval of capital projects, Applicant attached and made an integral part of this Application the detailed justifications, related and indispensable documents chronologically arranged and contained in **Annex "B"** hereof;

BOARD APPROVAL OF THE PROPOSED PROJECTS

- 10. Finding the proposed capital expenditure projects reasonable, appropriate, necessary, and ultimately redound to the benefit of the members-consumers by way of efficient, continuous and reliable service, the Board of Directors of the Applicant passed Board Resolution No. 63, Series of 2021 dated July 10, 2021 approving the proposed CAPEX, copy of which is attached hereto as **Annex “C”**;

- 11. In compliance with Resolution No. 26, Series of 2009, information on the proposed capital projects had been widely disseminated through posting in the conspicuous places of the Cities of Danao and Bogu and the Municipalities of Borbon, Carmen, Catmon, Compostela, Daanbantayan, Medellin, San Remigio, Sogod, Tabogon, Tabuelan, and Tuburan, all in the Province of Cebu, as certified to by Snowie R. Cogal, an employee of the Applicant tasked to undertake such dissemination, copy of the affidavit of posting is attached hereto as **Annex “D”**. The Notices posted in the areas aforementioned specifically contained the following:
 - a. the proposed projects;
 - b. the reasons for proposing said projects;
 - c. the source of fund for the said projects;
 - d. indicative rate impact of the said projects;

SOURCES OF FUNDS FOR THE PROJECTS

- 12. CEBECO II’s Capital Expenditure Projects Plan is envisioned to have the least rate impact and that brings the most value to its consumers;

- 13. In the implementation of the proposed projects, the Applicant shall source the funds through a loan with the National Electrification Administration (NEA) and/or other Private Financing Institution that will provide the least interest rate to the benefit of the member-consumers. Thus, a parallel Application for the grant of authority to secure loan with the aforesaid government agency and/or other private financing institution is incorporated herein;

Financing Plan

Source of Funds	Project Costs to be Financed (P’000)	Annual Projects Costs (P’000)		
		Year 2019	Year 2020	Year 2021
NEA and Other Financing Institutions	240,431.06	-	-	240,431.06

Reinvestment Fund for Sustainable CAPEX	303,832.51	147,480.97	24,365.75	131,985.79
Total Costs	544,263.57	147,480.97	24,365.75	372,416.85

14.
The implementation of the proposed CAPEX shall bring forth an indicative rate impact as follows:

Indicative Rate Impact *with* Loan
(5-Year term loan)

Particulars	Year 2019	Year 2020	Year 2021	Total
Forecasted/Actual Energy Sales, MWh	422,545	439,947	469,398	1,331,890
RFSC Rate, PHP/kWh	0.2904	0.2904	0.2904	0.2904
Beginning balance, PHP ‘000, excess/(shortfall)	135,982.03	166,341.01	195,427.07	135,982.03
CASH INFLOW				
Projected/Actual RFSC Collection, PHP ‘000	121,551.44	127,524.27	129,497.58	378,573.29
50% income on leased properties, PHP ‘000			525.76	525.76
Government subsidy, PHP ‘000				-
Proposed Loan proceeds from financial institutions, PHP ‘000 -from subject Application			240,431.06	240,431.06
Approved Loan proceeds from financial institutions, PHP ‘000 -from previous Approve CAPEX Application/s				-
Proposed Loan proceeds from financial institutions, PHP ‘000 -from pending separate Application/s -			20,537.91	20,537.91

ERC Case Nos. 2015-174 RC, 2016-145 RC, 2017-091 RC				
Total Cash Inflow, PHP '000	121,551.44	127,524.27	390,992.30	640,068.01
Available Cash for Disbursements, PHP '000	257,533.47	293,865.28	586,419.36	776,050.04
CASH OUTFLOWS				
Proposed CAPEX requirement, PHP '000 -from subject Application (proposed cost/total cost incurred)	4,740.60	53,325.95	486,197.03	544,263.57
Approved CAPEX requirement, PHP '000 -from previous Approved CAPEX Application/s (approved total cost incurred)	81,537.31	40,197.71		121,735.02
Proposed CAPEX requirement, PHP '000 -from pending separate Application/s (proposed cost/total cost incurred) - ERC Case Nos. 2015- 174 RC, 2016-145 RC, 2017-091 RC			20,537.91	20,537.91
Proposed Annual Amortization, PHP '000 -from subject Application			60,543.13	60,543.13
Approved Annual Amortization, PHP '000 -from previous Approved CAPEX Application/s				-

Proposed Annual Amortization, PHP '000 -from pending CAPEX Application/s				-
Installment Payments to TRANSCO, PHP '000	4,914.56	4,914.56	4,914.56	14,743.67
Other fees relative to CAPEX application, PHP '000				-
Proposed ERC permit fees, PHP '000 -from subject Application			4,081.98	4,081.98
Approved ERC permit fees, PHP '000 -from previous CAPEX Application/s			1,698.99	1,698.99
Proposed ERC permit fees, PHP '000 -from pending CAPEX Application/s				-
Total Cash Outflow, PHP '000	91,192.46	98,438.21	577,973.60	767,604.28
Cash Balance Ending, PHP '000 Excess (Shortfall)	166,341.01	195,427.07	8,445.77	8,445.77
Excess (Shortfall) on RFSC/kWh	0.3937	0.4442	0.0180	0.0063

APPLICATION FOR AUTHORITY TO SECURE LOAN WITH THE NATIONAL ELECTRIFICATION ADMINISTRATION (NEA) AND/OR OTHER PRIVATE FINANCING INSTITUTIONS

- That, Applicant reiterates and incorporate the foregoing allegations in support of its Application for Authority to Secure Loan with the National Electrification Administration (NEA) and/or other Private Financing Institutions, which will provide the least interest rate, and further allege:
- That the need of immediate implementation of the foregoing proposed Capital Expenditure Projects is imperative to ensure safety, quality of service and compliance with the power industry’s regulatory requirements;

17.

Unfortunately, the current rate of the Reinvestment Fund for Sustainable CAPEX (RFSC) of Applicant CEBECO II is not enough to finance the proposed Capital Expenditure Projects. Thus, a setback in the implementation of the Projects is foreseen by Applicant due to insufficiency of funds, as can be shown below:

Rate Impact Calculation *without* availing any Loan

Particulars	Year 2019	Year 2020	Year 2021	Total
Forecasted/Actual Energy Sales, MWh	422,545	439,947	469,398	1,331,890
RFSC Rate, PHP/kWh	0.2904	0.2904	0.2904	0.2904
Beginning balance, PHP ‘000, excess/(shortfall)	135,982.03	166,341.01	195,427.07	135,982.03
CASH INFLOW				
Projected/Actual RFSC Collection, PHP ‘000	121,551.44	127,524.27	129,497.58	378,573.29
50% income on leased properties, PHP ‘000			525.76	525.76
Government subsidy, PHP ‘000				-
Proposed Loan proceeds from financial institutions, PHP ‘000 -from subject Application			-	-
Approved Loan proceeds from financial institutions, PHP ‘000 -from previous Approve CAPEX Application/s				-
Proposed Loan proceeds from financial institutions, PHP ‘000 -from pending separate Application/s - ERC Case Nos. 2015-174 RC,			-	-

	2016-145 RC, 2017-091 RC				
	Total Cash Inflow, PHP '000	121,551.44	127,524.27	130,023.33	379,099.04
	Available Cash for Disbursements, PHP '000	257,533.47	293,865.28	325,450.40	515,081.08
	CASH OUTFLOWS				
	Proposed CAPEX requirement, PHP '000 -from subject Application (proposed cost/total cost incurred)	4,740.60	53,325.95	486,197.03	544,263.57
	Approved CAPEX requirement, PHP '000 -from previous Approved CAPEX Application/s (approved total cost incurred)	81,537.31	40,197.71		121,735.02
	Proposed CAPEX requirement, PHP '000 -from pending separate Application/s (proposed cost/total cost incurred) - ERC Case Nos. 2015- 174 RC, 2016-145 RC, 2017-091 RC			20,537.91	20,537.91
	Proposed Annual Amortization, PHP '000 -from subject Application				-
	Approved Annual Amortization, PHP '000 -from previous Approved CAPEX Application/s				-

Proposed Annual Amortization, PHP '000 -from pending CAPEX Application/s				-
Installment Payments to TRANSCO, PHP '000	4,914.56	4,914.56	4,914.56	14,743.67
Other fees relative to CAPEX application, PHP '000				-
Proposed ERC permit fees, PHP '000 -from subject Application			4,081.98	4,081.98
Approved ERC permit fees, PHP '000 -from previous CAPEX Application/s			1,698.99	1,698.99
Proposed ERC permit fees, PHP '000 -from pending CAPEX Application/s				-
Total Cash Outflow, PHP '000	91,192.46	98,438.21	517,430.46	707,061.14
Cash Balance Ending, PHP '000 Excess (Shortfall)	166,341.01	195,427.07	(191,980.06)	(191,980.06)
Excess (Shortfall) on RFSC/kWh	0.3937	0.4442	(0.4090)	(0.1441)

18.
While Applicant has internally generated funds, the same is insufficient and needs to be augmented by a loan through NEA’s lending program, designed to assist the electric cooperatives and/or other Private Financing Institution, which can offer the least interest rates to the benefit of the member-consumers; hence, to apply for an authority to secure loan from the Commission is deemed prudent, rational and necessary;
19.
In support of its application for the grant of authority to secure a loan from NEA and/or other Private Financing Institution, which will provide the least interest rate, Applicant hereto attached the following documents:

- 19.a. Copy of Audited Financial Statements including notes for test year 2020, 2019, 2018 and 2017 as Annexes “E”, “E-1”, “E-2” and “E-3”;
- 19.b. List of projects and/or items of equipment and their estimated cost as Annex “F”.
- 19.c. Bases of the reasonableness of the estimated cost as Annex “G”;
- 19.d. Detailed schedule of utilization (of Annual RFSC Utilization for the test year and the prior 2 years) as Annex “H”;
- 19.e. Computation of Financial ratios as Annex “I”.
- 19.f. Cost-Benefit Analysis and Justification in securing loans as Annex “J”;

**MOTION FOR THE ISSUANCE OF PROVISIONAL
AUTHORITY IN SECURING A LOAN**

- 20. That, Applicant reiterates and incorporate the foregoing allegations in support of its application for issuance of provisional authority and further allege:
 - a. That the present facilities and equipment of the Applicant are found to be inadequate to meet the current increase in power demand and number of new customers, thus, operational decline is imminent which will result to power interruptions and decline in power reliability and customer service efficiency. The need for immediate improvement by providing additional or new facilities is the only solution to prevent an imminent decline in Applicant’s power service; and such urgent need/remedy is imperative and should necessarily be implemented;
 - b. Considering the length of time to resolve the instant Application, it being not the only application to be resolved by the Commission, it is only appropriate, justifiable and reasonable that a provisional authority to immediately implement the capital expenditure projects applied for approval and secure the needed financing be granted;
 - c. The provisional authority that may be issued by the Honorable Commission will provide Applicant the opportunity to implement the Capital Expenditure Projects in accordance with the schedule of actual utilization and avoid the imminent escalation of prices. Thus, the reliability and quality of its service will not be unduly compromised;

- d. That Applicant is aware that the Provisional Authority that may be granted is subject to the final evaluation of the Honorable Commission.

**COMPLIANCE WITH
PRE-FILING REQUIREMENTS**

21. In compliance with Section 2, Rule 6 of the ERC Rules of Practice and Procedure, copies of this Application together with all its annexes and accompanying documents had been furnished by Applicant the Office of the Mayor and the Legislative Body of the City of Bogo, where Applicant principally operates and the Office of the Governor and the Legislative Body of the Province of Cebu. Likewise, the Application was published in a newspaper of general circulation within the franchise area of the Applicant;
22. As proof of compliance of the service of the copies of the Application together with all its annexes are the Certifications issued by the Authorized Representatives of the Local Government Units and/or the Affidavit of Service executed by an employee of the Applicant and the first page of the Application bearing the receiving stamp of the aforementioned Offices as **Annexes "K", "L", "M" and "N"**, respectively. Likewise attached hereto as **Annexes "O" and "P"** are the Affidavit of Publication and the newspaper issue containing the published Application;
23. Moreover, prior to the filing of this Application, a pre-filing conference with the concerned staff of the Commission was conducted pursuant to Section 4 of Rule 6, and for purposes of determining completeness of the supporting documents attached to the Application.

PRAYER

WHEREFORE, foregoing considered, CEBECO II respectfully prays that the Honorable Commission after due hearing and evaluation of the Application, an Order be issued:

1. Approving the proposed capital expenditures projects for the years 2019 - 2021 and declared just, reasonable, and equitable pursuant to the provisions of ERC Resolution No. 26, Series of 2009, and other related laws, rules and regulations;
2. Approving the application for authority to secure a loan with the National Electrification Administration (NEA) and/or other Private Financing Institution that will provide the least interest rate to the benefit of the member-consumers;
3. Allowing CEBECO II, through a Provisional Authority, to Secure a Loan with the National Electrification

Administration (NEA) and/or other Private Financing Institution that will provide the least interest rate to the benefit of the member-consumers pending resolution of the Application in order to allow Applicant to implement the proposed CAPEX as scheduled.

4. Allowing/authorizing CEBECO II to recover from the members-consumers its expenditures/costs incurred in the implementation of the Capital Expenditure Projects herein applied for confirmation and approval.

Other reliefs just or equitable under the premises, are likewise prayed for.

Subsequently, the Commission, in its *Order* and *Notice of Virtual Hearing*, both dated 28 March 2022, set the instant *Application* for the determination of compliance with the jurisdictional requirements and expository presentation, Pre-trial Conference and presentation of evidence through virtual hearings on 18 May 2022 and 25 May 2022, respectively.

However, on 02 May 2022, CEBECO II filed an electronic copy of an *Urgent Motion for Resetting* of even date, alleging its inability to comply with the requirements in the Commission's *Order* dated 28 March 2022.

Finding the said *Motion* in order, the Commission hereby grants the same. In view thereof, the hearings set on 18 May 2022 and 25 May 2022 are hereby **cancelled**.

IN VIEW THEREOF, the Commission hereby sets the same for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on the following dates and online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020¹ dated 24 September 2020 and Resolution No. 1, Series of 2021, dated 17 December 2020 (ERC Revised Rules of Practice and Procedure):²

¹ Entitled: A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission;

² Entitled: A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

Date and Time	Platform	Activity
18 August 2022 (Thursday) at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Determination of compliance with the jurisdictional requirements and Expository presentation
25 August 2022 (Thursday) at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Pre-trial Conference, and presentation of evidence

Any interested stakeholder may submit its comments and/or clarifications at least one (1) calendar day prior to the scheduled virtual hearing, via electronic mail (e-mail) at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph. The Commission shall give priority to the stakeholders who have duly submitted their respective comments and/or clarifications, to discuss the same and propound questions during the course of the expository presentation.

Moreover, all persons who have an interest in the subject matter of the instant case may become a party by filing with the Commission via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, a verified Petition to Intervene at least five (5) calendar days prior to the date of the initial virtual hearing and subject to the requirements under Rule 9 of the ERC Revised Rules of Practice and Procedure, indicating therein the docket number and title of the case and stating the following:

- 1) The petitioner's name, mailing address, and e-mail address;
- 2) The nature of petitioner's interest in the subject matter of the proceeding and the way and manner in which such interest is affected by the issues involved in the proceeding; and
- 3) A statement of the relief desired.

Likewise, all other persons who may want their views known to the Commission with respect to the subject matter of the case may likewise file through e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, their Opposition or Comment thereon

at least five (5) calendar days prior to the initial virtual hearing and subject to the requirements under Rule 9 of the ERC Revised Rules of Practice and Procedure. No particular form of Opposition or Comment is required, but the document, letter, or writing should contain the following:

- 1) The name, mailing address, and e-mail address of such person;
- 2) A concise statement of the Opposition or Comment; and
- 3) The grounds relied upon.

Any of the persons mentioned in the preceding paragraphs may access the copy of the Application on the Commission's official website at www.erc.gov.ph.

Finally, all interested persons may be allowed to join the scheduled initial virtual hearing by providing the Commission, thru legal.virtualhearings@erc.ph, with their respective e-mail addresses and indicating therein the case number of the instant *Application*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearing.

WITNESS, the Honorable Commissioners **ALEXIS M. LUMBATAN, CATHERINE P. MACEDA, FLORESINDA G. BALDO-DIGAL** and **MARKO ROMEO L. FUENTES**, Energy Regulatory Commission, this 22nd day of June 2022 in Pasig City.


AGNES VST DEVANADERA
Chairperson and CEO


LS: MSIA/BVG/MCCG

