# Republic of the Philippines ENERGY REGULATORY COMMISSION

San Miguel Avenue, Pasig City

IN THE MATTER OF THE FOR THE PETITION OF THE APPROVAL THE AVAILMENT FROM UNIVERSAL CHARGE FOR MISSIONARY **ELECTRIFICATION (UCME)** FOR CY 2017 WITH PRAYER FOR THE ISSUANCE OF PROVISIONAL AUTHORITY,

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ERC CASE NO. 2016-134 RC

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NATIONAL CORPORATION,

**POWER** 

Petitioner.

Dock ETED Date: FEB 1 4 2017

#### ORDER

On 26 May 2016, the National Power Corporation (NPC) filed a *Petition* dated 10 May 2016 seeking the Commission's approval of the availment from the universal charge for missionary electrification (UCME) for Calendar Year (CY) 2017, with prayer for the issuance of provisional authority.

NPC alleged the following in its *Petition*:

- 1. Petitioner NPC is a government owned and controlled corporation created and existing under Republic Act No. 6395 as amended ("NPC Charter") with principal address at NPC Office Building Complex corner Quezon Avenue and BIR Road, Diliman, Quezon City where it may be served summons and other processes of the Honorable Commission.
- 2. Pursuant to Section 70 of Republic Act No. 9136 (Electric Power Industry Reform Act or "EPIRA"), NPC shall remain as a National-Government owned and controlled corporation to perform the missionary electrification function through its Small Power Utilities Group (hereafter, NPC-SPUG) and shall be responsible for providing power generation and its associated power delivery systems in areas that are not connected to the transmission system.

- On 22 August 2011, the Honorable Commission approved and issued Resolution No. 21 Series of 2011 entitled "Amended Guidelines for the Setting and Approval of Electricity Generation Rates and Subsidies for Missionary Electrification Areas" providing for the guidelines for the setting and approval of electricity generation rates and subsidies for Missionary Electrification areas, for the fixing of and availment of subsidies for Missionary Electrification areas as well as the cash incentives for the Renewable Energy (RE) Developers for Missionary Electrification from the Universal Charge for Missionary Electrification (UC-ME). The said resolution is also in line with Chapter VII Section 15 (b) of the Republic Act No. 91531, which provides for the basis in the calculation of Cash Incentive of Renewable Energy Developers for Missionary Electrification and ERC Resolution 7, series of  $2014^{2}$ .
- 4. Pursuant to Section 4 of Republic Act No. 6395, as amended, and Executive Order No. 863, issued by virtue of the authority granted to the President of the Republic of the Philippines under R.A. 7684, Petitioner NPC is duly authorized to include twelve percent (12%) return on its rate base composed of the sum of its net assets in operation plus two (2) months operating capital in the Revenue Requirement.
- 5. NPC is filing this petition in its capacity as the implementing agency for Missionary Electrification (ME), which function shall be funded from the revenue from sales in missionary areas and from the universal charge (UC) to be collected from all electricity end-users as determined by the Energy Regulatory Commission (ERC) and as provided under Section 2 (a) of the EPIRA Implementing Rules and Regulations.
- 6. Likewise, NPC is filing this petition to seek approval from this Honorable Commission of the Missionary Electrification Subsidy that would sufficiently cover the estimated requirements for all NPC SPUG areas and private entities that have taken in full or part the generation function of NPC-SPUG in certain missionary areas, the operating costs in mini-grids and Qualified Third Parties (QTPs) including the fixed cost of transmission/substations and for the cash incentive payment to RE Developers.

<sup>&</sup>lt;sup>1</sup> Otherwise known as "Renewable Act of 2008" or RE Act of 2008"

<sup>&</sup>lt;sup>2</sup> entitled "A Resolution adopting the Rules to Govern the Availment and Disbursement of Cash Incentive to Renewable Energy (RE) Developers operating in Missionary Areas"

<sup>3 &</sup>quot;Fixing the Rate of Return on Rate Base of the National Power Corporation at twelve percent (12%) of the Rate Base as Defined in Section 4 of Republic Act No. 6395, as Amended"

<sup>4 &</sup>quot;Electric Power Crises Act of 1993"

#### AVAILMENT FROM THE UNIVERSAL CHARGE OF THE SHARE FOR MISSIONARY ELECTRIFICATION (UCME) SUBSIDY FOR CALENDAR YEAR 2017

- 7. The calculation of the total Basic UCME Subsidy requirements as herein proposed is based on the formula as specifically provided in Article V Section 2 of ERC Resolution No. 21, Series of 2011 entitled "UCME Filing Requirements and Procedures".
- 8. In view of the foregoing and in compliance with the above-cited provisions of law and ERC resolution particularly as regards the requirement prescribed in the determination of corresponding subsidy, NPC calculated the estimated UCME requirements for the following: A) NPC SPUG Subsidy; B) Delegated SPUG areas (NPP/QTP) Subsidy; and C) Cash Incentive of RE Developers, to wit:

### A. ABSTRACT OF THE PROPOSED BASIC UCME SUBSIDY

9. Consistent with the NPC Missionary Electrification Plan (MEP), its forecasts on the demand and sales growth, scheduled generation and transmission projects and improvement in service level as well as the expansion of coverage to other missionary areas, and taking into account the afore-mentioned guidelines and provisions, NPC considered the key parameters and assumptions used in the projections and in the determination of proposed UCME subsidy for the calendar year 2017, as follows:

### A.1. Basic UCME Subsidy for NPC SPUG

10. In the calculation of NPC revenue requirements, the following accounts and cost were considered:

a. Results of Operations for CY 2015

 Fuel Cost for CY 2017 – calculated based on actual 2015 cost in P/kWh multiplied by the NPC

projected energy sales;

c. Other Operating Expenses, which includes Personal Services and Maintenance and other Operating Expenses as of December 2015, in P/kWh multiplied by the NPC projected energy sales;

Depreciation as of December 2015;

e. NPC-TCGR – based on the calculated Total Revenue requirements established in CY 2015 test period;

f. The calculated Revenue based on the existing

NPC-SPUG SAGR as of March 2016;

g. NPC-SPUG Projected Results of Operations for CY 2017;

h. NPC-SPUG Projected Energy Sales, kWh for CY 2017 based on the CY 2017-2019 NPC MEP;

 Philippine Electricity Sales Forecast based on DOE's Philippine Power Development Plan 2015-2030 (PDP).

The detailed breakdown of the Basic UCME Subsidy for NPC SPUG is hereto attached as ANNEX "A", which shall form an integral part of this instant petition

11. In this instant petition, petitioner has utilized the authorized RORB methodology using the year 2015 base rate being the most recent financial statement available during the calculation stage.

# A.2. UCME Subsidy for Delegated NPC SPUG areas (NPP/QTP)

- 12. The amount of NPPs and QTP subsidies considered were based on the following:
  - a. Forecasted Energy Sales based on their submission of Forecasted generation and/or minimum off-take as provided in their respective ERC-Approved Power Supply Agreement (PSA);
  - b. NPP TCGR and SAGR TCGR calculated based on the most recent subsidy invoice paid to each NPP and QTP claims at the time of calculation. Whereas, SAGR considered is based on the NPC SPUG existing effective rate as of March 2016;

Detailed breakdown of the NPP and QTP Subsidy requirement for CY 2017 and supporting documents are attached herewith as **ANNEXES** "B", "B-1" to "B-18", which shall form an integral part of this instant petition.

# A.3. UCME Subsidy for the Cash Generation-Based Incentive for Renewable Energy (RE) Developer in the Off-grid

- 13. The renewable energy cash incentive (RE-CI), on the other hand, is based on the following:
  - Total Projected Off-grid Energy Sales sum of the NPC SPUG and NPP Projected Energy Sales;
  - Blended TCGR calculated based on the average of the NPC SPUG cost of generation and NPP true cost of generation;

 SAGR – based on the NPC SPUG SAGR as of March 2016;

d. Cash Incentive Rate – equivalent to 50% of the calculated UCME Subsidy Rate;

The calculation of the proposed amount required for RED-CI is shown in the attached **ANNEX** "C". Likewise, attached as **ANNEX** "C-1" to "C-6" are the submitted CI claims of RE Developers which shall form an integral part of this instant petition.

# B. PROPOSED Basic UCME Subsidy per component

14. Based on the results of the calculations made, the total proposed UCME Subsidy requirement for the missionary electrification will amount to **PhP10.324Bn** for CY 2017 inclusive of the Cash Incentive for Renewable Energy as shown in Table 1 below.

Table 1 Proposed UCME Requirement and Proposed UCME Subsidy rate for CY 2017

REVENUE REQUIREMENT	18,934,474,189
NPC	9,922,156,550
NPP/QTP	9,012,317,639
LESS:	
Revenue from SAGR	8,861,830,059
TOTAL UCME, NPC/NPP/QTP	10,072,644,131
ADD:	
Renewable Energy Developer's Cash Incentive	251,495,221
TOTAL UCME FOR CY 2017	10,324,139,351
UCME, P/kWh	0.1248
Philippine Energy Sales, kWh	82,726,573,848.99

15. The Philippine Electricity Sales Forecast under DOE's Power Development Plan (PDP) for CY 2017 was utilized to determine the proposed UCME charges of **PhPo.1248/kWh**.

## C. IMPLICATIONS OF UCME SUBSIDY AND THE PROPOSED RATES

16. The proposed basic UCME for CY 2017 of **PhPo.1248/kWh** (inclusive of Cash Incentive to RE Developer of **PhPo.0030/kWh**), purposely to finance the operation for the year will replace the existing basic UCME rate provisionally approved by ERC which is PhPo.1163/kWh for NPC-SPUG and NPPs/QTPs and for RED-CI of

PhPo.0017/kWh. Table 2 below shows the rate calculation of the Proposed Subsidy amount and the corresponding rates in P/kWh:

TABLE 2 Proposed CY 2017 UCME & Rates

PARTICULARS	NPC	NPP/QTP	RED-CI	TOTAL
Revenue Requirement	9,922,156,549.76	9,012,317,639.29		18,934,474,189.05
Less:				
Revenue from Sales	2,992,897,619.09	5,868,932,439.46		8,861,830,058.55
UCME, In PhP	6,929,258,930.67	3,143,385,199.83		10,072,644,130.50
Cash Incentive			251,495,220.93	251,495,220.93
TOTAL UCME, CY 2017	6,929,258,930.67	3,143,385,199.83	251,495,220.93	10,324,139,351.43
Rate Impact, P/kWh	0.0838	0.0380	0.0030	0.1248
Philippine Projected Energy Sales, kWh				82,726,573,848.99

The UCME Subsidy for the Cash Incentive will be 17. remitted to PSALM since PSALM is mandated to directly disburse the same to eligible RE Developer consistent with Article IV, Section 2 of Resolution 21, series of 2011. Hence, the Proposed UCME Subsidy Requirement that will be managed by NPC is Net of Cash Incentive.

The proposed UCME rate considered the commitment of NPC in ensuring that:

> the required volume of fuel will be timely paid to NPC suppliers to avoid non-delivery of fuel supply;

> the payments of NPPs & QTPs subsidy are timely b.

made; and

- the missionary electrification functions in SPUG areas are fulfilled through continues operation of existing generating units and implement power development plans for each islands/grid.
- The National Power Board approved the filling of this instant petition as evidenced by the NP Board Resolution NO. 2016-21 dated 28 April 2016, hereto attached as ANNEX "D".
- The proposed UCME for CY 2017 is based on the following pertinent documents attached herewith and correspondingly marked, as follows:

Annex "E" - Actual Results of Operations for CY 2015
Annex "F" - Statement of Financial Position CY 2015

Annex "G" - Projected Philippines Electricity Sales Forecast (PDP 2015-2030)

Annex "H"- NPC-SPUG Projected Gross Generation and Energy Sales for CY 2017

Annex "I" - NPC SPUG Projected Results of Operations for CY 2017

# ALLEGATION IN SUPPORT OF THE PRAYER FOR THE ISSUANCE OF A PROVISIONAL AUTHORITY

22. The issuance of a provisional authority under the instant petition is appropriate based on the following justifications:

a. The proposed Basic UCME rate of **Phpo.1248/kWh** inclusive of RE Cash Incentive for CY 2017 is necessary in order to cover the required subsidy requirements and at the same time, maintain a reliable and stable funding source for its operating costs requirements including a sufficient subsidy for payment to

NPPs/QTPs and RE Developers.

b. There is need to meet the customer's electricity requirements through the implementation of the proposed improvement of NPC's generation function aimed to provide a sustainable development in the off-grid areas and be able to connect electricity to the unserved communities in the far-flung areas including those areas whose electric services were waived by the Electric Cooperatives. The same can be done by limiting the disparity between the UCME subsidy being granted for the year and the actual UCME subsidy required based on the proposed requirements.

c. The lack of funds from the UCME Subsidy and from supposedly transitory funds which can be sourced thru loans will definitely affect flexibility in NPC's funding and operation. Be it recalled that the Department of Justice (DOJ) issued an opinion which limited and suspended NPC's authority to borrow funds or enter into a loan agreement.

d. The need to fulfill NPC's commitment to provide efficient operation of its plant consistent with the specific programs in the missionary areas that

NPC is currently serving.

23. The issuance of a provisional authority is authorized under Section 3 Rule 14 of the Rules of Practice and

Procedure. Likewise, the authority of the Honorable Commission to issue a provisional authority is confirmed by the Supreme Court in the case of Freedom from Debt Coalition, et. al. vs. ERC, et. al., G.R. No. 161113 (June 15, 2004), when it held that "the power to approve provisional rate increases is included among the powers transferred to the ERC by virtue of Section 44 since the grant of that authority is not inconsistent with the EPIRA; rather, it is in full harmony with the thrust of the law which is to strengthen the ERC as the new regulatory body."

24. NPC-SPUG is thus imploring the kind consideration of this Honorable Commission and respectfully prays for the issuance of a provisional authority under the foregoing premises.

#### COMPLIANCE

- 25. In support of this petition and in compliance with Rule 6 of the ERC Rules of Practice and Procedures under ERC Resolution No. 38, Series of 2006 as well as Section 4(e) Rule 3 of the EPIRA IRR, Petitioner attaches and submits the following:
  - a. Proof of Publication of the Petition once in a newspaper of general circulation hereto attached as ANNEX "J".
  - b. Proof of service of this Petition to the Legislative Bodies of the Local Government Units where NPC principally operate, hereto attached as **ANNEX** "K"

#### **PRAYER**

**WHEREFORE**, premises considered, petitioner NPC, respectfully prays THAT:

- a. Pending the hearing on the merits, an Order be issued granting PROVISIONAL APPROVAL to the proposed Basic UCME for CY 2017 amounting to PhP10,324,139,351.43 or equivalent rate of PhP0.1248/kWh.
- b. The approval of the proposed Basic UCME for CY 2017 be on a per item basis as identified in **Table 2**, to wit:

	ABSOLUTE AMOUNT	P/kWh
NPC	6,929,258,930.67	0.0838
NPP	3,143,385,199.83	0.0380
RED-CI	251,495,220.93	0.0030
TOTAL UCME	10,324,139,351.43	0.1248

c. After the hearing on the merits, the instant petition be GRANTED by the Honorable Commission.

Other just and equitable reliefs are likewise prayed for.

Finding the said *Petition* sufficient in substance with the required fees having been paid, the same is hereby set for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on the following dates and venues:

Date and Time	Venue	Particulars
	LUZON	
25 May 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig Ciy	Jurisdictional and Expository Presentation
	VISAYAS	
O1 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	Energy Regulatory Commission- Visayas Field Office (ERC-VFO), St. Mary's Drive, Banilad, Cebu City, Philippines MINDANAO	Expository Presentation
o8 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	Energy Regulatory Commission- Mindanao Field Office (ERC-MFO), Mezzanine Floor, Mintrade Building, Monteverde Avenue cor. Sales Street, Davao City	Expository Presentation
	LUZON	
29 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig Ciy	Pre-Trial Conference and Evidentiary Hearing

### Accordingly, NPC is hereby directed to:

- 1) Cause the publication of the attached Notice of Public Hearing in two (2) newspapers of nationwide circulation in the Philippines at their own expense, twice (2x) within two (2) successive weeks, the dates of publication not being less than seven (7) days apart and the date of the last publication to be made not later than ten (10) days before the date of the scheduled initial hearing;
- 2) Furnish with copies of this Order and the attached Notice of Public Hearing the Offices of the Provincial Governors, the City and Municipal Mayors, and the Local Government Unit (LGU) legislative bodies where distribution utilities within the National Power Corporation-Small Power Utilities Group (NPC-SPUG) principally operates for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform of the filing of the *Petition*, its reasons therefor, and of the scheduled hearing thereon, the consumers within the area NPC-SPUG principally operates, by any other means available and appropriate;
- 4) Furnish with copies of this Order and the attached Notice of Public Hearing, the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire to send their duly authorized representatives at the scheduled hearing; and
- 5) Furnish with copies of the *Petition* and its attachments all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

On the date of the initial hearing, Petitioner must submit to the Commission its written compliance with the aforementioned jurisdictional requirements attaching therewith, methodically arranged and duly marked the following:

 The evidence of publication of the attached Notice of Public Hearing consisting of affidavits of the Editors or Business Managers of the newspapers where the said Notice of Public Hearing was published, and the complete issues of the said newspapers;

- 2) The evidence of actual posting of this Order and the attached Notice of Public Hearing consisting of certifications issued to that effect, signed by the aforementioned Governors, Mayors, and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by Petitioner to inform of the filing of the *Petition*, its reasons therefore, and of the scheduled hearing thereon, the consumers within the area NPC-SPUG principally operates;
- 4) The evidence of receipt of copies of this Order and the attached Notice of Public Hearing by the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Petition* and its attachments by all those making requests therefor, if any; and
- 6) Such other proofs of compliance with the requirements of the Commission.

Petitioner and all interested parties are also required to submit, at least five (5) days before the date of initial hearing and Pre-Trial Conference, their respective Pre-Trial Briefs containing, among others:

- A summary of admitted facts and proposed stipulation of facts;
- 2) The issues to be tried or resolved;
- 3) The documents or exhibits to be presented, stating the purposes and proposed markings therefore; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pretrial Brief.

Failure of Petitioner to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearing, and the resetting of which shall be six (6) months from the said date of cancellation.

NPC must also be prepared to make an expository presentation of the instant *Petition*, aided by whatever communication medium that it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, what the *Petition* is all about and the reasons and justifications being cited in support thereof.

#### SO ORDERED.

Pasig City, 23 January 2017.

FOR AND BY AUTHORITY OF THE COMMISSION:

JOSE VICENTE B. SALAZAR
Chairman and CEO

ERC ERC

\*B-2017-013-OC-00101\*

LS: AROYPAR/APV

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#### Copy furnished:

 Atty. Melchor P. Ridulme, Atty. Delfin L. Buenafe II, Atty. May Rose C. Pintor, and Atty. Diwa Rafael B. Bontuyan Counsels for National Power Corporation Office of the General Counsel National Power Corporation BIR Road cor. Quezon Avenue, Diliman, Quezon City

 Office of the Solicitor General 134 Amorsolo Street, Legaspi Village Makati City

 Commission on Audit Commonwealth Avenue Quezon City

**4. Senate Committee on Energy** GSIS Building, Roxas Boulevard Pasay City

5. House Committee on Energy Batasan Hills Quezon City

**6. The Administrator**National Electrification Administration (NEA)
Quezon Avenue, Quezon City

7. The General Manager Philippine Rural Electric Cooperative Association (PHILRECA) 4<sup>th</sup> Floor, Casman Building 372 Quezon Avenue, Quezon City

- 8. All Electric Cooperatives
- 9. All Distribution Utilities
- 10. Office of the City Mayor Quezon City
- 11. Office of the LGU Legislative Body Quezon City
- 12. The Provincial Governor Province of Batanes
- 13. Office of the LGU Legislative Body Province of Batanes
- 14. The Municipal Mayor Basco, Batanes
- 15. Office of the LGU Legislative Body Basco, Batanes

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- **16. The Municipal Mayor** Itbayat, Batanes
- 17. Office of the LGU Legislative Body Itbayat, Batanes
- 18. The Municipal Mayor Sabtang, Batanes
- 19. Office of the LGU Legislative Body Sabtang, Batanes
- 20. The Municipal Mayor Mahatao, Batanes
- 21. Office of the LGU Legislative Body Mahatao, Batanes
- 22. The Municipal Mayor Ivana, Batanes
- 23. Office of the LGU Legislative Body Ivana, Batanes
- 24. The Municipal Mayor Uyugan, Batanes
- **25.** Office of the LGU Legislative Body Uyugan, Batanes
- **26. The Provincial Governor** Province of Ilocos Sur
- 27. Office of the LGU Legislative Body Province of Ilocos Sur
- 28. The Provincial Governor Province of Ilocos Norte
- 29. Office of the LGU Legislative Body
  Province of Ilocos Norte
- **30. The Provincial Governor** Province of Cagayan
- 31. Office of the LGU Legislative Body Province of Cagayan
- **32. The Municipal Mayor** Calayan, Cagayan
- **33.** Office of the LGU Legislative Body Calayan, Cagayan

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- **34. The Provincial Governor** Province of Isabela
- 35. Office of the LGU Legislative Body Province of Isabela
- **36. The Municipal Mayor** Palanan, Isabela
- 37. Office of the LGU Legislative Body Palanan, Isabela
- **38. The Municipal Mayor** Maconacon, Isabela
- 39. Office of the LGU Legislative Body Maconaco, Isabela
- **40. The Municipal Mayor** Dinapigue, Isabela
- 41. Office of the LGU Legislative Body Dinapigue, Isabela
- **42. The Provincial Governor** Province of Nueva Viscaya
- 43. Office of the LGU Legislative Body Province of Nueva Viscaya
- **44. The Provincial Governor** Province of Abra
- 45. Office of the LGU Legislative Body Province of Abra
- **46.** The Provincial Governor Province of Benguet
- **47. Office of the LGU Legislative Body**Province of Benguet
- **48. The Provincial Governor** Province of Ifugao
- 49. Office of the LGU Legislative Body Province of Ifugao
- **50. The Provincial Governor** Province of Kalinga Apayao
- 51. Office of the LGU Legislative Body Province of Kalinga Apayao

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- **52. The Municipal Mayor** Kabugao, Kalinga Apayao
- 53. Office of the LGU Legislative Body Kabugao, Kalinga Apayao
- **54. The Municipal Mayor** Lubuagan, Kalinga Apayao
- **55. Office of the LGU Legislative Body** Lubuagan, Kalinga Apayao
- **56. The Provincial Governor** Mountain Province
- 57. Office of the LGU Legislative Body Mountain Province
- **58.** The Provincial Governor Province of Aurora
- **59. Office of the LGU Legislative Body** Province of Aurora
- **60. The Municipal Mayor** Casiguran, Aurora
- 61. Office of the LGU Legislative Body Casiguran, Aurora
- **62. The Municipal Mayor** Dingalan, Aurora
- **63.** Office of the LGU Legislative Body Dingalan, Aurora
- **64. The Municipal Mayor** Dilasag, Aurora
- **65. Office of the LGU Legislative Body** Dilasag, Aurora
- **66. The Municipal Mayor** Dinalungan, Aurora
- 67. Office of the LGU Legislative Body Dinalungan, Aurora
- **68. The Municipal Mayor** Dipaculao, Aurora
- **69. Office of the LGU Legislative Body** Dipaculao, Aurora

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- 70. The Provincial Governor Province of Tarlac
- 71. Office of the LGU Legislative Body Province of Tarlac
- **72. The Provincial Governor** Province of Nueva Ecija
- 73. Office of the LGU Legislative Body Province of Nueva Ecija
- **74. The Provincial Governor** Province of Pampanga
- 75. Office of the LGU Legislative Body Province of Pampanga
- **76. The Provincial Governor** Province of Bataan
- 77. Office of the LGU Legislative Body Province of Bataan
- **78. The Provincial Governor** Province of Zambales
- 79. Office of the LGU Legislative Body Province of Zambales
- **80. The Provincial Governor** Province of Bulacan
- 81. Office of the LGU Legislative Body Province of Bulacan
- **82. The Provincial Governor** Province of Laguna
- 83. Office of the LGU Legislative Body Province of Laguna
- **84. The Provincial Governor** Province of Batangas
- 85. Office of the LGU Legislative Body Province of Batangas
- 86. The Municipal Mayor Tingloy, Batangas
- 87. Office of the LGU Legislative Body Tingloy, Batangas

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- **88. The Provincial Governor** Province of Quezon
- 89. Office of the LGU Legislative Body Province of Quezon
- 90. The Municipal Mayor Jomalig, Quezon
- 91. Office of the LGU Legislative Body Jomalig, Quezon
- **92. The Municipal Mayor** Patnanungan, Quezon
- 93. Office of the LGU Legislative Body Patnanungan, Quezon
- **94. The Municipal Mayor** Polilio, Quezon
- 95. Office of the LGU Legislative Body Polilio, Quezon
- **96. The Provincial Governor**Province of Occidental Mindoro
- 97. Office of the LGU Legislative Body Province of Occidental Mindoro
- **98. The Municipal Mayor** Lubang, Occidental Mindoro
- 99. Office of the LGU Legislative Body Lubang, Occidental Mindoro
- 100. The Municipal Mayor Mamburao, Occidental Mindoro
- 101. Office of the LGU Legislative Body Mamburao, Occidental Mindoro
- 102. The Municipal Mayor Paluan, Occidental Mindoro
- 103. Office of the LGU Legislative Body Paluan, Occidental Mindoro
- **104. The Municipal Mayor** San Jose, Occidental Mindoro
- 105. Office of the LGU Legislative Body San Jose, Occidental Mindoro

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- 106. The Municipal Mayor
  Abra de Ilog, Occidental Mindoro
- 107. Office of the LGU Legislative Body Abra de Ilog, Occidental Mindoro
- 108. The Municipal Mayor Calintaan, Occidental Mindoro
- 109. Office of the LGU Legislative Body Calintaan, Occidental Mindoro
- 110. The Municipal Mayor Looc, Occidental Mindoro
- 111. Office of the LGU Legislative Body Looc, Occidental Mindoro
- 112. The Municipal Mayor Magsaysay, Occidental Mindoro
- 113. Office of the LGU Legislative Body Magsaysay, Occidental Mindoro
- 114. The Municipal Mayor Rizal, Occidental Mindoro
- 115. Office of the LGU Legislative Body Rizal, Occidental Mindoro
- 116. The Municipal Mayor Sablayan, Occidental Mindoro
- 117. Office of the LGU Legislative Body Sablayan, Occidental Mindoro
- 118. The Municipal Mayor Sta. Cruz, Occidental Mindoro
- 119. Office of the LGU Legislative Body Sta. Cruz, Occidental Mindoro
- 120. The Provincial Governor Province of Oriental Mindoro
- 121. Office of the LGU Legislative Body
  Province of Oriental Mindoro
- **122. The City Mayor** Calapan, Oriental Mindoro
- 123. Office of the LGU Legislative Body Calapan, Oriental Mindoro

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- 124. The City Mayor Baco, Oriental Mindoro
- 125. Office of the LGU Legislative Body Baco, Oriental Mindoro
- 126. The City Mayor San Teodoro, Oriental Mindoro
- 127. Office of the LGU Legislative Body San Teodoro, Oriental Mindoro
- 128. The City Mayor Puerto Galera, Oriental Mindoro
- 129. Office of the LGU Legislative Body Puerto Galera, Oriental Mindoro
- **130. The City Mayor** Naujan, Oriental Mindoro
- 131. Office of the LGU Legislative Body Naujan, Oriental Mindoro
- 132. The City Mayor Victoria, Oriental Mindoro
- 133. Office of the LGU Legislative Body Victoria, Oriental Mindoro
- **134. The City Mayor** Socorro, Oriental Mindoro
- 135. Office of the LGU Legislative Body Socorro, Oriental Mindoro
- **136. The City Mayor**Pola, Oriental Mindoro
- 137. Office of the LGU Legislative Body Pola, Oriental Mindoro
- **138. The City Mayor**Pinamalayan, Oriental Mindoro
- **139.** Office of the LGU Legislative Body Pinamalayan, Oriental Mindoro
- **140. The City Mayor** Gloria, Oriental Mindoro
- 141. Office of the LGU Legislative Body Gloria, Oriental Mindoro

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- 142. The City Mayor Bansud, Oriental Mindoro
- 143. Office of the LGU Legislative Body Bansud, Oriental Mindoro
- 144. The City Mayor Bongabong, Oriental Mindoro
- 145. Office of the LGU Legislative Body Bongabong, Oriental Mindoro
- **146. The City Mayor**Roxas, Oriental Mindoro
- 147. Office of the LGU Legislative Body Roxas, Oriental Mindoro
- 148. The City Mayor Mansalay, Oriental Mindoro
- 149. Office of the LGU Legislative Body Mansalay, Oriental Mindoro
- **150. The City Mayor** Bulalacao, Oriental Mindoro
- **151. Office of the LGU Legislative Body** Bulalacao, Oriental Mindoro
- **152. The Provincial Governor** Province of Marinduque
- 153. Office of the LGU Legislative Body Province of Marinduque
- **154. The Municipal Mayor** Boac, Marinduque
- 155. Office of the LGU Legislative Body Boac, Marinduque
- **156. The Municipal Mayor** Mogpog, Marinduque
- 157. Office of the LGU Legislative Body Mogpog, Marinduque
- **158. The Municipal Mayor** Santa Cruz, Marinduque
- 159. Office of the LGU Legislative Body Santa Cruz, Marinduque

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- **160. The Municipal Mayor** Torrijos, Marinduque
- 161. Office of the LGU Legislative Body Torrijos, Marinduque
- 162. The Municipal Mayor Buenavista, Marinduque
- 163. Office of the LGU Legislative Body Buenavista, Marinduque
- **164. The Municipal Mayor** Gasan, Marinduque
- 165. Office of the LGU Legislative Body Gasan, Marinduque
- **166. The Provincial Governor** Province of Romblon
- 167. Office of the LGU Legislative Body Province of Romblon
- 168. The Municipal Mayor Banton, Romblon
- 169. Office of the LGU Legislative Body Banton, Romblon
- 170. The Municipal Mayor Concepcion, Romblon
- 171. Office of the LGU Legislative Body Concepcion, Romblon
- **172. The Municipal Mayor** Corcuera, Romblon
- 173. Office of the LGU Legislative Body Corcuera, Romblon
- 174. The Municipal Mayor Odiongan, Romblon
- 175. Office of the LGU Legislative Body Odiongan, Romblon
- 176. The Municipal Mayor Romblon, Romblon
- 177. Office of the LGU Legislative Body Romblon, Romblon

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- 178. The Municipal Mayor San Fernando, Romblon
- 179. Office of the LGU Legislative Body San Fernando, Romblon
- **180. The Municipal Mayor** San Jose, Romblon
- 181. Office of the LGU Legislative Body San Jose, Romblon
- **182. The Municipal Mayor** Alcantara, Romblon
- 183. Office of the LGU Legislative Body Alcantara, Romblon
- **184. The Municipal Mayor** Calatrava, Romblon
- 185. Office of the LGU Legislative Body Calatraya, Romblon
- **186. The Municipal Mayor** Ferrol, Romblon
- 187. Office of the LGU Legislative Body Ferrol, Romblon
- 188. The Municipal Mayor Looc, Romblon
- 189. Office of the LGU Legislative Body Looc, Romblon
- 190. The Municipal Mayor San Agustin, Romblon
- 191. Office of the LGU Legislative Body San Agustin, Romblon
- 192. The Municipal Mayor San Andres, Romblon
- 193. Office of the LGU Legislative Body San Andres, Romblon
- 194. The Municipal Mayor Santa Fe, Romblon
- 195. Office of the LGU Legislative Body Santa Fe, Romblon

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- 196. The Municipal Mayor Sta. Maria (Imelda), Romblon
- 197. Office of the LGU Legislative Body Sta. Maria (Imelda), Romblon
- 198. The Municipal Mayor Magdiwang, Romblon
- 199. Office of the LGU Legislative Body Magdiwang, Romblon
- 200. The Municipal Mayor Cadidiocan, Romblon
- 201. Office of the LGU Legislative Body Cadidiocan, Romblon
- **202.** The Provincial Governor Province of Palawan
- 203. Office of the LGU Legislative Body Province of Palawan
- 204. The City Mayor Puerto Princesa, Palawan
- 205. Office of the LGU Legislative Body Puerto Princesa, Palawan
- **206. The Municipal Mayor** Agutaya, Palawan
- 207. Office of the LGU Legislative Body Agutaya, Palawan
- 208. The Municipal Mayor Araceli, Palawan
- 209. Office of the LGU Legislative Body Araceli, Palawan
- 210. The Municipal Mayor Balabac, Palawan
- 211. Office of the LGU Legislative Body Balabac, Palawan
- 212. The Municipal Mayor Busuanga, Palawan
- 213. Office of the LGU Legislative Body Busuanga, Palawan

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- 214. The Municipal Mayor Coron, Palawan
- 215. Office of the LGU Legislative Body Coron, Palawan
- **216. The Municipal Mayor** Cagayancillo, Palawan
- 217. Office of the LGU Legislative Body Cagayancillo, Palawan
- 218. The Municipal Mayor Culion, Palawan
- 219. Office of the LGU Legislative Body Culion, Palawan
- **220. The Municipal Mayor** Cuyo, Palawan
- 221. Office of the LGU Legislative Body Cuyo, Palawan
- **222.** The Municipal Mayor El Nido, Palawan
- 223. Office of the LGU Legislative Body El Nido, Palawan
- **224. The Municipal Mayor** Linapacan, Palawan
- 225. Office of the LGU Legislative Body Linapacan, Palawan
- **226.** The Municipal Mayor Magsaysay, Palawan
- 227. Office of the LGU Legislative Body Magsaysay, Palawan
- 228. The Municipal Mayor Narra, Palawan
- 229. Office of the LGU Legislative Body Narra, Palawan
- **230. The Municipal Mayor** Rizal, Palawan
- 231. Office of the LGU Legislative Body Rizal, Palawan

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- **232. The Municipal Mayor** Roxas, Palawan
- 233. Office of the LGU Legislative Body Roxas, Palawan
- **234.** The Municipal Mayor San Vicente, Palawan
- 235. Office of the LGU Legislative Body San Vicente, Palawan
- **236. The Municipal Mayor** Taytay, Palawan
- **237. Office of the LGU Legislative Body** Taytay, Palawan
- **238. The Municipal Mayor** Aborlan, Palawan
- 239. Office of the LGU Legislative Body Aborlan, Palawan
- **240. The Municipal Mayor** Brooke's Point, Palawan
- 241. Office of the LGU Legislative Body Brooke's Point, Palawan
- **242. The Municipal Mayor** Española, Palawan
- **243.** Office of the LGU Legislative Body Española, Palawan
- **244.** The Municipal Mayor Quezon, Palawan
- **245.** Office of the LGU Legislative Body Quezon, Palawan
- **246. The Municipal Mayor** Bataraza, Palawan
- **247.** Office of the LGU Legislative Body Bataraza, Palawan
- **248. The Municipal Mayor** Dumaran, Palawan
- **249.** Office of the LGU Legislative Body Dumaran, Palawan

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- **250. The Provincial Governor** Province of Camarines Sur
- **251. Office of the LGU Legislative Body** Province of Camarines Sur
- **252. The Municipal Mayor** Caramoan, Camarines Sur
- 253. Office of the LGU Legislative Body Caramoan, Camarines Sur
- **254. The Municipal Mayor** Garchitorena, Camarines Sur
- **255.** Office of the LGU Legislative Body Garchitorena, Camarines Sur
- **256. The Municipal Mayor** Sagnay, Camarines Sur
- **257.** Office of the LGU Legislative Body Sagnay, Camarines Sur
- **258.** The Provincial Governor Province of Camarines Norte
- **259. Office of the LGU Legislative Body**Province of Camarines Norte
- **260. The Provincial Governor** Province of Catanduanes
- 261. Office of the LGU Legislative Body Province of Catanduanes
- **262. The Municipal Mayor** Bato, Catanduanes
- 263. Office of the LGU Legislative Body Bato, Catanduanes
- **264. The Municipal Mayor** Caramoran, Catanduanes
- **265.** Office of the LGU Legislative Body Caramoran, Catanduanes
- **266. The Municipal Mayor** Viga, Catanduanes
- **267. Office of the LGU Legislative Body** Viga, Catanduanes

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- **268. The Municipal Mayor** Pandan, Catanduanes
- **269.** Office of the LGU Legislative Body Panadan, Catanduanes
- **270. The Municipal Mayor** Bagamanoc, Catanduanes
- 271. Office of the LGU Legislative Body Bagamanoc, Catanduanes
- **272. The Municipal Mayor** Panganiban (Payo), Catanduanes
- **273.** Office of the LGU Legislative Body Panganiban (Payo), Catanduanes
- **274.** The Municipal Mayor Gigmoto, Catanduanes
- 275. Office of the LGU Legislative Body Gigmoto, Catanduanes
- **276. The Municipal Mayor** San Miguel, Catanduanes
- 277. Office of the LGU Legislative Body San Miguel, Catanduanes
- 278. The Municipal Mayor San Andres, Catanduanes
- 279. Office of the LGU Legislative Body San Andres, Catanduanes
- **280. The Municipal Mayor** Virac, Catanduanes
- **281. Office of the LGU Legislative Body** Virac, Catanduanes
- **282. The Municipal Mayor** Baras, Catanduanes
- **283.** Office of the LGU Legislative Body Baras, Catanduanes
- **284.** The Provincial Governor Province of Albay
- **285.** Office of the LGU Legislative Body Province of Albay

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- **286. The Municipal Mayor** Rapu-Rapu, Albay
- 287. Office of the LGU Legislative Body Rapu-Rapu, Albay
- **288.** The Provincial Governor Province of Sorsogon
- **289.** Office of the LGU Legislative Body Province of Sorsogon
- **290. The Provincial Governor** Province of Masbate
- 291. Office of the LGU Legislative Body Province of Masbate
- 292. The City Mayor Masbate, Masbate
- 293. Office of the LGU Legislative Body Masbate, Masbate
- **294.** The Municipal Mayor Aroroy, Masbate
- 295. Office of the LGU Legislative Body Aroroy, Masbate
- **296. The Municipal Mayor** Baleno, Masbate
- 297. Office of the LGU Legislative Body Baleno, Masbate
- 298. The Municipal Mayor Balud, Masbate
- 299. Office of the LGU Legislative Body Balud, Masbate
- **300. The Municipal Mayor** Batuan, Masbate
- 301. Office of the LGU Legislative Body Batuan, Masbate
- **302. The Municipal Mayor** Cataingan, Masbate
- 303. Office of the LGU Legislative Body Cataingan, Masbate

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- **304. The Municipal Mayor** Cawayan, Masbate
- **305. Office of the LGU Legislative Body** Cawayan, Masbate
- **306. The Municipal Mayor** Dimasalang, Masbate
- 307. Office of the LGU Legislative Body Dimasalang, Masbate
- **308. The Municipal Mayor** Esperanza, Masbate
- 309. Office of the LGU Legislative Body Esperanza, Masbate
- 310. The Municipal Mayor Mandaon, Masbate
- 311. Office of the LGU Legislative Body Mandaon, Masbate
- 312. The Municipal Mayor Milagros, Masbate
- 313. Office of the LGU Legislative Body Milagros, Masbate
- **314. The Municipal Mayor** Mobo, Masbate
- 315. Office of the LGU Legislative Body Mobo, Masbate
- 316. The Municipal Mayor Monreal, Masbate
- 317. Office of the LGU Legislative Body Monreal, Masbate
- 318. The Municipal Mayor Palanas, Masbate
- 319. Office of the LGU Legislative Body Palanas, Masbate
- **320. The Municipal Mayor** Pio V. Corpuz, Masbate
- **321. Office of the LGU Legislative Body** Pio V. Corpuz, Masbate

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- **322. The Municipal Mayor** Placer, Masbate
- 323. Office of the LGU Legislative Body Placer, Masbate
- **324. The Municipal Mayor** San Fernando, Masbate
- **325.** Office of the LGU Legislative Body San Fernando, Masbate
- **326. The Municipal Mayor** San Jacinto, Masbate
- **327. Office of the LGU Legislative Body** San Jacinto, Masbate
- **328. The Municipal Mayor** San Pascual, Masbate
- **329.** Office of the LGU Legislative Body San Pascual, Masbate
- **330. The Municipal Mayor** Uson, Masbate
- **331. Office of the LGU Legislative Body** Uson, Masbate
- 332. The Provincial Governor Province of Aklan
- **333. Office of the LGU Legislative Body** Province of Aklan
- **334.** The Provincial Governor Province of Antique
- **335. Office of the LGU Legislative Body** Province of Antique
- **336. The Municipal Mayor** Caluya, Antique
- **337. Office of the LGU Legislative Body** Caluya, Antique
- **338. The Municipal Mayor** Culasi, Antique
- **339.** Office of the LGU Legislative Body Culasi, Antique

#### ERC CASE NO. 2016-134 RC ORDER/ 23 January 2017 PAGE 32 OF 41

- **340. The Provincial Governor**Province of Capiz
- 341. Office of the LGU Legislative Body Province of Capiz
- **342. The Provincial Governor** Province of Guimaras
- **343. Office of the LGU Legislative Body** Province of Guimaras
- **344. The Municipal Mayor** Nueva Valencia, Guimaras
- 345. Office of the LGU Legislative Body Nueva Valencia, Guimaras
- 346. The Provincial Governor Province of Iloilo
- 347. Office of the LGU Legislative Body Province of Iloilo
- **348. The Municipal Mayor** Carles, Iloilo
- 349. Office of the LGU Legislative Body Carles, Iloilo
- **350. The Provincial Governor** Province of Bacolod
- 351. Office of the LGU Legislative Body
  Province of Bacolod
- **352.** The Provincial Governor Province of Negros Occidental
- **353.** Office of the LGU Legislative Body Province of Negros Occidental
- **354.** The Provincial Governor Province of Negros Oriental
- **355.** Office of the LGU Legislative Body Province of Negros Oriental
- **356. The Provincial Governor** Province of Cebu
- 357. Office of the LGU Legislative Body Province of Cebu

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- **358. The Municipal Mayor** Bantayan, Cebu
- **359. Office of the LGU Legislative Body** Bantayan, Cebu
- **360. The Municipal Mayor** Pilar, Cebu
- **361. Office of the LGU Legislative Body** Pilar, Cebu
- **362. The Municipal Mayor** Poro, Cebu
- **363. Office of the LGU Legislative Body** Poro, Cebu
- **364. The Municipal Mayor** Santa Fe, Cebu
- **365. Office of the LGU Legislative Body** Santa Fe, Cebu
- **366. The Provincial Governor** Province of Siquijor
- **367. Office of the LGU Legislative Body** Province of Siquijor
- **368. The Municipal Mayor** Larena, Siquijor
- 369. Office of the LGU Legislative Body Larena, Siquijor
- 370. The Municipal Mayor Lazi, Siquijor
- 371. Office of the LGU Legislative Body Lazi, Siquijor
- **372. The Municipal Mayor** Siquijor, Siquijor
- 373. Office of the LGU Legislative Body Siquijor, Siquijor
- **374. The Provincial Governor** Province of Biliran
- 375. Office of the LGU Legislative Body Province of Biliran

### ERC CASE NO. 2016-134 RC ORDER/ 23 January 2017 PAGE 34 OF 41

- **376. The Municipal Mayor** Maripipi, Biliran
- 377. Office of the LGU Legislative Body Maripipi, Biliran
- **378. The Provincial Governor** Province of Leyte
- **379.** Office of the LGU Legislative Body Province of Leyte
- **380. The Municipal Mayor** Limasawa, Southern Leyte
- **381. Office of the LGU Legislative Body** Limasawa, Southern Leyte
- **382. The Provincial Governor** Province of Samar
- **383.** Office of the LGU Legislative Body Province of Samar
- **384. The Municipal Mayor** Almagro, Samar
- **385.** Office of the LGU Legislative Body Almagro, Samar
- **386. The Municipal Mayor** Santo Niño, Samar
- **387. Office of the LGU Legislative Body** Santo Niño, Samar
- **388. The Municipal Mayor** Tagapul-an, Samar
- **389. Office of the LGU Legislative Body** Tagapul-an, Samar
- **390. The Municipal Mayor** Zumarraga, Samar
- 391. Office of the LGU Legislative Body Zumarraga, Samar
- **392. The Municipal Mayor** Biri, Northern Samar
- **393.** Office of the LGU Legislative Body Biri, Northern Samar

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- **394. The Municipal Mayor** Capul, Northern Samar
- **395.** Office of the LGU Legislative Body Capul, Northern Samar
- 396. The Municipal Mayor San Antonio, Northern Samar
- **397. Office of the LGU Legislative Body** San Antonio, Northern Samar
- **398. The Municipal Mayor** San Vicente, Northern Samar
- 399. Office of the LGU Legislative Body San Vicente, Northern Samar
- **400. The Provincial Governor**Province of Bohol
- **401. Office of the LGU Legislative Body**Province of Bohol
- **402. The Municipal Mayor** Baclayon, Bohol
- 403. Office of the LGU Legislative Body Baclayon, Bohol
- **404. The Municipal Mayor** Calape, Bohol
- **405.** Office of the LGU Legislative Body Calape, Bohol
- 406. The Municipal Mayor Inabanga, Bohol
- 407. Office of the LGU Legislative Body Inabanga, Bohol
- 408. The Municipal Mayor Loon, Bohol
- 409. Office of the LGU Legislative Body Loon, Bohol
- **410. The Municipal Mayor** Panglao, Bohol
- 411. Office of the LGU Legislative Body Panglao, Bohol

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- 412. The Municipal Mayor Tubigon, Bohol
- 413. Office of the LGU Legislative Body Tubigon, Bohol
- **414. The Provincial Governor**Province of Zamboanga del Norte
- **415.** Office of the LGU Legislative Body Province of Zamboanga del Norte
- **416. The Provincial Governor**Province of Zamboanga del Sur
- **417. Office of the LGU Legislative Body** Province of Zamboanga del Sur
- **418. The City Mayor** Zamboanga City, Zamboanga del Sur
- **419. Office of the LGU Legislative Body** Zamboanga City, Zamboanga del Sur
- **420.** The Provincial Governor Province of Davao Oriental
- **421. Office of the LGU Legislative Body**Province of Davao Oriental
- **422. The Provincial Governor** Province of Davao del Sur
- **423.** Office of the LGU Legislative Body Province of Davao del Sur
- **424. The Municipal Mayor**Jose Abad Santos, Davao del Sur
- **425.** Office of the LGU Legislative Body Jose Abad Santos, Davao del Sur
- **426. The Municipal Mayor** Sarangani, Davao del Sur
- **427.** Office of the LGU Legislative Body Sarangani, Davao del Sur
- **428. The Provincial Governor**Province of Davao del Norte
- **429.** Office of the LGU Legislative Body Province of Davao del Norte

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- **430. The City Mayor** Samal City, Davao del Norte
- **431. Office of the LGU Legislative Body** Samal City, Davao del Norte
- **432. The Provincial Governor**Province of Misamis Occidental
- 433. Office of the LGU Legislative Body Province of Misamis Occidental
- **434. The Provincial Governor**Province of Misamis Oriental
- **435.** Office of the LGU Legislative Body Province of Misamis Oriental
- **436. The Provincial Governor** Province of Bukidnon
- **437. Office of the LGU Legislative Body** Province of Bukidnon
- **438.** The Provincial Governor Province of Lanao del Norte
- **439.** Office of the LGU Legislative Body Province of Lanao del Norte
- **440. The Provincial Governor**Province of North Cotabato
- **441. Office of the LGU Legislative Body**Province of North Cotabato
- **442. The Provincial Governor**Province of South Cotabato
- 443. Office of the LGU Legislative Body Province of South Cotabato
- **444. The Provincial Governor**Province of Sultan Kudarat
- **445.** Office of the LGU Legislative Body Province of Sultan Kudarat
- **446. The Municipal Mayor** Kalamansig, Sultan Kudarat
- **447. Office of the LGU Legislative Body** Kalamansig, Sultan Kudarat

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- **448. The Municipal Mayor** Lebak, Sultan Kudarat
- **449. Office of the LGU Legislative Body** Lebak, Sultan Kudarat
- **450. The Municipal Mayor** Palimbang, Sultan Kudarat
- **451. Office of the LGU Legislative Body** Palimbang, Sultan Kudarat
- **452. The Municipal Mayor** Sen. Ninoy Aquino, Sultan Kudarat
- **453. Office of the LGU Legislative Body** Sen. Ninoy Aquino, Sultan Kudarat
- **454.** The Provincial Governor Province of Basilan
- **455. Office of the LGU Legislative Body** Province of Basilan
- **456. The City Mayor** Isabela City, Basilan
- **457. Office of the LGU Legislative Body** Isabela City, Basilan
- **458. The Provincial Governor**Province of Sulu
- 459. Office of the LGU Legislative Body Province of Sulu
- **460. The Municipal Mayor** Jolo, Sulu
- **461. Office of the LGU Legislative Body** Jolo, Sulu
- **462. The Municipal Mayor** Luuk, Sulu
- **463.** Office of the LGU Legislative Body Luuk, Sulu
- **464. The Municipal Mayor** Siasi, Sulu
- **465. Office of the LGU Legislative Body** Siasi, Sulu

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- **466. The Municipal Mayor** Bangulngi (Tongkil), Sulu
- **467.** Office of the LGU Legislative Body Bangulngi (Tongkil), Sulu
- **468. The Municipal Mayor** Hadji Panglima Tahil, Sulu
- **469.** Office of the LGU Legislative Body Hadji Panglima Tahil, Sulu
- **470. The Municipal Mayor** Lugus, Sulu
- 471. Office of the LGU Legislative Body Lugus, Sulu
- **472. The Municipal Mayor** Pangutaran, Sulu
- **473.** Office of the LGU Legislative Body Pangutaran, Sulu
- **474. The Municipal Mayor** Pata, Sulu
- 475. Office of the LGU Legislative Body Pata, Sulu
- **476. The Municipal Mayor** Tapul, Sulu
- **477. Office of the LGU Legislative Body** Tapul, Sulu
- **478.** The Provincial Governor Province of Tawi-Tawi
- **479.** Office of the LGU Legislative Body Province of Tawi-Tawi
- **480. The Municipal Mayor** Bongao, Tawi-Tawi
- 481. Office of the LGU Legislative Body Bongao, Tawi-Tawi
- **482. The Municipal Mayor** Mapun, Tawi-Tawi
- **483.** Office of the LGU Legislative Body Mapun, Tawi-Tawi

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- **484. The Municipal Mayor** Panglima Sugala, Tawi-Tawi
- **485.** Office of the LGU Legislative Body Panglima Sugala, Tawi-Tawi
- **486. The Municipal Mayor** Simunul, Tawi-Tawi
- **487. Office of the LGU Legislative Body** Simunul, Tawi-Tawi
- **488. The Municipal Mayor** Sitangkai, Tawi-Tawi
- **489. Office of the LGU Legislative Body** Sitangkai, Tawi-Tawi
- **490. The Municipal Mayor** Tandubas, Tawi-Tawi
- **491.** Office of the LGU Legislative Body Tandubas, Tawi-Tawi
- **492.** The Municipal Mayor Sapa-sapa, Tawi-Tawi
- **493.** Office of the LGU Legislative Body Sapa-sapa, Tawi-Tawi
- **494. The Municipal Mayor** South Ubian, Tawi-Tawi
- **495.** Office of the LGU Legislative Body South Ubian, Tawi-Tawi
- **496.** The Provincial Governor Province of Dinagat Island
- **497. Office of the LGU Legislative Body** Province of Dinagat Island
- **498. The Municipal Mayor** San Jose, Dinagat Island
- **499.** Office of the LGU Legislative Body San Jose, Dinagat Island
- **500. The Municipal Mayor** Loreto, Dinagat Island
- **501. Office of the LGU Legislative Body** Loreto, Dinagat Island

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- **502. The Provincial Governor** Province of Agusan del Norte
- 503. Office of the LGU Legislative Body Province of Agusan del Norte
- **504. The Provincial Governor** Province of Agusan del Sur
- 505. Office of the LGU Legislative Body Province of Agusan del Sur
- **506. The Provincial Governor** Province of Surigao del Norte
- 507. Office of the LGU Legislative Body Province of Surigao del Norte
- **508. The City Mayor** Surigao City, Surigao del Norte
- **509.** Office of the LGU Legislative Body Surigao City, Surigao del Norte
- **510.** The Provincial Governor Province of Surigao del Sur
- 511. Office of the LGU Legislative Body Province of Surigao del Sur
- 512. Regulatory Operations Service (ROS)
  Energy Regulatory Commission
  17<sup>th</sup> Floor, Pacific Center Building, San Miguel
  Avenue, Ortigas Center, Pasig City

# Republic of the Philippines ENERGY REGULATORY COMMISSION

San Miguel Avenue, Pasig City

IN THE MATTER OF THE PETITION FOR THE APPROVAL. OF THE AVAILMENT FROM THE UNIVERSAL CHARGE FOR MISSIONARY **ELECTRIFICATION (UCME)** FOR CY 2017 WITH PRAYER FOR THE ISSUANCE PROVISIONAL AUTHORITY,

17 FEB 16 19:

Received By

ERC CASE NO. 2016-134-RC

NATIONAL CORPORATION,

**POWER** 

Petitioner.

DOCKETED Date: FEB 1 4 2017 By:

### NOTICE OF PUBLIC HEARING

#### TO ALL INTERESTED PARTIES:

Notice is hereby given that on 26 May 2016, the National Power Corporation (NPC) filed a *Petition* dated 10 May 2016 seeking the Commission's approval of the availment from the universal charge for missionary electrification (UCME) for Calendar Year (CY) 2017, with prayer for the issuance of provisional authority.

## NPC alleged the following in its Petition:

- 1. Petitioner NPC is a government owned and controlled corporation created and existing under Republic Act No. 6395 as amended ("NPC Charter") with principal address at NPC Office Building Complex corner Quezon Avenue and BIR Road, Diliman, Quezon City where it may be served summons and other processes of the Honorable Commission.
- 2. Pursuant to Section 70 of Republic Act No. 9136 (Electric Power Industry Reform Act or "EPIRA"), NPC shall remain as a National-Government owned and controlled corporation to perform the missionary electrification function through its Small Power Utilities Group (hereafter, NPC-SPUG) and shall be responsible for providing power

generation and its associated power delivery systems in areas that are not connected to the transmission system.

- 3. On 22 August 2011, the Honorable Commission approved and issued Resolution No. 21 Series of 2011 entitled "Amended Guidelines for the Setting and Approval of Electricity Generation Rates and Subsidies for Missionary Electrification Areas" providing for the guidelines for the setting and approval of electricity generation rates and subsidies for Missionary Electrification areas, for the fixing of and availment of subsidies for Missionary Electrification areas as well as the cash incentives for the Renewable Energy (RE) Developers for Missionary Electrification from the Universal Charge for Missionary Electrification (UC-ME). The said resolution is also in line with Chapter VII Section 15 (b) of the Republic Act No. 9153¹, which provides for the basis in the calculation of Cash Incentive of Renewable Energy Developers for Missionary Electrification and ERC Resolution 7, series of 2014².
- 4. Pursuant to Section 4 of Republic Act No. 6395, as amended, and Executive Order No. 863, issued by virtue of the authority granted to the President of the Republic of the Philippines under R.A. 7684, Petitioner NPC is duly authorized to include twelve percent (12%) return on its rate base composed of the sum of its net assets in operation plus two (2) months operating capital in the Revenue Requirement.
- 5. NPC is filing this petition in its capacity as the implementing agency for Missionary Electrification (ME), which function shall be funded from the revenue from sales in missionary areas and from the universal charge (UC) to be collected from all electricity end-users as determined by the Energy Regulatory Commission (ERC) and as provided under Section 2 (a) of the EPIRA Implementing Rules and Regulations.
- 6. Likewise, NPC is filing this petition to seek approval from this Honorable Commission of the Missionary Electrification Subsidy that would sufficiently cover the estimated requirements for all NPC SPUG areas and private entities that have taken in full or part the generation function of NPC-SPUG in certain missionary areas, the operating costs in mini-grids and Qualified Third Parties (QTPs) including the fixed cost of transmission/substations and for the cash incentive payment to RE Developers.

<sup>1</sup> Otherwise known as "Renewable Act of 2008" or RE Act of 2008"

<sup>&</sup>lt;sup>2</sup> entitled "A Resolution adopting the Rules to Govern the Availment and Disbursement of Cash Incentive to Renewable Energy (RE) Developers operating in Missionary Areas"

<sup>3 &</sup>quot;Fixing the Rate of Return on Rate Base of the National Power Corporation at twelve percent (12%) of the Rate Base as Defined in Section 4 of Republic Act No. 6395, as Amended"

<sup>4 &</sup>quot;Electric Power Crises Act of 1993"

#### AVAILMENT FROM THE UNIVERSAL CHARGE OF THE SHARE FOR MISSIONARY ELECTRIFICATION (UCME) SUBSIDY FOR CALENDAR YEAR 2017

- 7. The calculation of the total Basic UCME Subsidy requirements as herein proposed is based on the formula as specifically provided in Article V Section 2 of ERC Resolution No. 21, Series of 2011 entitled "UCME Filing Requirements and Procedures".
- 8. In view of the foregoing and in compliance with the above-cited provisions of law and ERC resolution particularly as regards the requirement prescribed in the determination of corresponding subsidy, NPC calculated the estimated UCME requirements for the following: A) NPC SPUG Subsidy; B) Delegated SPUG areas (NPP/QTP) Subsidy; and C) Cash Incentive of RE Developers, to wit:

## A. ABSTRACT OF THE PROPOSED BASIC UCME SUBSIDY

9. Consistent with the NPC Missionary Electrification Plan (MEP), its forecasts on the demand and sales growth, scheduled generation and transmission projects and improvement in service level as well as the expansion of coverage to other missionary areas, and taking into account the afore-mentioned guidelines and provisions, NPC considered the key parameters and assumptions used in the projections and in the determination of proposed UCME subsidy for the calendar year 2017, as follows:

#### A.1. Basic UCME Subsidy for NPC SPUG

- 10. In the calculation of NPC revenue requirements, the following accounts and cost were considered:
  - a. Results of Operations for CY 2015
  - Fuel Cost for CY 2017 calculated based on actual 2015 cost in P/kWh multiplied by the NPC projected energy sales;
  - c. Other Operating Expenses, which includes Personal Services and Maintenance and other Operating Expenses as of December 2015, in P/kWh multiplied by the NPC projected energy sales:
  - d. Depreciation as of December 2015;
  - e. NPC-TCGR based on the calculated Total Revenue requirements established in CY 2015 test period;
  - f. The calculated Revenue based on the existing NPC-SPUG SAGR as of March 2016;

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g. NPC-SPUG Projected Results of Operations for CY 2017;

h. NPC-SPUG Projected Energy Sales, kWh for CY 2017 based on the CY 2017-2019 NPC MEP;

 Philippine Electricity Sales Forecast based on DOE's Philippine Power Development Plan 2015-2030 (PDP).

The detailed breakdown of the Basic UCME Subsidy for NPC SPUG is hereto attached as **ANNEX "A"**, which shall form an integral part of this instant petition

11. In this instant petition, petitioner has utilized the authorized RORB methodology using the year 2015 base rate being the most recent financial statement available during the calculation stage.

## A.2. UCME Subsidy for Delegated NPC SPUG areas (NPP/QTP)

- 12. The amount of NPPs and QTP subsidies considered were based on the following:
  - a. Forecasted Energy Sales based on their submission of Forecasted generation and/or minimum off-take as provided in their respective ERC-Approved Power Supply Agreement (PSA);
  - b. NPP TCGR and SAGR TCGR calculated based on the most recent subsidy invoice paid to each NPP and QTP claims at the time of calculation. Whereas, SAGR considered is based on the NPC SPUG existing effective rate as of March 2016;

Detailed breakdown of the NPP and QTP Subsidy requirement for CY 2017 and supporting documents are attached herewith as **ANNEXES** "B", "B-1" to "B-18", which shall form an integral part of this instant petition.

# A.3. UCME Subsidy for the Cash Generation-Based Incentive for Renewable Energy (RE) Developer in the Off-grid

- 13. The renewable energy cash incentive (RE-CI), on the other hand, is based on the following:
  - Total Projected Off-grid Energy Sales sum of the NPC SPUG and NPP Projected Energy Sales;
  - Blended TCGR calculated based on the average of the NPC SPUG cost of generation and NPP true cost of generation;

- c. SAGR based on the NPC SPUG SAGR as of March 2016:
- d. Cash Incentive Rate equivalent to 50% of the calculated UCME Subsidy Rate;

The calculation of the proposed amount required for RED-CI is shown in the attached **ANNEX "C".** Likewise, attached as **ANNEX "C-1" to "C-6"** are the submitted CI claims of RE Developers which shall form an integral part of this instant petition.

## B. PROPOSED Basic UCME Subsidy per component

14. Based on the results of the calculations made, the total proposed UCME Subsidy requirement for the missionary electrification will amount to **PhP10.324Bn** for CY 2017 inclusive of the Cash Incentive for Renewable Energy as shown in Table 1 below.

Table 1 Proposed UCME Requirement and Proposed UCME Subsidy rate for CY 2017

REVENUE REQUIREMENT	18,934,474,189	
NPC	9,922,156,550	
NPP/QTP	9,012,317,639	
LESS:		
Revenue from SAGR	8,861,830,059	
TOTAL UCME, NPC/NPP/QTP	10,072,644,131	
ADD:		
Renewable Energy Developer's Cash Incentive	251,495,221	
TOTAL UCME FOR CY 2017	10,324,139,351	
UCME, P/kWh	0.1248	
Philippine Energy Sales, kWh	82,726,573,848.99	

15. The Philippine Electricity Sales Forecast under DOE's Power Development Plan (PDP) for CY 2017 was utilized to determine the proposed UCME charges of **PhPo.1248/kWh**.

## C. IMPLICATIONS OF UCME SUBSIDY AND THE PROPOSED RATES

16. The proposed basic UCME for CY 2017 of **PhPo.1248/kWh** (inclusive of Cash Incentive to RE Developer of **PhPo.0030/kWh**), purposely to finance the operation for the year will replace the existing basic UCME rate provisionally approved by ERC which is PhPo.1163/kWh for NPC-SPUG and NPPs/QTPs and for RED-CI of PhPo.0017/kWh. Table 2 below shows the rate calculation of

the Proposed Subsidy amount and the corresponding rates in P/kWh:

TABLE 2 Proposed CY 2017 UCME & Rates

PARTICULARS	NPC	NPP/QTP	RED-CI	TOTAL
Revenue Requirement Less:	9,922,156,549.76	9,012,317,639.29		18,934,474,189.05
Revenue from Sales	2,992,897,619.09	5,868,932,439.46		8,861,830,058.55
UCME, In PhP	6,929,258,930.67	3,143,385,199.83		10,072,644,130.50
Cash Incentive			251,495,220.93	251,495,220.93
TOTAL UCME, CY 2017	6,929,258,930.67	3,143,385,199.83	251,495,220.93	10,324,139,351.43
Rate Impact, P/kWh	0.0838	0.0380	0.0030	0.1248
Philippine Projected Energy Soles, kWh				82,726,573,848.99

- 17. The UCME Subsidy for the Cash Incentive will be remitted to PSALM since PSALM is mandated to directly disburse the same to eligible RE Developer consistent with Article IV, Section 2 of Resolution 21, series of 2011. Hence, the Proposed UCME Subsidy Requirement that will be managed by NPC is Net of Cash Incentive.
- 18. The proposed UCME rate considered the commitment of NPC in ensuring that:
  - a. the required volume of fuel will be timely paid to NPC suppliers to avoid non-delivery of fuel supply;

b. the payments of NPPs & QTPs subsidy are timely made; and

- c. the missionary electrification functions in SPUG areas are fulfilled through continues operation of existing generating units and implement power development plans for each islands/grid.
- 19. The National Power Board approved the filling of this instant petition as evidenced by the NP Board Resolution NO. 2016-21 dated 28 April 2016, hereto attached as **ANNEX** "D".
- 20. The proposed UCME for CY 2017 is based on the following pertinent documents attached herewith and correspondingly marked, as follows:

Annex "E" - Actual Results of Operations for CY 2015

Annex "F" - Statement of Financial Position CY 2015

**Annex "G"** - Projected Philippines Electricity Sales Forecast (PDP 2015-2030)

Annex "H"- NPC-SPUG Projected Gross Generation and Energy Sales for CY 2017

Annex "I" - NPC SPUG Projected Results of Operations for CY 2017

## ALLEGATION IN SUPPORT OF THE PRAYER FOR THE ISSUANCE OF A PROVISIONAL AUTHORITY

22. The issuance of a provisional authority under the instant petition is appropriate based on the following justifications:

a. The proposed Basic UCME rate of **Phpo.1248/kWh** inclusive of RE Cash Incentive for CY 2017 is necessary in order to cover the required subsidy requirements and at the same time, maintain a reliable and stable funding source for its operating costs requirements including a sufficient subsidy for payment to NPPs/QTPs and RE Developers.

b. There is need to meet the customer's electricity requirements through the implementation of the proposed improvement of NPC's generation function aimed to provide a sustainable development in the off-grid areas and be able to connect electricity to the unserved communities in the far-flung areas including those areas whose electric services were waived by the Electric Cooperatives. The same can be done by limiting the disparity between the UCME subsidy being granted for the year and the actual UCME subsidy required based on the proposed requirements.

c. The lack of funds from the UCME Subsidy and from supposedly transitory funds which can be sourced thru loans will definitely affect flexibility in NPC's funding and operation. Be it recalled that the Department of Justice (DOJ) issued an opinion which limited and suspended NPC's authority to borrow funds or enter into a loan agreement.

d. The need to fulfill NPC's commitment to provide efficient operation of its plant consistent with the specific programs in the missionary areas that NPC is currently serving.

23. The issuance of a provisional authority is authorized under Section 3 Rule 14 of the Rules of Practice and Procedure. Likewise, the authority of the Honorable

Commission to issue a provisional authority is confirmed by the Supreme Court in the case of Freedom from Debt Coalition, et. al. vs. ERC, et. al., G.R. No. 161113 (June 15, 2004), when it held that "the power to approve provisional rate increases is included among the powers transferred to the ERC by virtue of Section 44 since the grant of that authority is not inconsistent with the EPIRA; rather, it is in full harmony with the thrust of the law which is to strengthen the ERC as the new regulatory body."

24. NPC-SPUG is thus imploring the kind consideration of this Honorable Commission and respectfully prays for the issuance of a provisional authority under the foregoing premises.

#### COMPLIANCE

- 25. In support of this petition and in compliance with Rule 6 of the ERC Rules of Practice and Procedures under ERC Resolution No. 38, Series of 2006 as well as Section 4(e) Rule 3 of the EPIRA IRR, Petitioner attaches and submits the following:
  - a. Proof of Publication of the Petition once in a newspaper of general circulation hereto attached as **ANNEX "J".**
  - b. Proof of service of this Petition to the Legislative Bodies of the Local Government Units where NPC principally operate, hereto attached as **ANNEX** "K"

#### PRAYER

**WHEREFORE**, premises considered, petitioner NPC, respectfully prays THAT:

- a. Pending the hearing on the merits, an Order be issued granting PROVISIONAL APPROVAL to the proposed Basic UCME for CY 2017 amounting to PhP10,324,139,351.43 or equivalent rate of PhP0.1248/kWh.
- The approval of the proposed Basic UCME for CY 2017 be on a per item basis as identified in **Table 2**, to wit:

	ABSOLUTE AMOUNT	P/kWh
NPC	6,929,258,930.67	0.0838
NPP	3,143,385,199.83	0.0380
RED-CI	251,495,220.93	0.0030
TOTAL UCME	10,324,139,351.43	0.1248

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c. After the hearing on the merits, the instant petition be GRANTED by the Honorable Commission.

Other just and equitable reliefs are likewise prayed for.

The Commission has set the *Petition* for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on the following dates and venues:

Date and Time	Venue	Particulars
	LUZON	
25 May 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig Ciy	Jurisdictional and Expository Presentation
	VISAYAS	
O1 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	Energy Regulatory Commission- Visayas Field Office (ERC-VFO), St. Mary's Drive, Banilad, Cebu City, Philippines	Expository Presentation
	MINDANAO	
o8 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	Energy Regulatory Commission- Mindanao Field Office (ERC-MFO), Mezzanine Floor, Mintrade Building, Monteverde Avenue cor. Sales Street, Davao City	Expository Presentation
	LUZON	
29 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig Ciy	Pre-Trial Conference and Evidentiary Hearing

All persons who have an interest in the subject matter of the instant case may become a party by filing with the Commission a verified Petition to Intervene at least five (5) days prior to the initial hearing and subject to the requirements under Rule 9 of the 2006

Rules of Practice and Procedure, indicating therein the docket number and title of the case and stating the following:

- 1) The petitioner's name and 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.

All other persons who may want their views known to the Commission with respect to the subject matter of the case may file their Opposition or Comment thereon at any stage of the proceeding before Petitioner rests its case, subject to the requirements under Rule 9 of the 2006 Rules of Practice and Procedure. No particular form of Opposition or Comment is required, but the document, letter, or writing should contain the following:

- The name and address of such person;
- 2) A concise statement of the Opposition or Comment; and
- The grounds relied upon.

All such persons who wish to have a copy of the *Petition* may request from Petitioner that they be furnished with the same, prior to the date of the initial hearing. Petitioner is hereby directed to furnish all those making such request with copies of the *Petition* and its attachments, subject to the reimbursement of reasonable photocopying costs. Any such person may likewise examine the *Petition* and other pertinent records filed with the Commission during the standard office hours.

WITNESS, the Honorable Chairman JOSE VICENTE B. SALAZAR, and the Honorable Commissioners ALFREDO J. NON, GLORIA VICTORIA C. YAP-TARUC, JOSEFINA PATRICIA A. MAGPALE-ASIRIT, and GERONIMO D. STA. ANA, Energy Regulatory Commission, this 23<sup>rd</sup> day of January 2017 in Pasig City.

ATTY. NATHAN J. MARASIGAN Chief of Staff

Office of the Chairman and CEO

LS: ARGYPAR/APV