

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
PETITION FOR THE
APPROVAL OF THE
AVAILMENT FROM THE
UNIVERSAL CHARGE FOR
MISSIONARY
ELECTRIFICATION (UCME)
FOR CY 2024 WITH PRAYER
FOR THE ISSUANCE OF
PROVISIONAL AUTHORITY
OR INTERIM RELIEF**

ERC CASE NO. 2023-020 RC

NATIONAL POWER
CORPORATION,
Petitioner.

Promulgated:
April 19, 2023

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NOTICE OF PUBLIC/VIRTUAL HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 13 March 2023, National Power Corporation filed a *Petition* dated 08 March 2023, seeking the Commission’s approval of its availment from the Universal Charge for Missionary Electrification (UC-ME), with prayer for the issuance of provisional authority or interim relief.

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

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 with 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

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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 and availment of subsidies for Missionary Electrification areas, as well as the Cash Incentives for the Renewable Energy ("RE") Developers in the missionary areas from the Universal Charge for Missionary Electrification ("UCME"). The said resolution is in accordance with Chapter VII Section 15 (b) of the Republic Act No. 9513,¹ which provides for the basis in the calculation of the Cash Incentive of the 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. 86,³ issued by virtue of the authority granted to the President of the Republic of the Philippines under R.A. 7648,⁴ 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. As the implementing agency for Missionary Electrification, NPC is duty-bound to ensure the provision of the estimated ME subsidy requirements needed in the missionary areas 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. Given the apparent energy shortage especially in small island grids in the country, and with the connection of the households in these areas to the main grid not being financially feasible due to low levels of demand, low population density and geographical constraints, it is admittedly a challenge for NPC to bring these areas to their viable level. The costs involved in the off-grid electrification are also often beyond the capacity of most of the household consumers to pay because of lack of resources and opportunity or option that the progressive or viable areas

¹ Otherwise known as Renewable Act of 2008 or RE Act of 2008

² A Resolution adopting the Rules to Govern the Availment and Disbursement of Cash Incentive to Renewable Energy (RE) Developers operating in Missionary Areas

³ 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

⁴ Electric Power Crises Act of 1993.

could provide or are providing. Hence, NPC must endeavor to fully and efficiently meet its Missionary Electrification function in order to bring these areas to a viable and competitive level for private sector participation. NPC believes that through the mandated UCME subsidy, the provision of electricity becomes affordable and, at the same time, spurs economic activity, in addition to the fact that it facilitates the delivery of basic services to the off-grid consumers. Also, the UCME subsidy is an avenue to support the government's thrust of total electrification. Unelectrified, unserved, or underserved off-grid areas are given provision of electricity through this subsidy. Moreover, the UCME subsidy essentially helps NPC maintain its power plants/facilities and allow the same to remain in proper and working condition, which ensures continued and uninterrupted supply of power to the electricity consumers in the off-grid areas.

7. Hence, by and pursuant to Article V Section 2 of ERC Resolution No. 21, Series of 2011, Petitioner NPC is filing this petition to seek approval from this Honorable Commission to set the UCME for Missionary Electrification subsidy that would sufficiently cover the estimated requirements for areas served by NPC-SPUG, New Power Providers ("NPPs") and Qualified Third Parties ("QTPs") that have taken over in full or part the generation function of NPC-SPUG in certain missionary areas. This likewise includes the operating costs in mini grids as well as the fixed cost of transmission/substations, and the cash incentive payment to RE Developers.

AVAILMENT FROM THE UNIVERSAL CHARGE OF THE
SHARE IN MISSIONARY ELECTRIFICATION (UCME)
SUBSIDY FOR CY 2024

8. The calculation of the total Basic UCME Subsidy as herein proposed is based on the formula as specifically provided in Article V Section 2 of ERC Resolution No. 21, Series of 2011.
9. In view of the foregoing and in compliance with the above-cited provisions of law and ERC resolutions, 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) Subsidy; C) Qualified Third Parties (QTP) Subsidy and D) Cash Incentive of RE Developers, to wit:

ABSTRACT OF THE PROPOSED BASIC UCME SUBSIDY

10. 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, upgrading its services and facilities and optimizing divestment of power generation

functions for private sector participation and taking into account the afore-mentioned guidelines and provisions, NPC considered the key parameters and assumptions used in the projections in the determination of proposed UCME subsidy for the calendar year 2024, as follows:

- A. Basic UCME Subsidy for NPC SPUG
11. In the calculation of NPC revenue requirements, the following accounts and costs were considered:

- a. Fuel Cost for CY 2024 – The calculation is patterned with the Department of Budget and Management's ("DBM") Development and Budget Coordination Committee ("DBCC") projection during 05 December 2022's 183rd DBCC meeting which put the Dubai Crude Oil (US\$/barrel) in the price range of 70 to 90. Petitioner NPC utilized the highest value at US\$/barrel 90.626 using the Mean of Platts Singapore (MOPS) price average with an equivalent calculated delivered fuel price of PhP64.9836/liter, multiplied by the NPC's fuel volume.

Petitioner NPC respectfully manifests that it utilized the DBCC projections, instead of its Actual Results of Operations for CY 2021 since the average price of fuel under the latter is PhP34.95/liter, far removed from the projected price in 2024.

Thus, Petitioner NPC resolved to adopt the DBCC projections to minimize the impact in the CY 2024 True Up Petition. In any case, Petitioner NPC's Actual Results of Operations for CY 2021 is hereto submitted for easy reference.

- b. Maintenance & Other Operating Expenses ("MOOE") for CY 2024 –MOOE of existing Power Plants based on CY 2023 budget level;
- c. Cost of Personnel Services ("PS") for CY 2024 is based on CY 2023 budget level;

At this point, Petitioner NPC respectfully manifests that it utilized the MOOE and PS for FY 2023, instead of the MOOE and PS indicated in the approved Financial Statements for CY 2021.

Again, the MOOE and PS under the CY 2021 is no longer reflective of the current level of costs for 2024. Thus, Petitioner NPC utilized the MOOE and PS for FY 2023 DBM/GAA level in the calculation in the instant Petition to lessen the impact in the 2024 True Up Petition. In any case, the MOOE and PS under CY 2021 is hereto submitted for easy reference of this Honorable Commission.

- d. Depreciation Expense for CY 2022 of the existing power plants in service.

Similar with the MOOE and PS, Petitioner NPC utilized the Depreciation Expense for CY 2022, instead of CY 2021, as the latter is no longer reflective of the current level in 2024. The Depreciation Expense for CY 2021 is likewise attached hereto for reference.

- e. Return on Rate Base ("RORB") for CY 2024 – based on the Statements of Financial Position as of December 31, 2021, and Statement of Financial Performance for the Year Ended December 31, 2021, Net of Electric Plant in Service for CY 2022 including depreciation expense, and allowable assets as shown in the calculation.

Petitioner NPC respectfully manifests that only the General Plant and Equipment ("GPE") and the Material, Supplies, and Equipment ("MSE") components of the Statement of Financial Position as of December 31, 2021, were utilized in the computation of the RORB. As to the other components (EPIS, Depreciation Expense), the same were based on 2022 as the 2021 costs is no longer reflective of the current cost level.

- f. The calculated Revenue from Sales for CY 2024 based on the new NPC-SPUG SAGR per ERC Case No. 2018-048 RC promulgated on 31 January 2022 multiplied by the projected energy sales.
- g. NPC-SPUG Projected Energy Sales, kWh for CY 2024 based on the CY 2023-2027 NPC MEP.
- h. NPC-SPUG Projected Results of Operations for CY 2024 shows the calculated total NPC projected revenue requirement per NPC SPUG Plants for CY 2024;
- i. Philippine Electricity Sales Forecast based on the Department of Energy's ("DOE") Philippine Energy Plan 2020-2040.

The detailed breakdown of the Basic UCME Subsidy for NPC SPUG is shown in the NPC SPUG Projected Results of Operation for CY 2024. The Summary of the Detailed Breakdown of NPC SPUG's basic UCME Subsidy, attached as Exhibit "A-1" to the Judicial Affidavit of Petitioner NPC's witness, shall form an integral part of this Petition.

12. Again, Petitioner NPC utilized the authorized RORB methodology using the year 2022 Net Electric Plants in Service, the Construction Work in Progress, and year 2021 for the other allowable assets being the most recent data available during the calculation stage. Further, the twelve percent 12%

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RORB is also based on NPC Charter 6395, as amended, R. A. 7648 and Executive Order No. 86 and consistent with the ERC approval on ERC Case No. 2011-074RC and ERC Case No. 2012-085RC.

- B. UCME Subsidy for Delegated NPC SPUG areas (NPP/QTP)
- 13. The amounts corresponding the 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/QTP FCRR and SAGR/SARR – TCGR/FCRR calculated based on the most recent subsidy invoice paid to each NPP and QTP claims at the time of calculation. On the other hand, the SAGR considered is based on the new NPC SPUG SAGR per ERC Case No. 2018-048 RC promulgated on 31 January 2022 and the SARR is based on the ERC approved SARR of the QTPs.

The detailed breakdown of the NPP and QTP Subsidy requirement for CY 2023 and its supporting documents, attached to the Judicial Affidavit as Exhibits “B”, “B-1” to “B-20”, shall form an integral part of this Petition.

- C. UCME Subsidy for the Cash Generation-Based Incentive for Renewable Energy (RE) Developer in the Off-grid
- 14. The renewable energy cash incentive (RE-CI), on the other hand, is based on the following:
 - a. Total Projected Off-grid Energy Sales – sum of the NPC SPUG and NPP/QTP Projected Energy Sales;
 - b. Blended TCGR – calculated based on the average of the NPC SPUG cost of generation and NPP true cost of generation.
 - c. SAGR/SARR – based on the new NPC SPUG SAGR per ERC Case No. 2018-048 RC and ERC approved SARR per QTP.
 - 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 Exhibit “C” which is attached to the Judicial Affidavit. Likewise, attached as Exhibits “C-1” to “C-7” to the Judicial Affidavit are the submitted energy forecast and corresponding ERC Orders of RE Developers which shall

likewise form an integral part of this instant petition. These exhibits shall form an integral part of this Petition.

PROPOSED BASIC UCME SUBSIDY PER COMPONENT

15. Based on the results of the calculation made, the total proposed UCME Subsidy requirement for the missionary electrification, which is attached in the Judicial Affidavit, and shall from an integral part of this Petition, as Exhibit “A” – CY 2024 Projected UCME Subsidy, will amount to PhP30,188,851,541.29 inclusive of the Cash Incentive for Renewable Energy, summary of which is shown in Table 1 below.

Table 1. Proposed UCME Requirement and Proposed UCME Subsidy Rate for CY 2024

Item	Particulars	Proposed UCME for CY 2024	Impact to UCME P/kWh	% Share in UCME
1	TOTAL ME Subsidy NPC-SPUG	12,926,567,564.80	0.1084	42.82%
2	TOTAL ME Subsidy for New Power Providers (NPPs)	16,177,803,456.15	0.1357	53.59%
3	TOTAL ME Subsidy for Qualified Third Parties (QTPs)	452,327,866.33	0.0038	1.50%
	TOTAL UCME Subsidy for NPC, NPPs/QTPs	29,556,698,887.28	0.2479	
4	Renewable Energy Developer Cash Incentive	632,152,654.01	0.0053	2.09%
5	TOTAL UCME, PhP	30,188,851,541.29		100.00%
6	Philippine Forecasted Energy Sales, GWh	119,201		
7	Rate Impact on UCME, P/kWh		0.2532	

16. The Philippine Electricity Sales Forecast under DOE’s Philippine Energy Plan (“PEP”) for CY 2024 was utilized to determine the proposed UCME charges of PhPo.2532/kWh.

IMPLICATIONS OF UCME SUBSIDY AND THE PROPOSED RATES

17. The proposed basic UCME for CY 2024 of PhPo.2532/kWh (inclusive of Cash Incentive to RE Developer of PhPo.0053/kWh), purposely to finance the operation for the year will result to an increase of PhPo.0971/kWh in UCME from the existing approved basic UCME rate of PhPo.1544/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 2024 UCME & Rates						
PARTICULARS	NPC	NPPs	QTPs	TOTAL	REDCI	GRAND TOTAL
Revenue Requirements, PhP	16,543,027,086.29	25,641,918,465.97	656,451,337.49	42,841,396,889.75		42,841,396,889.75
Less:						
Revenue from Sales	3,616,459,521.49	9,464,115,009.82	204,123,471.16	13,284,698,002.47		13,284,698,002.47
UCME (NPC, NPP, QTP)	12,926,567,564.80	16,177,803,456.15	452,327,866.33	29,556,698,887.28	-	29,556,698,887.28
Add: Renewable Energy Developers Cash Incentive (REDCI)					632,152,654.01	632,152,654.01
TOTAL UCME SUBSIDY CY 2024	12,926,567,564.80	16,177,803,456.15	452,327,866.33	29,556,698,887.28	632,152,654.01	30,188,851,541.29
Rate Impact on UCME, P/kWh	0.1084	0.1357	0.0038	0.2479	0.0053	0.2532
Philippine Energy Sales Forecast, GWh (CY 2024)	119,201					
% Share	42.82%	53.59%	1.50%	97.91%	2.09%	100.00%

18.

The UCME Subsidy for the Cash Incentive will be remitted to Power Sector Assets and Liabilities Management Corporation (“PSALM”) since it is mandated to directly disburse the same to eligible RE Developer under 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.
19.

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 payment of NPPs & QTPs subsidy are timely made; and

c.

the missionary electrification functions in SPUG areas are fulfilled through continuous operation of existing generating units and implement power development plans for each island/grid by providing 24/7 power service.

d.

the provision of CI amount for payment to RE Developers, as mandated.

20.

The National Power Board approved the filing of this instant petition as evidenced by the Secretary’s Certificate NPB-OCS-23-085 dated 08 March 2023 attached as Exhibit “D” to the Judicial Affidavit, which shall form an integral part of this Petition.

21.

In further support of this Petition, the Judicial Affidavit of Ms. Margarita M. Egnisaban, Petitioner NPC’s witness is hereto attached to this Petition as Annex “A”. The said witness’ testimony shall prove that this Petition, and the computations made as well as documents submitted in this Petition are all in accordance with the applicable and existing rules and guidelines. Likewise attached to the said Judicial Affidavit are the following documents which were previously mentioned by

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Petitioner NPC as basis in its calculations for the proposed UCME for CY 2024.

Exhibit "A"	CY 2024 Projected UCME Subsidy
Exhibit "A-1"	Breakdown of NPC-SPUG CY 2024 Projected Basic UCME Subsidy
Exhibit "B" to "B-20"	New Power Providers (NPPs) and Qualified Third Parties (QTPs) Projected Subsidy for CY 2024 and its supporting documents
Exhibit "C"	Computation of Cash Incentive for Renewable Energy Developers for CY 2024
Exhibit "C-1" to "C-7"	The Energy Forecast and corresponding ERC Orders of RE Developers submitted by the respective RE Developers
Exhibit "D"	Secretary's Certificate NPB-OCS-23-085 dated 08 March 2023
Exhibit "E"	Actual Results of Operations for CY 2021
Exhibit "F"	Statements of Financial Position as of December 31, 2021 and Statement of Financial Performance for the Year Ended December 31, 2021
Exhibit "G"	Philippines Electricity Sales Forecast (PEP 2020-2040) – used the CY 2024 PEP
Exhibit "H"	NPC-SPUG Projected Energy Sales, Gross Generation and Fuel Volume for CY 2024
Exhibit "H-1"	NPC SPUG Projected Fuel Cost for CY 2024
Exhibit "H-2"	Computation of Delivered Fuel Price per liter patterned with the DBCC Projection from December 5, 2022 DBCC Meeting
Exhibit "I"	NPC SPUG Projected Results of Operation for CY 2024
Exhibit "J"	Electric Plants in Service (EPIS) and Depreciation Expense as of December 31, 2022
Exhibit "J-1"	Electric Plans in Service (EPIS) and Depreciation Expense as of December 31, 2021
Exhibit "K"	NPC-SPUG SAGR per ERC Case No. 2018-048RC
Exhibit "L"	Personnel Services (PS) for FY 2023
Exhibit "L-1"	Personnel Services (PS) for CY 2021
Exhibit "M"	Maintenance and Other Operating Expense (MOOE) for FY 2023
Exhibit "M-1"	Maintenance and Other Operating Expense (MOOE) for CY 2021
Exhibit "N"	Return on Rate Base (RORB) Computation
Exhibit "N-1"	Construction Work in Progress (CWIP)
Exhibit "O"	Description of Accounts

ALLEGATIONS IN SUPPORT OF THE PRAYER FOR THE
ISSUANCE OF A PROVISIONAL AUTHORITY OR
INTERIM RELIEF

22. The issuance of a provisional authority or interim relief under the instant petition is appropriate based on the following justifications:
- a. The recovery of the proposed Basic UCME rate of PhPo.2532/kWh inclusive of RE Cash Incentive for CY 2024 is vital to NPC's subsidy requirements to maintain a reliable and stable funding source for its operating costs requirements and to ensure sufficient subsidy for payment to NPPs/QTPs and RE Developers.
 - b. The aim to further improve and guarantee sustainable economic development in the off-grid areas.
 - c. The existing UCME rate of PhPo.1544/KWh for NPC and NPPs/QTPs cannot sustain NPC's operation and payment of NPPs/QTPs UCME subsidy due to the fuel price hike in the global market.
 - d. The proposal, when approved, will allow NPC to deliver its commitment to provide a reliable and sufficient power supply and efficient operation of its plants and its associated power delivery systems consistent with the specific programs in the missionary areas that NPC is currently serving. NPC operates numerous small power plants, and it is widely known that electricity in Small Islands and Isolated Grids ("SIIGs") is relatively very expensive.
 - e. The provision of electricity to unelectrified, unserved and underserved off-grid areas will enable NPC to perform its mandate and fulfill the government's objective of total electrification.
23. The issuance of a provisional authority or an interim relief 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.*,⁵ 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. Petitioner NPC is thus imploring the kind consideration of this Honorable Commission and respectfully prays for the

⁵ G.R. No. 161113, 15 June 2004

issuance of a provisional authority or an interim relief 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. 01, Series of 2021 as well as Section 4(e) Rule 3 of the EPIRA Implementing Rules and Regulations, Petitioner NPC attaches and submits the following:
- a. Proof of Publication of the Petition once published in a newspaper of general circulation together with Affidavit of Publication, hereto attached as Annex “B”
 - b. Proof of service of this Petition to the Legislative Bodies of the Local Government Units where NPC principally operates, hereto attached as Annex “C”.

PRAYER

WHEREFORE, premises considered, Petitioner National Power Corporation respectfully prays that:

- a. Pending the hearing on the merits, an Order be issued granting PROVISIONAL APPROVAL OR INTERIM RELIEF to the proposed Basic UCME for CY 2024 amounting to PhP30,188,851,541.29 or equivalent rate of PhPo.2532/kWh.
- b. Pursuant to Article V, Section 2(a) of ERC Resolution 21, Series of 2011, the approval of the proposed Basic UCME for CY 2024 be on a per item basis as identified in Table 2, to wit:

	ABSOLUTE AMOUNT	P/KWh
NPC	12,926,567,564.80	0.1084
NPPs	16,177,803,456.15	0.1357
QTPs	452,327,866.33	0.0038
REDCl	632,152,654.01	0.0053
TOTAL UCME	30,188,851,541.29	0.2532

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

Other reliefs, just and equitable, are likewise prayed for.

The Commission hereby sets the instant *Petition* for determination of compliance with the jurisdictional requirements, expository presentation, Pre-Trial Conference and presentation of evidence on the following dates and venue, or online platform for the

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conduct thereof, pursuant to Resolution No. 09, Series of 2020⁶ and Resolution No. 01, Series of 2021⁷ (ERC Revised Rules of Practice and Procedure):

Date and Time	Platform	Activity
14 July 2023 (Friday) at nine o'clock in the morning (9:00 A.M.)	Energy Regulatory Commission, Hearing Room, 11th Floor, Exquadra Tower, 1 Jade Drive, Ortigas Center, Brgy. San Antonio, Pasig City	Determination of compliance with the jurisdictional requirements, and Expository Presentation for Luzon Stakeholders
21 July 2023 (Friday) at nine o'clock in the morning (9:00 A.M.)	Energy Regulatory Commission, Visayas Area Operations Division (VAOD), 7th Floor, Kepwealth Building, Samar Loop, Cebu Business Park	Expository Presentation for Visayas Stakeholders
28 July 2023 (Friday) at nine o'clock in the morning (9:00 A.M.)	Energy Regulatory Commission, Mindanao Area Operations Division (MAOD), 6th Floor, BIZ Bldg., c/o BORMAHECO, Inc., 209 J.P. Laurel Avenue, Bajada, Davao City	Expository Presentation for Mindanao Stakeholders
04 August 2023 (Friday) at nine o'clock in the morning (9:00 A.M.)	MS Teams or Zoom Application	Pre-trial Conference and presentation of evidence
11 August 2023 (Friday) at nine o'clock in the morning (9:00 A.M.)		Presentation of Evidence
18 August 2023 (Friday)		Presentation of Evidence

⁶ A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.
⁷ A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

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Date and Time	Platform	Activity
at nine o'clock in the morning (9:00 A.M.)		

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, and 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, any person who has 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, and 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 must follow 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 file through e-mail at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, their Opposition or Comment **at least five (5) calendar days** prior to the initial virtual hearing. Rule 9 of the ERC Revised Rules of Practice and Procedure shall govern. 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

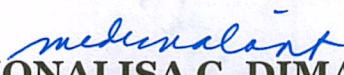

3) The grounds relied upon.

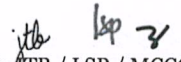
All interested parties filing their Petition to Intervene, Opposition or Comment are required to submit the hard copies thereof through personal service, registered mail or ordinary mail/private courier, **within five (5) working days** from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission.

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

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

WITNESS, the Honorable Commissioners **ALEXIS M. LUMBATAN**, **CATHERINE P. MACEDA**, **FLORESINDA G. BALDO-DIGAL**, and **MARKO ROMEO L. FUENTES**, Energy Regulatory Commission, this 19th day of April 2023 in Pasig City.


MONALISA C. DIMALANTA
Chairperson and CEO 


LS: jtb / lsp / MCCG

