

Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City

**IN THE MATTER OF THE
PETITION FOR THE
AVAILMENT OF THE
ENVIRONMENTAL
CHARGE/SHARE FROM
THE UNIVERSAL CHARGE
FOR THE
REHABILITATION AND
MANAGEMENT OF
WATERSHED AREAS
(PLAN 20),**

**NATIONAL POWER
CORPORATION,**

Petitioner.

x-----x

ERC Case No.

2024-018 RC

RECEIVED BY:

24 FEB 14 P 2:05



w/hob (CO)

PETITION

PETITIONER NATIONAL POWER CORPORATION (NPC), by counsel, unto this Honorable Commission, most respectfully states that:

1. Petitioner is a government owned-and-controlled corporation created and existing under and by virtue of Republic Act No. 6935, as amended (**NPC Charter**), with principal office address at NPC Office Building Complex, Quezon Avenue Corner BIR Road, Diliman, Quezon City, where it may be served with notices and other processes of the Honorable Commission;
2. Under the NPC Charter, particularly Section 3, paragraph (N) thereof, Petitioner is vested with the power to exercise complete jurisdiction and

control over watersheds surrounding the reservoir of plants and/or projects it constructed;

3. To further strengthen its jurisdiction and control over watersheds, Executive Order (EO) No. 224 was issued on 16 July 1987, wherein Petitioner was granted complete jurisdiction, control and rehabilitation over the following watershed areas and reservations: (1) Upper Agno Watershed Reservation as covered by Proclamation No. 548; (2) San Roque Watershed (3) Angat Watershed Reservation as covered by Proclamation Nos. 505 and 599; (4) Caliraya-Lumot Watershed Reservation as covered by Proclamation No. 573; (5) Makiling-Banahaw Geothermal Reservations as covered by Proclamation No. 1111; (6) Buhi-Barit Watershed as covered by Proclamation No. 573; (7) Tiwi Geothermal Reservation as covered by Presidential Proclamation No. 739;

4. Accordingly, Petitioner became responsible for the management, protection, development, and rehabilitation of the aforementioned watershed areas, including but not limited to the following: (1) Enforcement of forestry laws, rules and regulations governing the Integrated Management of Watershed Reservation under Ministry Order No. 83-01-13, Series of 1982; (2) Identification of areas which required immediate rehabilitation and development; (3) Preparation of plans and programs using the integrated multiple use concept of Watershed Management for the maximum utilization of Watershed resources; (4) Formulation and/or implementation of measures to prevent denudation of the forest cover and siltation of existing reservoirs; (5) Public education and information drive to create awareness among the populace of the importance

of forest resources and watershed areas; (6) Promotion of the development and conservation of existing vegetative cover; (7) Formulation of plans and development programs for resettlement and relocation; (8) Coordination with other government agencies/instrumentalities, religious and civil groups in undertaking forest conservation measures in watershed areas; (9) Afforestation, reforestation and physical rehabilitation measures in critically denuded watershed areas; (10) Development, maintenance and management of free farms within adequately vegetative watershed for the production of transmission line poles;

5. Petitioner's jurisdiction and control over watersheds was again recognized and reiterated in Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001" (**EPIRA**) and its Implementing Rules and Regulations (**IRR**), particularly Section 6 (c), Rule 23 of the IRR, wherein Petitioner is mandated to continue to be responsible for watershed rehabilitation and management;

6. Under the EPIRA, Petitioner is entitled to the Environmental Charge (**EC**) equivalent to one-fourth of one centavo per kilowatt-hour sales (P 0.0025/kWh), which forms part of the Universal Charge (UC). This environmental fund is intended solely for watershed rehabilitation and management and is being managed by Petitioner under existing arrangements. In order to avail said EC, Petitioner is required to submit to the Honorable Commission a petition for availment of the UC-EC in relation to the proposed watershed rehabilitation and management projects on or before March 15 every year. Hence, this petition;

7. In support of the instant Petition, Petitioner hereby submits the proposed operations plan for Calendar Year 2024 (hereinafter referred to as "**Plan 20**") for the availment of the UC-EC for the rehabilitation and management of the watersheds. *(Attached as **Annex "A"** is the **Executive Summary** of Plan 20 which forms an integral part hereof);*

8. Plan 20 is crafted in order to intensify and strengthen Petitioner's undertakings to address the issue on the uncontrolled deforestation especially in watershed areas. For the past 22 years (2002-2024), Petitioner has embarked on non-stop greening initiatives in its various watershed areas which have gained acceptance and cooperation by its stakeholders. In line with the Greening Program of the National Government, Petitioner's Watershed Management Department (**WMD**) and its Watershed Area Teams (**WAT**) are committed to reforest idle/open and denuded areas and promote the use of indigenous species (Rainforestation) in its greening projects. Alongside with the greening programs, WMD intends to raise planting stocks primarily to share and disperse to qualified beneficiaries to plant trees in their respective communities;

9. Plan 20 is composed of programs and projects specified in Section 1 of Article II of the Rules and Procedure Governing the Utilization and Disbursement of UC-EC (**Rules**) with the proposed modes of procurement in implementing the same. In particular, Plan 20 involves the following programs and projects: (1) Watershed Protection and Law Enforcement; (2) Watershed Rehabilitation; (3) Watershed Resource Development; (4) Infrastructure; (5)

Administrative and Project Operations and/or Supervision; (6) Equipment Acquisition; (7) Sustainability and Third-Party Evaluation; (8) Biodiversity and Ecotourism ; (9) Research Development. These programs and projects were recommended by the concerned WAT. And the same were reviewed and evaluated by the Head Office-WMD. *(Attached as **Annexes "D" to "P"** are the proposed plans of the WATs assigned in Angat, Buhi-Barit, Caliraya-Lumot, Lake-Lanao Agus River, Magat, Mak-Ban, Patabangan, Pulangi, San Roque, Tiwi, Upper Agno and the WMD-Head Office which forms an integral part hereof);*

10. Plan 20 covers the nine (9) watersheds over which Petitioner has complete jurisdiction and control by virtue of EO 224, San Roque Watershed (Lower Agno) which is being managed by Petitioner for San Roque Multi-Purpose Project by virtue of PD 2320, Pantabangan and Magat Watersheds which Petitioner has an area sharing scheme with National Irrigation Administration, and Lake Lanao-Agus River and Pulangi Watershed Area which Petitioner has a Memorandum of Agreement with the Department of Environment and Natural Resources;

11. Plan 20 still forms part of the original 5-year Comprehensive Watershed Management Plan (CWMP) which was submitted by Petitioner on 15 March 2002, and aims to continue the remaining projects and programs therein. The instant petition is premised on the said CWMP. Likewise, Plan 20 is crafted with reference to the previous proposed plans submitted for the approval of the Honorable Commission;

12. Aside from maintaining the objectives of the previous proposed plans submitted to the

Honorable Commission, Plan 20 particularly seeks to attain the rehabilitation through vegetative measures of 700 hectares; reduction of sedimentation and soil erosion inside Petitioner's reforestation areas of at least 2,880 tons/year (Sapalco, S.R., 1981); increase biodiversity in terms of species richness and flora and fauna population thru conservation and ecotourism programs; Strengthening and sustaining of 11 Bantay Watershed Task Force Group created purposely for the protection and conservation of the watershed areas;

13. Plan 20 complies with ERC Case Res. Nos. 18 Series of 2011, which requires Petitioner to conduct consultation with the Local Government Units (LGU) and LGAs where projects will be situated. Reference is made with those of the environmental projects of the LGUs and LGAs so that no duplication in the funding of projects will occur. Concerns of the stakeholders are brought to the attention of concerned WAT and this serves as the latter's guide in the packaging of Plan 20. This also ensures the support of the LGUs and the local communities for the proposed project;

14. In order to attain the objectives of Plan 20, Petitioner would need to avail and utilize the funds from the UC-EC amounting to a total of **THREE HUNDRED SEVENTY-TWO MILLION NINE HUNDRED SIXTY EIGHT THOUSAND ONE HUNDRED THIRTY NINE AND NINETY SEVEN CENTAVOS (Php P372,968,139.97)**, as shown in the Consolidated Financial Summary attached as **Annex C**. This was computed based on existing rules and regulations prescribed for government projects;

17. In compliance with Section 2 (b), Article II of the Rules, Petitioner furnished a copy of the instant petition to the Sangguniang Panlungsod and Office the City Mayor of Quezon City where Petitioner principally operates, and publish the same in a newspaper of general circulation. *(Attached as Annexes "Q" and "R" are proofs of service and publication of the Petition.)*

WHEREFORE, premises considered, Petitioner prays that the instant petition be **APPROVED** by the Honorable Commission.

Petitioner prays for other just and equitable relief.

Quezon City for Pasig, 23 January 2024.

FOR THE SOLICITOR GENERAL



MELCHOR P. RIDULME

Vice President

Office of the Legal Counsel

IBP Lifetime No.01748; Ilocos Sur

PTR No. 5661360 D; 01/12/2024; Quezon City

Roll No. 37784

MCLE Compliance No.VII-0009833; 02/14/2022; Pasig City ↗



DELFIN L. BUENAFE II

Department Manager – Legal Service Department

Special Attorney-OSG

Roll of Attorneys No. 48636

PTR No. 5661361 D; 01/12/2024; Quezon City

IBP Lifetime OR No. 012829; Quezon City Chapter

MCLE Compliance No.VII-0009835;02/14/2022; Pasig City



DIWA RAFAEL B. BONTUYAN

Corporate Attorney A

Special Attorney-OSG

Roll of Attorneys No. 64390

PTR No. 5661366 D; 01/12/2024; Quezon City

IBP Membership No. 1006807; Quezon City

MCLE Compliance No. VII-0009839; 14/02/22

OFFICE OF THE LEGAL COUNSEL

Counsel for National Power Corporation

BIR Road cor. Quezon Avenue, Diliman, QC

National Power Corporation

BIR Road corner Quezon Avenue

Diliman, Quezon City

OFFICE OF THE GENERAL COUNSEL

NATIONAL POWER CORPORATION COMPLEX

Quezon Avenue corner BIR Road

Diliman, Quezon City

Tel No. (02) 926-1837

Republic of the Philippines)
Quezon City) SS.

VERIFICATION AND CERTIFICATION

I, **ATTY. MELCHOR P. RIDULME**, of legal age, under oath, state that:

1. I am the Vice-President for Legal, at the same time, General Counsel of National Power Corporation, of the Petitioner;

2. Pursuant to **NPC Board Resolution No. 2001-134 (Annex "O")** I have caused the preparation of the foregoing **Petition** and have read and understood all the allegations contained therein, and the same are true and correct based on my own personal knowledge and authentic records;

3. I certify under oath that - a) the petitioner has not commenced any other action or proceeding which is pending in the Supreme Court, the Court of Appeals, or any other tribunal or agency; and b) to the best of my knowledge, no such action or proceeding is pending in the Supreme Court, the Court of Appeals, or any other tribunal or agency;

4. I likewise undertake that - a) If there is any such action or proceeding which is either pending or may have been terminated, I will state the status thereof; and b) If I should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or any other tribunal or agency, I will undertake to report that fact within five (5) days there from to the court of agency wherein the original pleading and sworn certification contemplated in Administrative Circular No. 04-94 dated February 8, 1994 has been filed.

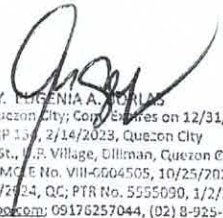
IN WITNESS WHEREOF, I have hereunto affixed my signature this 23 day of January 2024 in Quezon City for Pasig City.


ATTY. MELCHOR P. RIDULME

26 JAN 2024

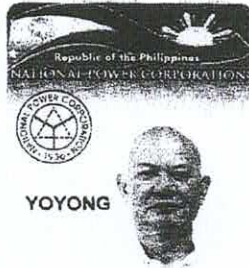
SUBSCRIBED AND SWORN to before me this _____ day of January 2024 in Quezon City. Affiant is personally known to me.

Doc. 292;
No. 59
Page _____;
No. I;
Book _____;
No. _____
Series of 2024



ATTY. EUGENIA A. LOLAS
Notary Public for Quezon City; Comm. Expires on 12/31/2024
A.M. No. NP 136, 2/14/2023, Quezon City
No. 2 Mahinhin St., J.R. Village, Dilliman, Quezon City
Roll No. 37524; M.C.E. No. VIII-6604505, 10/25/2023
IBP No. 337851, 1/2/2024, QC; PTR No. 5555030, 1/2/24, QC
galawladaw@yahoo.com; 09176257044, (02) 8-925-7471

Alta




Alta

MELCHOR P. RIZULME
OFFICE OF THE LEGAL COUNSEL

Alta

ID NO.	: APW1300003
Date issued	: FEBRUARY 28, 2023
Employee No.	: 53-20139-6
Position	: VICE PRESIDENT
TIN	: 183-969-272
GSIS BP No.	: 2000858732
BLOOD TYPE	: O
IN CASE OF EMERGENCY PLEASE CALL NATIONAL POWER (+632) 524-5246 (+632) 524-5300	
IF FOUND, PLEASE RETURN TO NEAREST NATIONAL POWER Installation or NATIONAL POWER CORPORATION BIR Road corner Quezon Avenue Diliman, Quezon City 1100 www.nppcor.gov.ph	


FERNANDO MARTIN Y. ROXAS
PRESIDENT AND CEO



National Power Corporation

EXCERPTS FROM THE MINUTES OF THE REGULAR MEETING OF THE NATIONAL POWER BOARD HELD ON NOVEMBER 14, 2001

XX

XX

XX

RESOLUTION NO. 2001-134

"WHEREAS, while the President of the National Power Corporation is intrinsically vested with authority to represent such entity in judicial and/or quasi-judicial proceedings, the Office of the Solicitor General noted instances wherein corresponding board resolutions, though not really necessary, designating these officers to sign the "verification" and "certification of non-forum shopping" of initiatory pleadings are being required by the courts;

WHEREAS, to address this problem, the Office of the Solicitor General requested that the authority of the President or, in his absence, another ranking official, to sign such pleadings be supported by a corresponding Board Resolution;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, That, based on the request of the Office of the Solicitor General, the recommended authority for the President and Chief Executive Officer, or in his absence, the Vice-President, General Counsel, to represent the Corporation in judicial and/or quasi-judicial proceedings, with full power and authority to file and/or respond to, any action, petition, motion or pleading, as may be necessary, before the Supreme Court, Court of Appeals and/or other lower courts, tribunals or agencies, to sign and execute the required 'verification' and 'certification of non-forum shopping' and to do all other necessary acts as mandated by the Rules of Court and other related circulars, memoranda, etc., be and is hereby approved and confirmed."


XX

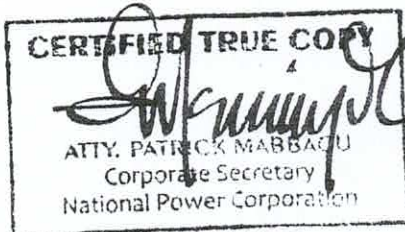
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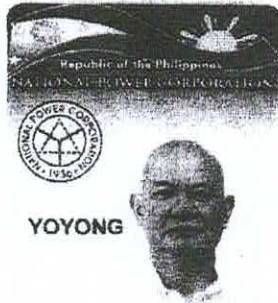
**APPROVED AND CONFIRMED,
THRU REFERENDUM, NOVEMBER 16, 2001.**

CERTIFIED TRUE AND CORRECT:


ALBERTO L. PANGCOG
Corporate Secretary



Alta



Alta

MELCHOR P. RIDULME
OFFICE OF THE LEGAL COUNSEL

Alta

ID NO.	: APW1300003
Date issued	: FEBRUARY 28, 2023
Employee No.	: 93-20139-6
Position	: VICE PRESIDENT
TIN	: 163-968-272
GSIS BP No.	: 2000858732
BLOOD TYPE	: O
IN CASE OF EMERGENCY PLEASE CALL NATIONAL POWER (+632) 924-5240 (+632) 924-5300	
IF FOUND, PLEASE RETURN TO NEAREST NATIONAL POWER Installation or NATIONAL POWER CORPORATION BIR Road corner Quezon Avenue Diliman, Quezon City 1106 www.nepcor.gov.ph	

FERNANDO MARVIN Y. ROXAS
PRESIDENT AND CEO

The image shows a signature of Fernando Marvin Y. Roxas, followed by his name and title: "FERNANDO MARVIN Y. ROXAS" and "PRESIDENT AND CEO".



National Power Corporation

EXCERPTS FROM THE MINUTES OF THE REGULAR MEETING OF THE NATIONAL POWER BOARD HELD ON NOVEMBER 14, 2001

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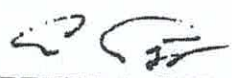
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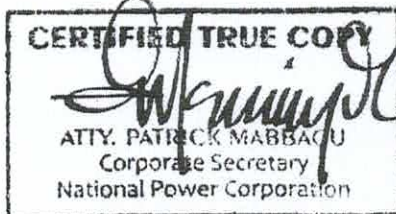
XX

XX

**APPROVED AND CONFIRMED,
THRU REFERENDUM, NOVEMBER 16, 2001.**

CERTIFIED TRUE AND CORRECT:


ALBERTO L. PANGCOG
Corporate Secretary



(Verified Declaration)

I, **GLORIA O. FARONILO**, **Senior Watershed Management Specialist**, hereby declare that all documents hereto submitted electronically in accordance with Resolution No. 07, Series of 2020, are complete and true copies of the original documents filed with the Commission.

IN WITNESS WHEREOF, I hereby affix my signature this 31st day of January 2024 at Quezon City.

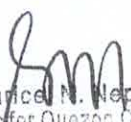

GLORIA O. FARONILO

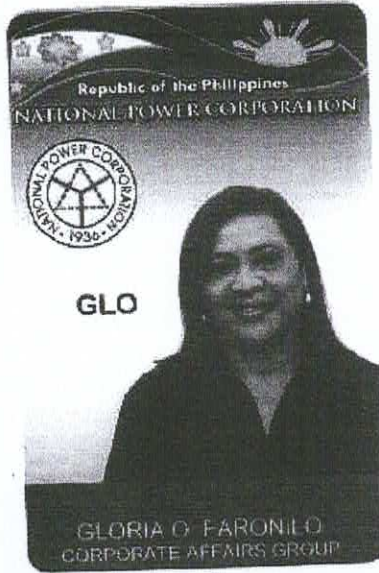
Senior Watershed Management Specialist

SUBSCRIBED AND SWORN TO before me this _____ day of ~~FEB 02 2024~~, 2024, at Quezon City, with NPC ID APW1300562, issued on February 21, 2023 at Diliman, Quezon City.

Person Administering Oath

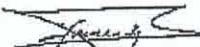
Doc. No. 32
Page No. 8
Book No. II
Series of 2024


Socorro Maribel N. Nepomuceno
Notary Public for Quezon City
A.M. No. 049 (2023-2024) until December 31, 2024
Roll No. 80756
IBP No. 421627; 01.11.2024 Quezon City
PTR No. 5872442; 01.03.2024 Quezon City
MCLE VII- 0025787; 11.28.2023
35 Matalino Street, Barangay Central
Quezon City, Metro Manila 1100
Contact Number 09472765393/ 09951319341



Gloria O. Faronilo
Gloria O. Faronilo
Gloria O. Faronilo

ID NO.	: APW1300582
Date issued	: FEBRUARY 21, 2023
Employee No.	: 84-00013-2
Position	: SR WTRSD MGT SPCLST
TIN	: 106-445-606
GSIS BP No.	: 2000894469
BLOOD TYPE	: O
IN CASE OF EMERGENCY PLEASE CALL NATIONAL POWER (+632) 924-6240 (+632) 924-6300	
IF FOUND, PLEASE RETURN TO NEAREST NATIONAL POWER Installation or NATIONAL POWER CORPORATION BIR Road corner Quezon Avenue Diliman, Quezon City 1106 www.nepcor.gov.ph	


FERNANDO MARTIN Y. ROXAS
PRESIDENT AND CEO

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
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20)**

ERC CASE NO. 2024-018 RC

**NATIONAL POWER
CORPORATION,**
Petitioner.
X-----X

Promulgated:
February 21, 2024

ORDER

On 14 February 2024, National Power Corporation (NPC) filed a *Petition* dated 23 January 2024, seeking the Commission's approval for the availment of the Environmental Charge/Share from the Universal Charge (UC-EC) for the rehabilitation and management of watershed areas (Plan 20).

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

1. Petitioner is a government owned-and-controlled corporation created and existing under and by virtue of Republic Act No. 6935, as amended (NPC Charter), with principal office address at NPC Office Building Complex, Quezon Avenue Corner BIR Road, Diliman, Quezon City, where it may be served with notices and other processes of the Honorable Commission;
2. Under the NPC Charter, particularly Section 3, paragraph (N), Petitioner is vested with the power to exercise complete jurisdiction and control over watersheds surrounding the reservoir of plants and/or projects it constructed;
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July 1987, wherein Petitioner was granted complete jurisdiction, control and rehabilitation over the following watershed areas and reservations: (1) Upper Agno Watershed Reservation as covered by Proclamation No. 548; (2) San Roque Watershed[;] (3) Angat Watershed Reservation as covered by Proclamation Nos. 505 and 599; (4) Caliraya-Lumot Watershed Reservation as covered by Proclamation No. 573; (5) Makiling-Banahaw Geothermal Reservations as covered by Proclamation No. 1111; (6) Buhi-Barit Watershed as covered by Proclamation No. 573; [and] (7) Tiwi Geothermal Reservation as covered by Presidential Proclamation No. 739;

4. Accordingly, Petitioner became responsible for the management, protection, development, and rehabilitation of the aforementioned watershed areas, including but not limited to the following: (1) Enforcement of forestry laws, rules and regulations governing the Integrated Management of Watershed Reservation under Ministry Order No. 83-01-13, Series of 1982; (2) Identification of areas which required immediate rehabilitation and development; (3) Preparation of plans and programs using the integrated multiple use concept of Watershed Management for the maximum utilization of Watershed resources; (4) Formulation and/or implementation of measures to prevent denudation of forest cover and siltation of existing reservoirs; (5) Public education and information drive to create awareness among the populace about the importance of forest resources and watershed areas; (6) Promotion of the development and conservation of existing vegetative cover; (7) Formulation of plans and development programs for resettlement and relocation; (8) Coordination with other government agencies/instrumentalities, religious and civil groups in undertaking forest conservation measures in watershed areas; (9) Afforestation, reforestation and physical rehabilitation measures in critically denuded watershed areas; (10) Development, maintenance and management of free farms within adequately vegetative watershed for the production of transmission line poles;
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Hence, this petition;

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17. (*sic*) In compliance with Section 2 (b), Article II of the Rules, Petitioner furnished a copy of the instant petition to the Sangguniang Panlungsod and [the] Office [of] the City Mayor of Quezon City where Petitioner principally operates, and publish[ed] the same in a newspaper of general circulation. (Attached as Annexes "Q" and "R" are proofs of service and publication of the Petition.)

WHEREFORE, premises considered, Petitioner prays that the instant petition be APPROVED by this Honorable Commission.

Petitioner prays for other just and equitable relief.

Finding the said *Petition* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same

for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on the following dates and venues, or online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020¹ and Resolution No. 01, Series of 2021² (ERC Revised Rules of Practice and Procedure):

Date and Time	Venue/Platform	Activity
14 May 2024 (Tuesday) 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 jurisdictional requirements and Expository Presentation for Luzon Stakeholders
21 May 2024 (Tuesday) 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 May 2024 (Tuesday) 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 June 2024 (Tuesday) at nine o'clock in the morning (9:00 A.M)	Microsoft Teams Application	Pre-trial Conference and Presentation of Evidence
11 June 2024		Presentation of Evidence

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

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

Date and Time	Venue/Platform	Activity
(Tuesday) at nine o'clock in the morning (9:00 A.M)		
18 June 2024 (Tuesday) at nine o'clock in the morning (9:00 A.M)		Presentation of Evidence

Petitioner NPC is hereby directed to attend the said hearings at the designated venues.

RELATIVE THERETO, NPC is hereby directed to:

- 1) Cause the publication of the attached *Notice of Public/Virtual Hearing* in two (2) newspapers of nationwide circulation in the Philippines at its 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/Virtual Hearing*, the Offices of the Provincial Governors, the City and Municipal Mayors, and the Local Government Unit (LGU) legislative bodies within the affected areas for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within the affected areas, by any other means available and appropriate, of the filing of the *Petition*, its reasons therefor, and of the scheduled virtual hearings thereon;
- 4) Furnish with copies of this *Order* and the attached *Notice of Public/Virtual 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 and attend the scheduled hearings; and
- 5) Furnish with copies of the *Petition* and its attachments, except those subject of a motion for confidential treatment

of information, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Within five (5) calendar days prior to the date of the initial hearing, NPC must submit to the Commission via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of its written compliance with the aforementioned jurisdictional requirements, attaching the following methodically arranged and duly marked documents:

- 1) The evidence of publication of the attached *Notice of Public/Virtual Hearing* consisting of affidavits of the Editor or Business Manager of the newspapers where the said *Notice of Public/Virtual 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/Virtual 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 NPC to inform the consumers affected of the filing of the *Petition*, its reasons therefor, and of the scheduled hearings thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Public/Virtual Hearing* by the OSG, the COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Petition* and its attachments, except those subject of a motion for confidential treatment of information, if any, by all those making requests therefor; and
- 6) Such other proofs of compliance with the requirements of the Commission.

Moreover, NPC is hereby required to post on its bulletin boards, the scanned copies of the foregoing jurisdictional requirements, together with the newspaper publication and certifications issued by the concerned Offices of the Governors, Mayors and Local Legislative Bodies, and to submit proof of its posting thereof.

Petitioner NPC and all interested parties are also required to submit to the Commission via e-mail at doctet@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** before the date of the scheduled initial hearing and Pre-trial Conference, their respective Pre-trial Briefs containing, among others:

- 1) 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 therefor, which should also be attached to the Pre-trial Brief; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

Petitioner NPC must ensure that all the documents or exhibits proposed to be presented have already been duly submitted to the Commission **at least five (5) calendar days** before the date of the scheduled initial hearing and Pre-trial Conference pursuant to the preceding paragraph.

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

Petitioner 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, the nature of the *Petition*. Relevant information and pertinent details substantiating the reasons and justifications for the *Petition* must be cited in support thereof.

Petitioner NPC is hereby directed to file a copy of its Expository Presentation via e-mail at doctet@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. NPC shall also be required, upon the request of any stakeholder, to provide an advance copy of its expository

presentation, **at least five (5) calendar days** prior to the scheduled hearing.

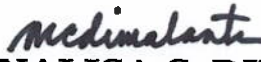
Petitioner NPC is further directed to submit, either through personal service, registered or ordinary mail/private courier, one (1) set of the original or certified true hard copies of its Jurisdictional Compliance, Expository Presentation, Pre-trial Brief, and Judicial Affidavits of witnesses, **within 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.

Finally, NPC, including its authorized representatives and witnesses, are hereby directed to provide the Commission, thru legal.virtualhearings@erc.ph, their respective e-mail addresses upon receipt of this *Order*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearing.

SO ORDERED.

Pasig City, 21 February 2024.

FOR AND BY AUTHORITY
OF THE COMMISSION:


MONALISA C. DIMALANTA
Chairperson and CEO


LS: VMA/MVM/LSP

ERC

Office of the Chairperson and CEO



MCD2024-014782

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Copy Furnished:

1. National Power Corporation (NPC)
Petitioner
NPC Office Building Complex
BIR Road corner Quezon Avenue,
Diliman, Quezon City
corpcomm@napocor.gov.ph
2. Attys. Melchor P. Ridulme, Delfin L. Buenafe II, Diwa Rafael B. Bontuyan
Counsels for Petitioner NPC
Office of the Legal Counsel
National Power Corporation
BIR Road corner Quezon Avenue,
Diliman, Quezon City
mpridulme@napocor.gov.ph,
dlbuenafe@napocor.gov.ph,
drbbontuyan@napocor.gov.ph
3. Office of the Solicitor General (OSG)
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph
4. Commission on Audit (COA)
Commonwealth Avenue, Quezon City 1121
citizensdesk@coa.gov.ph
5. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City 1307
senateenergycommittee@gmail.com
6. House Committee on Energy
Batasan Hills, Quezon City 1126
committee.energy@house.gov.ph
7. All Distribution Utilities (DUs)
8. Office of the Mayor
Quezon City
9. Office of the Local Government (LGU) legislative body
Quezon City
10. Office of the Governor
Bulacan
11. Office of the Local Government (LGU) legislative body
Bulacan
12. Office of the Mayor
San Jose Del Monte, Bulacan
13. Office of the Local Government (LGU) legislative body
San Jose Del Monte, Bulacan
14. Office of the Mayor
Norzagaray, Bulacan
15. Office of the Local Government (LGU) legislative body
Norzagaray, Bulacan
16. Office of the Mayor
Doña Remedios Trinidad, Bulacan
17. Office of the Local Government (LGU) legislative body
Doña Remedios Trinidad, Bulacan
18. Office of the Governor
Province of Pangasinan

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19. Office of the Local Government (LGU) legislative body
Province of Pangasinan
20. Office of the Mayor
San Nicolas, Pangasinan
21. Office of the Local Government (LGU) legislative body
San Nicolas, Pangasinan
22. Office of the Mayor
San Manuel, Pangasinan
23. Office of the Local Government (LGU) legislative body
San Manuel, Pangasinan
24. Office of the Governor
Province of Nueva Ecija
25. Office of the Local Government (LGU) legislative body
Province of Nueva Ecija
26. Office of the Mayor
Pantabangan, Nueva Ecija
27. Office of the Local Government (LGU) legislative body
Pantabangan, Nueva Ecija
28. Office of the Mayor
Carranglan, Nueva Ecija
29. Office of the Local Government (LGU) legislative body
Carranglan, Nueva Ecija
30. Office of the Governor
Province of Benguet
31. Office of the Local Government (LGU) legislative body
Province of Benguet
32. Office of the Mayor
Atok, Benguet
33. Office of the Local Government (LGU) legislative body
Atok, Benguet
34. Office of the Mayor
Bakun, Benguet
35. Office of the Local Government (LGU) legislative body
Bakun, Benguet
36. Office of the Mayor
Bokod, Benguet
37. Office of the Local Government (LGU) legislative body
Bokod, Benguet
38. Office of the Mayor
Buguias, Benguet
39. Office of the Local Government (LGU) legislative body
Buguias, Benguet
40. Office of the Mayor
Itogon, Benguet
41. Office of the Local Government (LGU) legislative body
Itogon, Benguet

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42. Office of the Mayor
Kabayan, Benguet
43. Office of the Local Government (LGU) legislative body
Kabayan, Benguet
44. Office of the Mayor
Kibungan, Benguet
45. Office of the Local Government (LGU) legislative body
Kibungan, Benguet
46. Office of the Mayor
La Trinidad, Benguet
47. Office of the Local Government (LGU) legislative body
La Trinidad, Benguet
48. Office of the Mayor
Tublay, Benguet
49. Office of the Local Government (LGU) legislative body
Tublay, Benguet
50. Office of the Mayor
Hungduan, Ifugao
51. Office of the Local Government (LGU) legislative body
Hungduan, Ifugao
52. Office of the Mayor
Tinoc, Ifugao
53. Office of the Local Government (LGU) legislative body
Tinoc, Ifugao
54. Office of the Mayor
Bauko, Mt. Province
55. Office of the Local Government (LGU) legislative body
Bauko, Mt. Province
56. Office of the Governor
Province of Camarines Sur
57. Office of the Local Government (LGU) legislative body
Province of Camarines Sur
58. Office of the Mayor
Buhi, Camarines Sur
59. Office of the Local Government (LGU) legislative body
Buhi, Camarines Sur
60. Office of the Governor
Province of Laguna
61. Office of the Local Government (LGU) legislative body
Province of Laguna
62. Office of the Mayor
Cavinti, Laguna
63. Office of the Local Government (LGU) legislative body
Cavinti, Laguna
64. Office of the Mayor
Lumban, Laguna

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65. Office of the Local Government (LGU) legislative body
Lumban, Laguna
66. Office of the Mayor
Kalayaan, Laguna
67. Office of the Local Government (LGU) legislative body
Kalayaan, Laguna
68. Office of the Mayor
Alaminos, Laguna
69. Office of the Local Government (LGU) legislative body
Alaminos, Laguna
70. Office of the Mayor
Bay, Laguna
71. Office of the Local Government (LGU) legislative body
Bay, Laguna
72. Office of the Mayor
Calauan, Laguna
73. Office of the Local Government (LGU) legislative body
Calauan, Laguna
74. Office of the Mayor
Liliw, Laguna
75. Office of the Local Government (LGU) legislative body
Liliw, Laguna
76. Office of the Mayor
Los Banos, Laguna
77. Office of the Local Government (LGU) legislative body
Los Banos, Laguna
78. Office of the Mayor
Luisiana, Laguna
79. Office of the Local Government (LGU) legislative body
Luisiana, Laguna
80. Office of the Mayor
Magdalena, Laguna
81. Office of the Local Government (LGU) legislative body
Magdalena, Laguna
82. Office of the Mayor
Majayjay, Laguna
83. Office of the Local Government (LGU) legislative body
Majayjay, Laguna
84. Office of the Mayor
Nagcarlan, Laguna
85. Office of the Local Government (LGU) legislative body
Nagcarlan, Laguna
86. Office of the Mayor
Pagsanjan, Laguna
87. Office of the Local Government (LGU) legislative body
Pagsanjan, Laguna

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88. Office of the Mayor
Pila, Laguna
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Pila, Laguna
90. Office of the Mayor
Rizal, Laguna
91. Office of the Local Government (LGU) legislative body
Rizal, Laguna
92. Office of the Mayor
Sta. Cruz, Laguna
93. Office of the Local Government (LGU) legislative body
Sta. Cruz, Laguna
94. Office of the Mayor
Victoria, Laguna
95. Office of the Local Government (LGU) legislative body
Victoria, Laguna
96. Office of the Mayor
San Pablo City, Laguna
97. Office of the Local Government (LGU) legislative body
San Pablo City, Laguna
98. Office of the Mayor
Calamba City, Laguna
99. Office of the Local Government (LGU) legislative body
Calamba City, Laguna
100. Office of the Governor
Province of Batangas
101. Office of the Local Government (LGU) legislative body
Province of Batangas
102. Office of the Mayor
Balete, Batangas
103. Office of the Local Government (LGU) legislative body
Balete, Batangas
104. Office of the Mayor
Cuenca, Batangas
105. Office of the Local Government (LGU) legislative body
Cuenca, Batangas
106. Office of the Mayor
Malvar, Batangas
107. Office of the Local Government (LGU) legislative body
Malvar, Batangas
108. Office of the Mayor
Mataas na Kahoy, Batangas
109. Office of the Local Government (LGU) legislative body
Mataas na Kahoy, Batangas
110. Office of the Mayor
San Jose, Batangas

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Sto. Tomas, Batangas
113. Office of the Local Government (LGU) legislative body
Sto. Tomas, Batangas
114. Office of the Mayor
Lipa City, Batangas
115. Office of the Local Government (LGU) legislative body
Lipa City, Batangas
116. Office of the Mayor
Tanauan City, Batangas
117. Office of the Local Government (LGU) legislative body
Tanauan City, Batangas
118. Office of the Governor
Province of Quezon
119. Office of the Local Government (LGU) legislative body
Province of Quezon
120. Office of the Mayor
Candelaria, Quezon
121. Office of the Local Government (LGU) legislative body
Candelaria, Quezon
122. Office of the Mayor
Dolores, Quezon
123. Office of the Local Government (LGU) legislative body
Dolores, Quezon
124. Office of the Mayor
San Antonio, Quezon
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San Antonio, Quezon
126. Office of the Mayor
Sariaya, Quezon
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Sariaya, Quezon
128. Office of the Mayor
Tiaong, Quezon
129. Office of the Local Government (LGU) legislative body
Tiaong, Quezon
130. Office of the Governor
Province of Albay
131. Office of the Local Government (LGU) legislative body
Province of Albay
132. Office of the Mayor
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133. Office of the Local Government (LGU) legislative body
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136. Office of the Governor
Province of Lanao del Sur
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Province of Lanao del Sur
138. Office of the Mayor
Marawi City, Lanao del Sur
139. Office of the Local Government (LGU) legislative body
Marawi City, Lanao del Sur
140. Office of the Mayor
Ditsaan-Ramain, Lanao del Sur
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Ditsaan-Ramain, Lanao del Sur
142. Office of the Mayor
Bubong, Lanao del Sur
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Bubong, Lanao del Sur
144. Office of the Mayor
Buadiposo Buntong, Lanao del Sur
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Buadiposo Buntong, Lanao del Sur
146. Office of the Mayor
Maguing, Lanao del Sur
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Maguing, Lanao del Sur
148. Office of the Mayor
Mulondo, Lanao del Sur
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Mulondo, Lanao del Sur
150. Office of the Mayor
Taraka, Lanao del Sur
151. Office of the Local Government (LGU) legislative body
Taraka, Lanao del Sur
152. Office of the Mayor
Tamparan, Lanao del Sur
153. Office of the Local Government (LGU) legislative body
Tamparan, Lanao del Sur
154. Office of the Mayor
Bayabao, Lanao del Sur
155. Office of the Local Government (LGU) legislative body
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156. Office of the Mayor
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Lumbayanague, Lanao del Sur
159. Office of the Local Government (LGU) legislative body
Lumbayanague, Lanao del Sur
160. Office of the Mayor
Lumbatan, Lanao del Sur
161. Office of the Local Government (LGU) legislative body
Lumbatan, Lanao del Sur
162. Office of the Mayor
Saguiran, Lanao del Sur
163. Office of the Local Government (LGU) legislative body
Saguiran, Lanao del Sur
164. Office of the Mayor
Piagapo, Lanao del Sur
165. Office of the Local Government (LGU) legislative body
Piagapo, Lanao del Sur
166. Office of the Mayor
Marantao, Lanao del Sur
167. Office of the Local Government (LGU) legislative body
Marantao, Lanao del Sur
168. Office of the Mayor
Balindong, Lanao del Sur
169. Office of the Local Government (LGU) legislative body
Balindong, Lanao del Sur
170. Office of the Mayor
Tugaya, Lanao del Sur
171. Office of the Local Government (LGU) legislative body
Tugaya, Lanao del Sur
172. Office of the Mayor
Bacolod Kalawi, Lanao del Sur
173. Office of the Local Government (LGU) legislative body
Bacolod Kalawi, Lanao del Sur
174. Office of the Mayor
Madalum, Lanao del Sur
175. Office of the Local Government (LGU) legislative body
Madalum, Lanao del Sur
176. Office of the Mayor
Madamba, Lanao del Sur
177. Office of the Local Government (LGU) legislative body
Madamba, Lanao del Sur
178. Office of the Mayor
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179. Office of the Local Government (LGU) legislative body
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182. Office of the Mayor
Pualas, Lanao del Sur
183. Office of the Local Government (LGU) legislative body
Pualas, Lanao del Sur
184. Office of the Mayor
Binidayan, Lanao del Sur
185. Office of the Local Government (LGU) legislative body
Binidayan, Lanao del Sur
186. Office of the Mayor
Bayang, Lanao del Sur
187. Office of the Local Government (LGU) legislative body
Bayang, Lanao del Sur
188. Office of the Mayor
Butig, Lanao del Sur
189. Office of the Local Government (LGU) legislative body
Butig, Lanao del Sur
190. Office of the Governor
Province of Lanao del Norte
191. Office of the Local Government (LGU) legislative body
Province of Lanao del Norte
192. Office of the Mayor
Pantar, Lanao del Norte
193. Office of the Local Government (LGU) legislative body
Pantar, Lanao del Norte
194. Office of the Mayor
Balo-i, Lanao del Norte
195. Office of the Local Government (LGU) legislative body
Balo-i, Lanao del Norte
196. Office of the Mayor
Pantao Ragat, Lanao del Norte
197. Office of the Local Government (LGU) legislative body
Pantao Ragat, Lanao del Norte
198. Office of the Mayor
Matungao, Lanao del Norte
199. Office of the Local Government (LGU) legislative body
Matungao, Lanao del Norte
200. Office of the Mayor
Iligan City, Lanao Del Norte
201. Office of the Local Government (LGU) legislative body
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Province of Bukidnon

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Malaybalay, Bukidnon
206. Office of the Mayor
Maramag, Bukidnon
207. Office of the Local Government (LGU) legislative body
Maramag, Bukidnon
208. Office of the Mayor
San Fernando, Bukidnon
209. Office of the Local Government (LGU) legislative body
San Fernando, Bukidnon
210. Office of the Mayor
Lantapan, Bukidnon
211. Office of the Local Government (LGU) legislative body
Lantapan, Bukidnon
212. Office of the Mayor
Valencia City, Bukidnon
213. Office of the Local Government (LGU) legislative body
Valencia City, Bukidnon
214. Office of the Mayor
Cabanglasan, Lanao del Norte
215. Office of the Local Government (LGU) legislative body
Cabanglasan, Lanao del Norte
216. Office of the Governor
Province of Rizal
217. Office of the Local Government (LGU) legislative body
Province of Rizal
218. Mr. Allen A. Capuyan
Chairperson
National Commission on Indigenous Peoples (NCIP)
N. dela Merced Building, corner West and
Quezon Avenues, Quezon City
219. Foundation for Philippine Environment (FPE)
Atty. Maria Vicenta P. de Guzman
77 Matahimik Street, Teachers' Village
Diliman, Quezon City
220. Bukidnon Higaonon Tribal Association (BUHITA)
Dampog Residence Sta. Cruz St. Sumpung
Malaybalay City, Bukidnon
221. Tanggapang Panligal ng Katutubong Pilipino (PANLIPI)
No. 30 JGS Building, Scout Tuason cor. Dr. Lazcano Sts.
Quezon City
222. Regulatory Operations Service (ROS)
14th Floor, Exquadra Tower, 1 Jade Drive,
San Antonio, Ortigas Center, Pasig City
ros@erc.ph

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
PETITION FOR THE
AVAILMENT OF THE
ENVIRONMENTAL
CHARGE/SHARE FROM THE
UNIVERSAL CHARGE FOR
THE REHABILITATION AND
MANAGEMENT OF
WATERSHED AREAS (PLAN
20)**

ERC CASE NO. 2024-018 RC

**NATIONAL POWER
CORPORATION,**
Petitioner.

X-----X

Promulgated:
February 21, 2024

NOTICE OF PUBLIC/VIRTUAL HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 14 February 2024, National Power Corporation (NPC) filed a *Petition* dated 23 January 2024, seeking the Commission's approval for the availment of the Environmental Charge/Share from the Universal Charge (UC-EC) for the rehabilitation and management of watershed areas (Plan 20).

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

1. Petitioner is a government owned-and-controlled corporation created and existing under and by virtue of Republic Act No. 6935, as amended (NPC Charter), with principal office address at NPC Office Building Complex, Quezon Avenue Corner BIR Road, Diliman, Quezon City, where it may be served with notices and other processes of the Honorable Commission;
2. Under the NPC Charter, particularly Section 3, paragraph (N), Petitioner is vested with the power to exercise complete jurisdiction and control over watersheds surrounding the reservoir of plants and/or projects it constructed;

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NOTICE OF PUBLIC/VIRTUAL HEARING/21 FEBRUARY 2024
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3. To further strengthen its jurisdiction and control over watersheds, Executive Order (EO) No. 224 was issued on 16 July 1987, wherein Petitioner was granted complete jurisdiction, control and rehabilitation over the following watershed areas and reservations: (1) Upper Agno Watershed Reservation as covered by Proclamation No. 548; (2) San Roque Watershed[;] (3) Angat Watershed Reservation as covered by Proclamation Nos. 505 and 599; (4) Caliraya-Lumot Watershed Reservation as covered by Proclamation No. 573; (5) Makiling-Banahaw Geothermal Reservations as covered by Proclamation No. 1111; (6) Buhi-Barit Watershed as covered by Proclamation No. 573; [and] (7) Tiwi Geothermal Reservation as covered by Presidential Proclamation No. 739;
4. Accordingly, Petitioner became responsible for the management, protection, development, and rehabilitation of the aforementioned watershed areas, including but not limited to the following: (1) Enforcement of forestry laws, rules and regulations governing the Integrated Management of Watershed Reservation under Ministry Order No. 83-01-13, Series of 1982; (2) Identification of areas which required immediate rehabilitation and development; (3) Preparation of plans and programs using the integrated multiple use concept of Watershed Management for the maximum utilization of Watershed resources; (4) Formulation and/or implementation of measures to prevent denudation of forest cover and siltation of existing reservoirs; (5) Public education and information drive to create awareness among the populace about the importance of forest resources and watershed areas; (6) Promotion of the development and conservation of existing vegetative cover; (7) Formulation of plans and development programs for resettlement and relocation; (8) Coordination with other government agencies/instrumentalities, religious and civil groups in undertaking forest conservation measures in watershed areas; (9) Afforestation, reforestation and physical rehabilitation measures in critically denuded watershed areas; (10) Development, maintenance and management of free farms within adequately vegetative watershed for the production of transmission line poles;
5. Petitioner's jurisdiction and control over watersheds was again recognized and reiterated in Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001" (EPIRA) and its Implementing Rules and Regulations (IRR), particularly Section 6 (c), Rule 23 of the IRR, wherein Petitioner is mandated to continue being responsible for watershed rehabilitation and management;
6. Under the EPIRA, Petitioner is entitled to the Environmental Charge (EC) equivalent to one-fourth of one centavo per kilowatt-hour sales (P 0.0025/kWh), which forms part of the Universal Charge (UC). This environmental fund is intended solely for watershed rehabilitation and management and is being managed by Petitioner under existing arrangements. In order to avail said EC, Petitioner is required to submit to the

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Honorable Commission a petition for availment of the UC-EC in relation to the proposed watershed rehabilitation and management projects on or before March 15 of every year. Hence, this petition;

7. In support of the instant Petition, Petitioner hereby submits the proposed operations plan for Calendar Year 2024 (hereinafter referred to as "Plan 20") for the availment of the UC-EC for the rehabilitation and management of the watersheds. (Attached as Annex "A" is the Executive Summary of Plan 20 which forms an integral part hereof);
8. Plan 20 is crafted in order to intensify and strengthen Petitioner's undertakings to address the issue on the uncontrolled deforestation, especially in watershed areas. For the past 22 years (2002-2024), Petitioner has embarked on non-stop greening initiatives in various watershed areas which have gained acceptance and cooperation by its stakeholders. In line with the Greening Program of the National Government, Petitioner's Watershed Management Department (WMD) and its Watershed Area Teams (WATs) are committed to reforest idle/open and denuded areas and promote the use of indigenous species (Rainforestation) in its greening projects. Alongside with the greening programs, WMD intends to raise planting stocks primarily to share and disperse to qualified beneficiaries to plant trees in their respective communities;
9. Plan 20 is composed of programs and projects specified in Section 1, Article II of the Rules and Procedures Governing the Utilization and Disbursement of UC-EC (Rules), with the proposed modes of procurement in implementing the same. In particular, Plan 20 involves the following programs and projects: (1) Watershed Protection and Law Enforcement; (2) Watershed Rehabilitation; (3) Watershed Resource Development; (4) Infrastructure; (5) Administrative and Project Operations and/or Supervision; (6) Equipment Acquisition; (7) Sustainability and Third-Party Evaluation; (8) Biodiversity and Ecotourism; [and] (9) Research Development. These programs and projects were recommended by the concerned WAT. And the same were reviewed and evaluated by the Head Office-WMD. (Attached as Annexes "D" to "P" are the proposed plans of the WATs assigned in Angat, Buhi-Barit, Caliraya-Lumot, Lake-Lanao Agus River, Magat, Mak-Ban, Pantabangan, Pulangi, San Roque, Tiwi, Upper Agno and the WMD-Head Office which forms an integral part hereof);
10. Plan 20 covers the nine (9) watersheds over which Petitioner has complete jurisdiction and control by virtue of EO 224; San Roque Watershed (Lower Agno) which is managed by Petitioner for San Roque Multi-Purpose Project by virtue of PD 2320, Pantabangan and Magat Watersheds which Petitioner has an area sharing scheme with National Irrigation Administration, and Lake Lanao-Agus River and Pulangi Watershed Area which Petitioner has a Memorandum

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of Agreement with the Department of Environment and Natural Resources;

11. Plan 20 still forms part of the original 5-year Comprehensive Watershed Management Plan (CWMP) which was submitted by Petitioner on 15 March 2002, and aims to continue the remaining projects and programs therein. The instant petition is premised on the said CWMP. Likewise, Plan 20 is crafted with reference to the previous proposed plans submitted for the approval of the Honorable Commission;
12. Aside from maintaining the objectives of the previous proposed plans submitted to the Honorable Commission, Plan 20 particularly seeks to attain the rehabilitation through vegetative measures of 700 hectares; reduction of sedimentation and soil erosion inside Petitioner's reforestation areas of at least 2,880 tons/year (Sapalco, S.R., 1981); increase in biodiversity in terms of species richness and flora and fauna population thru conservation and ecotourism programs; Strengthening and sustaining of 11 Bantay Watershed Task Force Group created purposely for the protection and conservation of the watershed areas;
13. Plan 20 complies with ERC Case Res. Nos. 18 Series of 2011, which requires Petitioner to conduct consultation with the Local Government Units (LGU) and LGAs where projects will be situated. Reference is made with those of the environmental projects of the LGUs and LGAs so that no duplication in the funding of projects will occur. Concerns of stakeholders were brought to the attention of concerned WAT and this serves as the latter's guide in the packaging of Plan 20. This also ensures the support of the LGUs and the local communities for the proposed project;
14. In order to attain the objectives of Plan 20, Petitioner would need to avail and utilize the funds from the UC-EC amounting to a total of THREE HUNDRED SEVENTY-TWO MILLION NINE HUNDRED SIXTY EIGHT THOUSAND ONE HUNDRED THIRTY NINE AND NINETY SEVEN CENTAVOS (PhP P372,968,139.97), as shown in the Consolidated Financial Summary attached as Annex C. This was computed based on existing rules and regulations prescribed for government projects;
17. (*sic*) In compliance with Section 2 (b), Article II of the Rules, Petitioner furnished a copy of the instant petition to the Sangguniang Panlungsod and [the] Office [of] the City Mayor of Quezon City where Petitioner principally operates, and publish[ed] the same in a newspaper of general circulation. (Attached as Annexes "Q" and "R" are proofs of service and publication of the Petition.)

WHEREFORE, premises considered, Petitioner prays that the instant petition be APPROVED by this Honorable Commission.

Petitioner prays for other just and equitable relief.

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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 venues, or online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020¹ and Resolution No. 01, Series of 2021² (ERC Revised Rules of Practice and Procedure):

Date and Time	Venue/Platform	Activity
14 May 2024 (Tuesday) 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 jurisdictional requirements and Expository Presentation for Luzon Stakeholders
21 May 2024 (Tuesday) 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 May 2024 (Tuesday) 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 June 2024 (Tuesday) at nine o'clock in the morning (9:00 A.M)	Microsoft Teams Application	Pre-trial Conference and Presentation of Evidence
11 June 2024		Presentation of Evidence

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

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

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Date and Time	Venue/Platform	Activity
(Tuesday) at nine o'clock in the morning (9:00 A.M)		
18 June 2024 (Tuesday) at nine o'clock in the morning (9:00 A.M)		Presentation of Evidence

Petitioner NPC is directed to attend the said hearings at the designated venues.

Any interested stakeholder may submit its comments and/or clarifications **at least one (1) calendar day** prior to the scheduled initial 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 persons who have an interest in the subject matter of the instant case may become a party by filing with the Commission via e-mail at docket@erc.ph, 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 hearing. The verified Petition to Intervene 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 thereon **at least five (5) calendar days** prior to the initial hearing. Rule 9 of the ERC Revised Rules of Practice and Procedure shall govern. No particular

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form of Opposition or Comment is required, but the document, letter, or writing should contain the following:

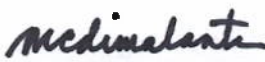
- 1) The name, mailing address, and e-mail address of such person;
- 2) A concise statement of the Opposition or Comment; and
- 3) The grounds relied upon.

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 hearings by providing the Commission, thru legal.virtualhearings@erc.ph, 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 21st day of February 2024 in Pasig City.


MONALISA C. DIMALANTA
Chairperson and CEO


LS: VMA/MVM/LSP

