

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



**IN THE MATTER OF THE  
APPLICATION FOR  
CONFIRMATION OF OVER  
AND UNDER RECOVERIES  
OF AUTOMATIC COST  
ADJUSTMENTS  
IMPLEMENTED FOR THE  
BILLING PERIOD FROM  
JANUARY 2017 TO  
DECEMBER 2019**

**ERC CASE NO. 2020-019 CF**

**CAGAYAN II ELECTRIC  
COOPERATIVE, INC.  
(CAGELCO II)**

**Promulgated:  
January 21, 2021**

**Applicant.**

**x-----x**

**ORDER**

On 01 September 2020, Cagayan II Electric Cooperative, Inc. (CAGELCO II) filed an *Application* dated 04 August 2020, seeking the Commission's approval of its calculations of over or under recoveries in the implementation of automatic cost adjustments and true-up mechanisms for the period 2017 to 2019, pursuant to the Commission's Resolution No. 16, Series of 2009, as amended by Resolution No. 21, Series of 2010 and Resolution No. 23, Series of 2010.

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

THE APPLICANT

1. Applicant CAGELCO II is an electric cooperative duly organized and existing under Philippine law, with principal office address at Macanaya District, Aparri, Cagayan; franchised to construct, own, operate and maintain an electric distribution system in Abulug, Allacapan, Aparri, Ballesteros, Buguey, Camalaniugan, Claveria, Gattaran, Lal-lo, Lasam, Gonzaga, Pamplona, Sanchez Mira, Sta. Ana, Sta. Praxedes, Sta. Teresita, in the Province of Cagayan; Flora, Luna, Pudtol, and Sta. Marcela, in the Province of Apayao; represented by its General Manager, Blandina Y. Madamba;

LEGAL BASES FOR THE APPLICATION

2. ERC Resolution No. 16, Series of 2009 as amended by Resolution No. 21, Series of 2010 establishes the procedure for the automatic recovery or refund of pass through costs and the confirmation process that would govern the automatic cost adjustment and true-up mechanisms approved by the Honorable Commission, with the objective of ensuring appropriate recovery of the pass through costs in an efficient manner and to put in place a fair and transparent process for the confirmation of the automatic cost adjustments implemented by Distribution Utilities and the true-up of other pass-through charges, involving Generation Rate, Transmission Rate, System Loss Rate and Lifeline Rate Recovery, as the case may be;
3. On the other hand, ERC Resolution 23, Series of 2010 adopts the rules implementing the discounts to qualified senior citizen end-users and subsidy from subsidizing end-users on electricity consumption;
4. Foregoing resolutions further require the distribution utilities to file their respective consolidated applications once every three (3) years.
5. Hence, the filing of the instant application, covering the period January 2017 to December 2019.

OVER OR UNDER RECOVERIES OF ALLOWABLE COSTS

6. Applying the formulas provided under Resolution 16, Series of 2009 as amended by Resolution 21, Series of 2010 and Resolution 23, Series of 2010, herein applicant made calculations of the over recoveries charged or under-recoveries incurred as against its customers, in the implementation of certain automatic cost adjustments and true-up mechanisms, covering the period January 2017 to December 2019;
7. The results of its calculations are presented hereunder, as follows:

<b>O/U</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>TOTAL</b>
Generation Rate	364,784.29	882,907.25	(4,278,311.77)	(3,030,620.24)
Transmission Rate	(420,382.51)	(3,078,856.45)	2,292,951.06)	(5,792,190.02)
System Loss Rate	(91,405.42)	(1,465,312.65)	(2,485,141.10)	(4,041,859.16)
Lifeline Rate	98,904.44)	(191,857.37)	11,810.68	(278,951.13)
Senior Citizen Rate	7,013.15	(11,978.78)	2,089.54	(2,876.09)
<b>TOTAL</b>	<b>(238,894.93)</b>	<b>(3,865,097.99)</b>	<b>(9,042,503.72)</b>	<b>(13,146,496.64)</b>

8. CAGELCO II proposes to (refund)/recover the total (over)/under-recoveries under the following scheme:

	<b>Total (Over)/Under Recoveries</b>	<b>Proposed (Refund)/Recovery Rate</b>	<b>Proposed (Refund)/Recovery Period</b>
<b>True-up of Pass-Thru</b>			

<b>Cost Adjustments</b>	<b>(Php)</b>	<b>(Php/kWh)</b>	<b>(Months)</b>
Generation Cost	(3,030,620.24)	(0.00630)	36
Transmission Cost	(5,792,190.02)	(0.01204)	36
System Loss Charge	(4,041,859.16)	(0.00840)	36
Lifeline Subsidy	(278,951.13)	(0.00058)	36
Senior Citizen Discount/Subsidy	(2,876.09)	(0.00001)	36

**SUPPORTING DATA AND DOCUMENTS**

9. In support of the foregoing calculations, applicant is submitting the following data and documents covering the period January 2017 to December 2019, attached hereto and made integral parts hereof, as follows:

<b>FOLDER NO.</b>	<b>ANNEX MARKINGS</b>	<b>NATURE OF DOCUMENTS</b>
Folder 1		<b>SUPPLIER AND TRANSMISSION DATA</b>
	Annex A	GNPower Mariveles Coal Plant Ltd. Co.
	Annex B	Philippine Electricity Market Corporation
	Annex C	National Grid Corporation of the Philippines
Folder 2		<b>STATISTICAL DATA</b>
	Annex D	Statistical Data Sheet for the Year
	Annex E	Summary of Pilferage Cost Recoveries
	Annex G	MFSR – Sections A & E
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	Annex H	Actual Implemented Rates Sheet for the Year
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		K1. Residential
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Folder 4		<b>OTHER DOCUMENTS</b>
	4a.	Computation of Pass Through Charges
		Computation of Over/Under Recoveries – GR
		Computation of Over/Under Recoveries – TR
		Computation of Over/Under Recoveries – SLR
		Computation of Over/Under Recoveries – LR
		Computation of Over/Under Recoveries – SR

10. Additionally, applicant is likewise submitting herewith the required electronic files of the Application and supporting data and documents;
11. Considering the foregoing, it is respectfully prayed that Applicant's calculations of over or under recoveries in the implementation of subject automatic cost adjustments and true-up mechanisms be confirmed and approved, and the cooperative be allowed to refund the over recoveries or collect the under recoveries, as the case maybe, to or from its customers.

PRAYER

WHEREFORE, premises considered, it is respectfully prayed of this Honorable Commission, that after due notice and hearing, applicant CAGELCO II's calculations of over or under recoveries in the implementation of certain automatic cost adjustments and true-up mechanisms covering the period January 2017 to December 2019, made pursuant to ERC Resolution 16, Series of 2009 as amended by Resolution 21, Series of 2010 and ERC Resolution 23, Series of 2011, be confirmed and approved, and the cooperative be allowed to refund the over recoveries or collect the under recoveries, as the case maybe, to or from its customers within a period of one (1) year, summarized as follows, to wit:

True-up of Pass-Thru Cost Adjustments	Total (Over)/Under Recoveries	Proposed (Refund)/Recovery Rate	Proposed (Refund)/Recovery Period
	(Php)	(Php/kWh)	(Months)
Generation Cost	(3,030,620.24)	(0.00630)	36
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Senior Citizen Discount/Subsidy	(2,876.09)	(0.00001)	36

Other reliefs, just and equitable in the premises are likewise prayed for.

Finding the said *Application* to be sufficient in substance with the required fees having been paid, the same is hereby set for the determination of compliance with the jurisdictional requirements, expository presentation, pre-trial conference, and presentation of evidence on the following dates and online platforms for the conduct thereof, pursuant to Resolution No. 09, Series of 2020<sup>1</sup> dated 24 September 2020:

Date	Platform	Activity
<b>17 February 2021</b> (Wednesday) at nine o'clock in the morning (9:00 A.M.)	<b>Microsoft Teams</b>	Determination of compliance with jurisdictional requirements and expository presentation

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

24 February 2021 (Wednesday) at nine o'clock in the morning (9:00 A.M.)	<b>Microsoft Teams</b>	Pre-Trial Conference and Presentation of Evidence
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Accordingly, **CAGELCO II** is hereby directed to host the virtual hearing at **CAGELCO II's Main Office in Macanaya District, Aparri, Cagayan**, as the designated venue for the conduct thereof, and ensure that the same is open to the public and the community quarantine guidelines are observed at all times. Moreover, CAGELCO II shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

**RELATIVE THERETO**, CAGELCO II is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing* once (1x) in a newspaper of nationwide circulation in the Philippines at its own expense, the date of the publication to be made not later than ten (10) days before the scheduled initial hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governor, the City and Municipal Mayors, and the Local Government Unit (LGU) legislative bodies within CAGELCO II's franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within CAGELCO II's franchise area of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon, by any other means available and appropriate;
- 4) Furnish with copies of this *Order* and the attached *Notice of 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 at the scheduled hearing; and
- 5) Furnish with copies of the *Application* and its attachments all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Within five (5) calendar days prior to the date of the virtual hearing, CAGELCO II must submit to the Commission via electronic

mail (e-mail) at [doCKET@erc.ph](mailto:doCKET@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph) , the scanned copies of its written compliance with the aforementioned jurisdictional requirements attaching therewith, methodically arranged and duly marked the following:

- 1) The evidence of publication of the attached *Notice of Virtual Hearing* consisting of affidavit of the Editor or Business Manager of the newspaper where the said *Notice of Virtual Hearing* was published, and the complete issue of the said newspaper;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing* consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayors, and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by CAGELCO II to inform the consumers within the affected area of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of 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 *Application* and its attachments by all those making requests therefor, if any; and
- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, CAGELCO II 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 Office of the Mayors, or Provincial Governor and Local Legislative Bodies, and to submit proof of its posting thereof.

CAGELCO II and all interested parties are also required to submit via e-mail at [doCKET@erc.ph](mailto:doCKET@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph) , at least five (5) calendar days before the date of the scheduled virtual 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; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

CAGELCO II 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 virtual hearing and Pre-trial Conference pursuant to the preceding paragraph.

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

CAGELCO II must also be prepared to make an expository presentation of the instant *Application*, 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 *Application* with relevant information and pertinent details substantiating the reasons and justifications being cited in support thereof.

CAGELCO II is hereby directed to file a copy of its Expository Presentation via e-mail at [docket@erc.ph](mailto:docket@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph), at least five (5) calendar days prior to the scheduled virtual hearing. BANELCO 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 virtual hearing.

Any interested stakeholder may submit its comments and/or clarifications at least one (1) calendar day prior to the scheduled virtual hearing, via e-mail at [docket@erc.ph](mailto:docket@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto: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.

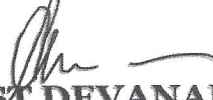
CAGELCO II is hereby directed to submit, either through personal service, registered or ordinary mail/private courier, its Jurisdictional Compliance, Expository Presentation, Pre-trial Brief, and Judicial Affidavit/s of witness/es, within five (5) working days from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission. Similarly, all interested parties who filed their Petition for Intervention or Opposition are required to submit the hard/printed copy thereof within the same period through any of the available modes of service.

Finally, Applicant, including its authorized representative/s and witness/es, is hereby directed to provide the Commission, thru [legal.virtualhearings@erc.ph](mailto:legal.virtualhearings@erc.ph), with 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, 08 January 2021.

FOR AND BY AUTHORITY  
OF THE COMMISSION:

  
**AGNES VST DEVANADERA**  
*Chairperson and CEO*

  
LS: MSIA/CLB/MCCG



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**ORDER/ 08 JANUARY 2021**  
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Copy Furnished:

1. Cagayan II Electric Cooperative (CAGELCO II)  
*Applicant*  
Macanaya District, Aparri, Cagayan
2. Atty. Ranulfo M. Ocampo  
*Counsel of Applicant*  
7/F Strata 100, F. Ortigas, Jr. Road, Ortigas Center, Pasig City  
Email Address: [ranulfoocampo@outlook.com](mailto:ranulfoocampo@outlook.com)
3. Office of the Solicitor General (OSG)  
134 Amorsolo Street, Legaspi Village Makati City, Metro Manila
4. Commission on Audit (COA)  
Commonwealth Avenue, Quezon City, Metro Manila
5. Senate Committee on Energy  
GSIS Bldg. Roxas Blvd., Pasay City, Metro Manila
6. House Committee on Energy  
House of Representatives  
Batasan Hills, Quezon City, Metro Manila
7. Office of the Provincial Governor  
Province of Cagayan
8. Office of the Sangguniang Panlalawigan  
Province of Cagayan
9. Office of the Municipal Mayor  
Abulug, Cagayan
10. Office of the LGU Legislative Body  
Abulug, Cagayan
11. Office of the Municipal Mayor  
Allacapan, Cagayan
12. Office of the LGU Legislative Body  
Allacapan, Cagayan
13. Office of the Municipal Mayor  
Aparri, Cagayan
14. Office of the LGU Legislative Body  
Aparri, Cagayan
15. Office of the Municipal Mayor  
Ballesteros, Cagayan
16. Office of the LGU Legislative Body  
Ballesteros, Cagayan
17. Office of the Municipal Mayor  
Buguey, Cagayan
18. Office of the LGU Legislative Body  
Buguey, Cagayan
19. Office of the Municipal Mayor  
Camalanuigan, Cagayan
20. Office of the LGU Legislative Body  
Camalanuigan, Cagayan
21. Office of the Municipal Mayor  
Claveria, Cagayan

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22. Office of the LGU Legislative Body  
Claveria, Cagayan
23. Office of the Municipal Mayor  
Gattaran, Cagayan
24. Office of the LGU Legislative Body  
Gattaran, Cagayan
25. Office of the Municipal Mayor  
Lal-lo, Cagayan
26. Office of the LGU Legislative Body  
Lal-lo, Cagayan
27. Office of the Municipal Mayor  
Lasam, Cagayan
28. Office of the LGU Legislative Body  
Lasam, Cagayan
29. Office of the Municipal Mayor  
Gonzaga, Cagayan
30. Office of the LGU Legislative Body  
Gonzaga, Cagayan
31. Office of the Municipal Mayor  
Pamplona, Cagayan
32. Office of the LGU Legislative Body  
Pamplona, Cagayan
33. Office of the Municipal Mayor  
Sanchez Mira, Cagayan
34. Office of the LGU Legislative Body  
Sanchez Mira, Cagayan
35. Office of the Municipal Mayor  
Sta. Ana, Cagayan
36. Office of the LGU Legislative Body  
Sta. Ana, Cagayan
37. Office of the Municipal Mayor  
Sta. Praxedes, Cagayan
38. Office of the LGU Legislative Body  
Sta. Praxedes, Cagayan
39. Office of the Municipal Mayor  
Sta. Teresita, Cagayan
40. Office of the LGU Legislative Body  
Sta. Teresita, Cagayan
41. Office of the Provincial Governor  
Province of Apayao
42. Office of the Sangguniang Panlalawigan  
Province of Apayao
43. Office of the Municipal Mayor  
Flora, Apayao
44. Office of the LGU Legislative Body  
Flora, Apayao

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**ORDER/ 08 JANUARY 2021**  
**PAGE 11 OF 11**

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45. Office of the Municipal Mayor  
Luna, Apayao
46. Office of the LGU Legislative Body  
Luna, Apayao
47. Office of the Municipal Mayor  
Pudtol, Apayao
48. Office of the LGU Legislative Body  
Pudtol, Apayao
49. Office of the Municipal Mayor  
Sta. Marcela, Apayao
50. Office of the LGU Legislative Body  
Sta. Marcela, Apayao
51. Philippine Chamber of Commerce and Industry (PCCI)  
3<sup>rd</sup> Floor, Chamber and Industry Plaza (CIP),  
1030 Campus Avenue corner Park Avenue, McKinley Town Center,  
Fort Bonifacio, Taguig City
52. Regulatory Operations Service (ROS)  
Energy Regulatory Commission  
17<sup>th</sup> Floor Pacific Center Building, San Miguel Avenue, Pasig City

Republic of the Philippines  
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**IN THE MATTER OF THE  
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**CAGAYAN II ELECTRIC  
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(CAGELCO II)**

**Promulgated:**  
January 21, 2021

**Applicant.**

X-----X

**NOTICE OF VIRTUAL HEARING**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that on 01 September 2020, Cagayan II Electric Cooperative, Inc. (CAGELCO II) filed an *Application* dated 04 August 2020, seeking the Commission's approval of its calculations of over or under recoveries in the implementation of automatic cost adjustments and true-up mechanisms for the period 2017 to 2019, pursuant to the Commission's Resolution No. 16, Series of 2009, as amended by Resolution No. 21, Series of 2010 and Resolution No. 23, Series of 2010.

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

**THE APPLICANT**

1. Applicant CAGELCO II is an electric cooperative duly organized and existing under Philippine law, with principal office address at Macanaya District, Aparri, Cagayan; franchised to construct, own, operate and maintain an electric distribution system in Abulug, Allacapan, Aparri, Ballesteros, Buguey, Camalaniugan, Claveria, Gattaran, Lal-lo, Lasam, Gonzaga, Pamplona, Sanchez Mira, Sta. Ana, Sta. Praxedes, Sta. Teresita, in the Province of Cagayan; Flora, Luna, Pudtol,

and Sta. Marcela, in the Province of Apayao; represented by its General Manager, Blandina Y. Madamba;

LEGAL BASES FOR THE APPLICATION

2. ERC Resolution No. 16, Series of 2009 as amended by Resolution No. 21, Series of 2010 establishes the procedure for the automatic recovery or refund of pass through costs and the confirmation process that would govern the automatic cost adjustment and true-up mechanisms approved by the Honorable Commission, with the objective of ensuring appropriate recovery of the pass through costs in an efficient manner and to put in place a fair and transparent process for the confirmation of the automatic cost adjustments implemented by Distribution Utilities and the true-up of other pass-through charges, involving Generation Rate, Transmission Rate, System Loss Rate and Lifeline Rate Recovery, as the case may be;
3. On the other hand, ERC Resolution 23, Series of 2010 adopts the rules implementing the discounts to qualified senior citizen end-users and subsidy from subsidizing end-users on electricity consumption;
4. Foregoing resolutions further require the distribution utilities to file their respective consolidated applications once every three (3) years.
5. Hence, the filing of the instant application, covering the period January 2017 to December 2019.

OVER OR UNDER RECOVERIES OF ALLOWABLE COSTS

6. Applying the formulas provided under Resolution 16, Series of 2009 as amended by Resolution 21, Series of 2010 and Resolution 23, Series of 2010, herein applicant made calculations of the over recoveries charged or under-recoveries incurred as against its customers, in the implementation of certain automatic cost adjustments and true-up mechanisms, covering the period January 2017 to December 2019;
7. The results of its calculations are presented hereunder, as follows:

O/U	2017	2018	2019	TOTAL
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8. CAGELCO II proposes to (refund)/recover the total (over)/under-recoveries under the following scheme:

True-up of Pass-Thru Cost Adjustments	Total (Over)/Under Recoveries	Proposed (Refund)/Recovery Rate	Proposed (Refund)/Recovery Period
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**SUPPORTING DATA AND DOCUMENTS**

9. In support of the foregoing calculations, applicant is submitting the following data and documents covering the period January 2017 to December 2019, attached hereto and made integral parts hereof, as follows:

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10. Additionally, applicant is likewise submitting herewith the required electronic files of the Application and supporting data and documents;

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11. Considering the foregoing, it is respectfully prayed that Applicant's calculations of over or under recoveries in the implementation of subject automatic cost adjustments and true-up mechanisms be confirmed and approved, and the cooperative be allowed to refund the over recoveries or collect the under recoveries, as the case may be, to or from its customers.

PRAYER

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<sup>1</sup> Entitled: A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

<b>24 February 2021</b> (Wednesday) at nine o'clock in the morning (9:00 A.M.)	<b>Microsoft Teams</b>	Pre-Trial Conference and Presentation of Evidence
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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](mailto:docket@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph). The Commission shall give priority to the stakeholders who have duly submitted their respective comments and/or clarifications, to discuss the same and propound questions during the course of the expository presentation.

Moreover, all persons who have an interest in the subject matter of the instant case may become a party by filing with the Commission via e-mail at [docket@erc.ph](mailto:docket@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph), a verified Petition to Intervene at least five (5) calendar days prior to the date of the initial virtual hearing and subject to the requirements under Rule 9 of the 2006 ERC Rules of Practice and Procedure, indicating therein the docket number and title of the case and stating the following:

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

Likewise, all other persons who may want their views known to the Commission with respect to the subject matter of the case may likewise file through e-mail at [docket@erc.ph](mailto:docket@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph), their Opposition or Comment thereon at least five (5) calendar days prior to the initial virtual hearing and subject to the requirements under Rule 9 of the 2006 ERC Rules of Practice and Procedure. No particular form of Opposition or Comment is required, but the document, letter, or writing should contain the following:

- 1) The name, mailing address, and e-mail address of such person;



- 2) A concise statement of the Opposition or Comment; and
- 3) The grounds relied upon.

All such persons who wish to have a copy of the *Application* may request from CAGELCO II that they be furnished with the same prior to the date of the initial hearing. CAGELCO II is hereby directed to furnish all those making such request with copies of the *Application* and its attachments, through any of the available modes of service, upon their agreement, subject to the reimbursement of reasonable photocopying costs. Any such person may likewise examine the *Application* and other pertinent records filed with the Commission during the standard office hours. In the alternative, those persons who wish to have an electronic copy of the *Application* may request the Commission for the e-mail addresses of the CAGELCO II by sending an e-mail to [docket@erc.ph](mailto:docket@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph). Nonetheless, any person may also access the *Application* as posted by the Commission in its official website at [www.erc.gov.ph](http://www.erc.gov.ph).

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

**WITNESS**, the Honorable Commissioners **ALEXIS M. LUMBATAN, CATHERINE P. MACEDA, FLORESINDA G. BALDO-DIGAL** and **MARKO ROMEO L. FUENTES**, Energy Regulatory Commission, this 8<sup>th</sup> day of January 2021 in Pasig City.

  
**AGNES VST DEVANADERA**  
*Chairperson and CEO*

  
LS: MSIA/CLB/MCCG