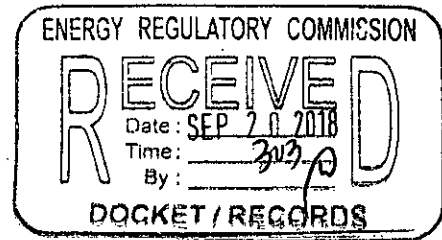


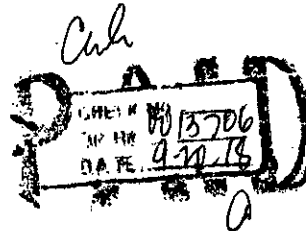
Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
San Miguel Avenue, Ortigas Center  
Pasig City

**IN THE MATTER OF THE APPLICATION FOR APPROVAL OF THE ANCILLARY SERVICES PROCUREMENT AGREEMENT BETWEEN THE NATIONAL GRID CORPORATION OF THE PHILIPPINES AND WESTERN MINDANAO POWER CORPORATION, WITH PRAYER FOR THE ISSUANCE OF PROVISIONAL AUTHORITY.**



ERC Case No. 2018-0<sup>94</sup>\_RC

**NATIONAL GRID CORPORATION OF THE PHILIPPINES AND WESTERN MINDANAO POWER CORPORATION,**  
**Applicants.**



X-----X

**APPLICATION**

(With Prayer for the Immediate Issuance of a Provisional Authority)

Applicants **NATIONAL GRID CORPORATION OF THE PHILIPPINES** (NGCP) and **WESTERN MINDANAO POWER CORPORATION**, (WMPC), by their respective counsel, respectfully state:

**NATURE OF THE CASE**

1. This Application is for the approval of the Ancillary Services Procurement Agreement ("ASPA") between the NGCP and WMPC dated 6 August 2018, pursuant to the Decision dated 3 October 2007 in ERC Case No. 2006-049RC entitled: *"In the Matter of the Application for the Approval of Ancillary Services –*

*Cost Recovery Mechanism (AS-CRM) of the Ancillary Services Procurement Plan, with Prayer for Provisional Authority.”*

## **THE PARTIES**

2. Applicant NGCP is a corporation created and existing under the laws of the Philippines, with office address at NGCP Building, Quezon Avenue corner BIR Road, Diliman, Quezon City. It holds a franchise under Republic Act No. 9511<sup>1</sup> to engage in the business of conveying or transmitting electricity through high-voltage back-bone systems of interconnected transmission lines, substations and related facilities, and for other purposes. The franchise also includes the conduct of activities necessary to support the safe and reliable operation of the transmission system.

3. Applicant WMPC is a corporation organized and existing under and by virtue of the Philippine laws with principal office address at 4<sup>th</sup> Floor, Alphaland Southgate Tower, EDSA corner 2258 Chino Roces Avenue, Makati City. It may be served with orders, notices, and other legal processes through its undersigned counsel. It is the owner of the 100MW Bunker C-Fired Diesel Power Plant in Barangay Sangali, Zamboanga City (“Generation Facility”) which was certified and accredited by NGCP as capable of Ancillary Services (“AS”) in the forms of Dispatchable Reserve (“DR”), Reactive Power Support (“RPS”) and Black Start (“BS”).

## **ANTECEDENT FACTS**

4. Republic Act No. 9136 provides that it is the responsibility of NGCP to ensure and maintain the reliability, adequacy, security, stability and integrity of the nationwide electrical grid in accordance with the performance standards for its operations and maintenance, as set forth in the Philippine Grid Code (“PGC”), adopted and promulgated by the Honorable Commission, and to adequately serve generation companies, distribution utilities and suppliers requiring transmission service and/or ancillary services through the transmission system.<sup>2</sup>

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<sup>1</sup> An Act Granting the National Grid Corporation of the Philippines a Franchise to Engage in the Business of Conveying or Transmitting Electricity Through High Voltage Back-Bone System of Interconnected Transmission Lines, Substations and Related Facilities, and for other Purposes;

<sup>2</sup> Section 9 (d).

5. Similarly, the PGC provides that NGCP is responsible for determining, acquiring, and dispatching the capacity needed to supply the required Grid AS and for developing and proposing Wheeling Charges and AS tariffs to the ERC.<sup>3</sup>

6. AS as defined in Section 4(b) of the EPIRA “refer to those services that are necessary to support the transmission of capacity and energy from resources to loads while maintaining reliable operation of the transmission system in accordance with good utility practice and the Grid Code to be adopted in accordance with this Act.” These services are essential in ensuring reliability in the operation of the transmission system and consequently, in the reliability of the electricity supply in the Luzon, Visayas and Mindanao grids.

7. In order to implement and regulate the procurement of AS, the Honorable Commission approved the Ancillary Services Procurement Plan (“ASPP”) through its Order dated 9 March 2006 in ERC Case No. 2002-253 and the Ancillary Services-Cost Recovery Mechanism (“AS-CRM”) through its Decision dated 3 October 2007 in ERC Case No. 2006-049RC.

8. Pursuant to its mandate, NGCP on different dates published in newspapers of general circulation a Notice of Invitation for Prospective Ancillary Services Providers, inviting all grid-connected merchant plants and independent power producers to participate in the provision of ancillary services. Upon receipt of WMPC’s intention to provide ancillary services, NGCP commenced negotiation for the execution of an ASPA.

9. NGCP agreed to procure and WMPC agreed to supply AS in the forms of DR, RPS and BS for a period of five (5) years under a non-firm arrangement. A copy of the *Ancillary Services Procurement Agreement* dated 6 August 2018, between NGCP and WMPC is attached as **Annex “A”**.

10. During the period of negotiation, NGCP conducted several tests on Units 1 to 10 of the Generation Facility, and certified that the Generation Facility has met and complied with the Standard Ancillary Services Technical Requirements of the ASPP as capable of providing DR, RPS and BS. Thus, NGCP

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<sup>3</sup> Section 6.3.1.2.

issued the *Accreditation Certificate with Accreditation No. 2017-M010* issued 20 September 2017, attached as **Annex "B"**.

## **CONTRACTED CAPACITY RATES AND IMPACT SIMULATION**

11. Schedule 1 of the ASPA provides for the types of AS that can be nominated by WMPC, as follows:

### Non-firm Contracted Capacity

#### 1. Dispatchable Reserve (Tertiary Reserve)

- |                            |                               |
|----------------------------|-------------------------------|
| a. Up to 10MW for Unit 1;  | f. Up to 10MW for Unit 6;     |
| b. Up to 10MW for Unit 2;  | g. Up to 10MW for Unit 7;     |
| c. Up to 10MW for Unit 3;  | h. Up to 10MW for Unit 8;     |
| d. Up to 10MW for Unit 4;  | i. Up to 10MW for Unit 9; and |
| e. Up to 10MW for Unit 5*; | j. Up to 10MW for Unit 10.    |
- \* subject to AS certification from NGCP

#### 2. Reactive Power Support (RPS)

90MW Available Capacity equivalent to 18-20MVAR of Reactive Power outside the range of 85% lagging power factor or 85° lagging to 80° lagging power factor.

#### 3. Black Start Support (BSS)

Available capacity to energize the power restoration highway, and synchronize to the rest of the Grid.

Note that the capacities listed above are the maximum ancillary services capacity that can be provided for each Diesel Generating (DG) unit. However, nomination and schedule shall be based on the latest AS Certificate.

11.1. The Generation Facility is capable of providing reactive power beyond 0.85 lagging power factor. However, the said plant is not technically capable of providing reactive power beyond 0.90 leading power factor based on the Accreditation Certificate attached hereto as Annex "B" and the reactive power support test reports issued by NGCP.

11.2. Moreover, the reactive power capability curve contained in Schedule 7 of the ASPA shows the limitation of the Generation Facility to provide reactive power safely without jeopardizing its integrity. This capability curve was provided by WMPC's original equipment manufacturer.

12. Schedule 4 provides for the applicable rates, fees and formula for the computation of the AS charges, as follows:

| Ancillary Service      | Non-firm  |
|------------------------|---|
| Dispatchable Reserve   | PhP1.25/kW/hr   |
| Reactive Power Support | PhP4.00/kVAR/hr   |
| Black Start Service    | PhP104,000/month fixed fee + per occurrence Incidental Energy Payment |

where:

**4a. PRIOR TO WESM IMPLEMENTATION**

xxx

**A. Dispatchable Reserve**

**A1. Scheduled Capacity without Energy Dispatched**

AS Cost<sub>c</sub> = AS Rate x Summation of Undispatched MW

**A2. Scheduled Capacity with Energy Dispatched**

Cost of AS with Incidental Energy ("IE") shall be computed using the formula below:

$$AS\ Cost_E = [G \times (AS\ Rate + Variable\ Rate) + SSC] - REV_{BCQ}$$

Where:

G = total kWh generated or dispatched AS in a billing month, in kWh

REV<sub>BCQ</sub> = revenue from existing bilateral contracts with load customers

Variable Rate = VOM + Fuel rate, in Peso/kWh

VOM = VOMC, Php/kWh x IF<sub>v</sub>

VOMC = 0.2515, Php/kWh

IF<sub>v</sub> = Inflation factor for VOM

$$= \left\{ \left[ \left( 0.10 \times \frac{CPI_n}{CPI_o} \right) + \left( 0.30 \times \frac{EU_n}{EU_o} \times \frac{FPPIn}{FPPIo} \right) + \left( 0.60 \times \frac{WPCn}{WPCo} \right) \right] \right\}$$

CPI<sub>o</sub> = Consumer Price Index for Metropolitan Manila Area (National Capital Region), all items published by NEDA/NSO as of the date of this Agreement.

CPI<sub>n</sub> = Consumer Price Index for Metropolitan Manila Area (National Capital Region), all items published by NEDA/NSO for the period of price determination.

EU<sub>n</sub> = Euro-Peso Exchange Rate for the period of price determination as published by Bangko Sentral ng Pilipinas

EU<sub>o</sub> = Euro-Peso Exchange Rate as of the date of this Agreement as published by Bangko Sentral ng Pilipinas

FPPIn = Finland Producers' Price Index for the period of price determination as published in the International Financial Statistics of IMF

FPPIo = Finland Producers' Price Index as of the date of this Agreement as published in the International Financial Statistics of IMF.

WPCn = Wholesale Price Index for Mineral Fuels, Lubricants and Related Materials for the Philippines as published by NEDA/NSO for the period of price determination.  
 WPCo = Wholesale Price Index for Mineral Fuels, Lubricants and Related Materials for the Philippines as published by NEDA/NSO as of the date of this Agreement  
 SSC = start-up and shutdown fees applicable to DR/TR, Php  
 =  $s \times e \times (\text{Vol HFO per start/stop} \times \text{Actual HFO cost/lit} + \text{Vol LO per start/stop} \times \text{Actual LO cost/lit})$   
  
 s = total number of start/stop in a billing month based on the customer's dispatch instructions  
 e = total number of engines dispatched in a billing month  
 Fuel = HFR + LOR + related actual fuel cost, in Php/kWh  
 HFR = Heavy fuel oil rate in Php/kWh  
 = HFCR x Actual HF cost per liter, in Php/kWh  
 HFCR = heavy fuel oil consumption rate of 0.245 liter/kWh or actual, whichever is lower  
 LOR = Lube oil rate in Php/kWh  
 = LOCR x Actual LO cost per liter, in Php/kWh  
 LOCR = lube oil consumption rate of 0.00082 liter/kWh or actual  
 Vol HFO consumed = 100 liters per engine per start/stop cycle  
 Vol LO consumed = 10 liters per engine per start/stop cycle

## B. Reactive Power Support

Payment of RPS = 4.00Php/kVAR/hr

### B1. Payment for RPS

A = Total scheduled MVar  
 =  $4.00\text{Php/kVAR/hr} \times \sum_{j=1}^n \sum_{i=1}^{\text{intervals}} RC_{ij}$

Where:

RC<sub>ij</sub> = scheduled reactive capacity, in kVAR, for trading interval i and day j  
 n = the number of days in the billing month.

Note: Payment of reactive capacity shall be the actual reactive capacity beyond 0.85 lagging and 0.90 leading power factors.

### B2. Payment on Energy and Variables during the interval when RPS is implemented up to the maximum contracted capacity of the plant PSA

B = Payment on Energy and Variables  
 = (GRPS x (VOM + FuelRPS) + SSC)

Where:

GRPS = the amount of energy dispatched on top or in excess of the BCQ, which is based on the existing approved PSA, to produce the scheduled kVAR  
 VOM = VOMC, Php/kWh x IFv  
 VOMC = 0.2515, Php/kWh

IF = Inflation factor for VOM  
 =  $\left\{ \left[ \left( 0.10 \times \frac{CPI_n}{CPI_o} \right) + \left( 0.30 \times \frac{EU_n}{EU_o} \times \frac{FPPI_n}{FPPI_o} \right) + \left( 0.60 \times \frac{WPC_n}{WPC_o} \right) \right] \right\}$   
 CPIo = Consumer Price Index for Metropolitan Manila Area (National Capital Region), all items published by NEDA/NSO as of the date of this Agreement.  
 CPIn = Consumer Price Index for Metropolitan Manila Area (National Capital Region), all items published by NEDA/NSO for the period of price determination.  
 EUn = Euro-Peso Exchange Rate for the period of price determination as published by Bangko Sentral ng Pilipinas  
 EUo = Euro-Peso Exchange Rate as of the date of this Agreement as published by Bangko Sentral ng Pilipinas  
 FPPIn = Finland Producers' Price Index for the period of price determination as published in the International Financial Statistics of IMF  
 FPPIo = Finland Producers' Price Index as of the date of this Agreement as published in the International Financial Statistics of IMF.  
 WPCn = Wholesale Price Index for Mineral Fuels, Lubricants and Related Materials for the Philippines as published by NEDA/NSO for the period of price determination.  
 WPCo = Wholesale Price Index for Mineral Fuels, Lubricants and Related Materials for the Philippines as published by NEDA/NSO as of the date of this Agreement  
 SSC = start-up and shutdown fees applicable to DR/TR, Php  
 =  $s \times e \times (\text{Vol HFO per start/stop} \times \text{Actual HFO cost/lit} + \text{Vol LO per start/stop} \times \text{Actual LO cost/lit})$   
 s = total number of start/stop in a billing month based on the customer's dispatch instructions  
 e = total number of engines dispatched in a billing month  
 Fuel<sub>RPS</sub> = HFR<sub>RPS</sub> + LOR + related actual fuel cost, in Php/kWh  
 HFR<sub>RPS</sub> = Heavy fuel oil rate in Php/kWh  
 = HFCR x 1.53% x Actual HF cost per liter, in Php/kWh  
 1.53% = % increase in fuel consumption when the plant operates beyond the 0.85 pf lagging  
 HFCR = heavy fuel oil consumption rate of 0.245 liter/kWh or actual  
 LOR = Lube oil rate in Php/kWh  
 = LOCR x Actual LO cost per liter, in Php/kWh  
 LOCR = lube oil consumption rate of 0.00082 liter/kWh or actual  
 Vol HFO consumed = 100 liters per engine per start/stop cycle  
 Vol LO consumed = 10 liters per engine per start/stop cycle

### C. Blackstart Service

#### C1. Monthly Fixed Fee

Monthly Payment of BSS = BSS capability x Fixed costs

BSS capability = 160kW  
 Fixed costs = monthly fixed maintenance and fuel consumption  
 = 650 PhP/kW/month

#### C2. Payment for IE the restoration of the grid

Payment of BSS IE =  $[(VOM + Fuel + SSC) \times (\sum_{j=1}^n \sum_{i=1}^{intervals} E_{ij})] + \text{Fixed Costs}$

VOM = As defined in 4a.A.2 above  
 Fuel = As defined in 4a.A.2 above  
 SSC = As defined in 4a.A.2 above  
 $E_{ij}$  = dispatched energy to stabilize the restoration highway, in kWh, for trading interval i and day j  
 n = the number of days in the billing month  
 Fixed Costs\* =  $\frac{(CRF + FOM) \times (\sum_{j=1}^n \sum_{i=1}^{intervals} EC_{ij})}{\text{no. of hours in a billing month}}$   
 CRF + FOM = (250.18 + 217.62) PhP/kW/month  
 = 467.80 PhP/kW/month  
 ECij = dispatched capacity in excess of the maximum contracted capacity of the plant PSA, in kW, for trading interval i and day j  
 n = the number of days in the billing month  
 \*Fixed Costs only cover the capacity that is not part of the BCQ

#### **4b. ONCE WESM IS IMPLEMENTED**

xxx

#### **A. Dispatchable Reserve**

##### **A1. Scheduled Capacity without Energy Dispatched**

AS Cost<sub>c</sub> = AS Rate x Summation of Undispatched MW

##### **A.2. Scheduled Capacity with Energy Dispatched**

Cost of AS with Incidental Energy ("IE") shall be computed using the formula below:

AS Cost<sub>E</sub> = [G x (AS Rate + Variable Rate) + SSC] – REV<sub>WESM</sub>

Where:

G = total kWh generated or dispatched AS capacity in a billing month, in kWh

Variable Rate = VOM + Fuel, in Peso/kWh

VOM = as defined in 4a.A2 above

SSC = as defined in 4a.A2 above

Fuel = as defined in 4a.A2 above

REV<sub>WESM</sub> = revenue for the IE settled through the WESM

#### **B. Reactive Power Support**

Payment of RPS = 4.00Php/kVAr/hr

##### **B1. Payment for RPS**

A = Total scheduled MVar  
 =  $4.00\text{Php/kVAr/hr} \times \sum_{j=1}^n \sum_{i=1}^{intervals} RC_{ij}$

Where:

RC<sub>ij</sub> = scheduled reactive capacity, in kVAr, for trading interval i and day j



n = the number of days in the billing month.

Note: Payment of reactive capacity shall be the actual reactive capacity beyond 0.85 lagging and 0.90 leading power factors.

**B2. Payment on Energy and Variables during the interval when RPS is implemented up to the maximum contracted capacity of the plant PSA**

$$B = \text{Payment on Energy and Variables} \\ = (GRPS \times (VOM + \text{Fuel})) + SSC - REV_{WESM}$$

Where:

GRPS = the amount of energy dispatched on top or in excess of the BCQ, which is based on the existing approved PSA, to produce the scheduled kVAR

VOM = as defined in 4a.B2 above

Fuel = as defined in 4a.B2 above

SSC = as defined in 4a.B2 above

REV<sub>WESM</sub> = revenue for the IE settled through the WESM

**C. Blackstart Service**

**C1. Monthly Fixed Fee**

Monthly Payment of BSS = BSS capability x Fixed costs

BSS capability = 160kW

Fixed costs = monthly fixed maintenance and fuel consumption  
= 650 PhP/kW

**C2. Payment for IE the restoration of the grid**

Payment of BSS IE =  $\{[(VOM + \text{Fuel} + SSC) \times (\sum_{j=1}^n \sum_{i=1}^{\text{intervals}} E_{ij})] + \text{Fixed Costs}\} - REV_{WESM}$

VOM = As defined in 4a.A.2 above

Fuel = As defined in 4a.A.2 above

SSC = As defined in 4a.A.2 above

$E_{ij}$  = dispatched energy to stabilize the restoration highway, in kWh, for trading interval i and day j

n = the number of days in the billing month

Fixed Costs\* = As defined in 4a.C2 above

REV<sub>WESM</sub> = revenue for the IE settled through the WESM

\*Fixed Costs only cover the capacity that is not part of the BCQ

13. Applicants submit that the rates represent a reasonable recovery of W MPC's opportunity cost in making available generation capacity to provide the procured AS.

14. The rates under ASPA was subjected to a simulation by NGCP, the results of which are as follows:

| AS Type | Indicative Rate Impact |                  |
|---------|------------------------|------------------|
|         | P/kW-month             | P/kWh equivalent |
| DR      | 63.7151                | 0.1386           |
| RPS     | 3.6855                 | 0.0080           |
| BS      | 0.0872                 | 0.0002           |

A copy of the *Rate Impact Simulation, Western Mindanao Power Corporation* is attached as **Annex "C."**

15. Consistent with the AS-CRM, all the related and incidental expenses which NGCP will incur as a result of the procurement and operation of the ancillary services shall be recovered from all the load customers in the Mindanao Grid.

16. The ASPA shall be effective for a period of five (5) years, to commence immediately upon the effectivity of the provisional approval ("PA"), or in the absence thereof, the final approval ("FA") of the instant Application. In the event that the PA or FA, as the case may be, does not state a particular date of effectivity, the Agreement shall be effective on the date agreed upon by the Applicants.

17. WMPC as a generation company, falls within the ambit of Sections 6 of the EPIRA. Attached are copies of relevant documents proving WMPC's due registration as a generation company, relevant permits to operate the Generation Facility and audited financial statements, as follows:

| Document   | Annex         |
|--|---------------|
| <i>Certificate of Compliance and the Explanation on its Renewal</i>    | "D" and "D-1" |
| <i>Certification of Existing Power Supply Agreements</i>               | "E"           |
| <i>Articles of Incorporation</i>                                       | "F"           |
| <i>Latest Security Exchange Commission – General Information Sheet</i> | "G"           |
| <i>Latest Audited Financial Statement</i>                              | "H"           |
| <i>WESM Registration</i>   | "I"           |

18. While WMPC is a co-applicant, it manifests that the instant Application shall neither modify, diminish or constitute a

waiver of WMPC's rights nor expand its obligations and responsibilities as a generation company under EPIRA.

### **ALLEGATIONS IN SUPPORT OF THE PRAYER FOR PROVISIONAL AUTHORITY**

19. It is a declared policy of the State to ensure the quality, reliability, security and affordability of the supply of electric power (*Section 2b, EPIRA*). With this end in view, there is a need to comply with the system requirements for AS to ensure grid system reliability. As mentioned above, NGCP has the mandate to procure the required AS. However, the Honorable Commission must first approve the contract before the same could be implemented.

20. WMPC must be authorized to provide AS at the soonest time to support the reliability of the power grid. Based on the current levels of available contracted AS in the Mindanao Grid, the contracted AS have not yet met the required levels. The copy of the *Mindanao Dispatchable Reserve Availability* showing the required and scheduled level of DR in the Mindanao Grid is attached as **Annex "J"**.

21. As the demand for power in the Mindanao increases, the requirements of the system to ensure stability, reliability, and security likewise increases. Ensuring the integrity of the system is essential to protect the interests of the public. The absence of system reliability and stability will certainly discourage investments and growth.

22. The importance of procuring DR, RPS and BS from WMPC to ensure and maintain the reliability, adequacy, security, stability and integrity of the Mindanao Grid cannot be overemphasized.

23. Applicants respectfully submit that the immediate approval of the ASPA by this Honorable Commission is a necessity to maintain the present reliability and security of the Grid. In support of these allegations, NGCP submits a copy of the *Judicial Affidavit of Engr. Lisaflor Bacani-Kater*, which is attached as **Annex "K"**.

24. Applicants further submit that the ASPA will only become effective and the term agreed therein commence upon receipt of a provisional or final approval from this Honorable Commission, unless otherwise provided in the said approval.

### **PRAYER**

**WHEREFORE**, premises considered, Applicants respectfully pray that the Honorable Commission to:

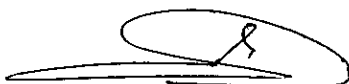
- a) Immediately **ISSUE** a provisional authority to implement the ASPA between NGCP and WMPC;
- b) **APPROVE**, after notice and hearing, the ASPA between NGCP and WMPC.

Applicants pray for other just and equitable relief.

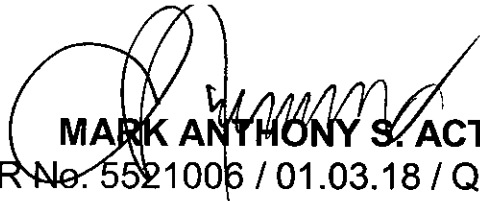
Quezon City and Pasig City for Pasig City, 6 September 2018.

**OFFICE OF THE GENERAL COUNSEL  
NATIONAL GRID CORPORATION OF THE PHILIPPINES**  
NGCP Building, Quezon Avenue corner  
BIR Road, Diliman, Quezon City  
Tel. No. 981-2100 (Trunk Line)

By:



**LUIS MANUEL U. BUGAYONG**  
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**MARK ANTHONY S. ACTUB**

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**RAYCELL D. BALDOVINO**

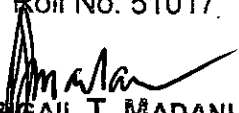
PTR No. 5521008 / 01.03.18 / Quezon City  
MCLE Compliance No. V-0008304 / 06.03.15  
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-AND-

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By:

  
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MCLE Compliance No. VI-0008100; 4/25/18  
Roll No. 60026

Courtesy Copy:

**NATIONAL TRANSMISSION CORPORATION** - *Pew*  
c/o Office of the President  
Quezon Avenue corner BIR Road  
Diliman, Quezon City  
*9/19*

**NATIONAL TRANSMISSION CORPORATION**  
c/o Office of the General Counsel  
Quezon Avenue corner BIR Road  
Diliman, Quezon City

**POWER SECTOR ASSETS AND LIABILITIES  
MANAGEMENT CORPORATION**  
c/o Office of the President  
Quezon Avenue corner BIR Road  
Diliman, Quezon City

*W. M. Power*  
18 SEP 19 8:35  
OFFICE OF THE PRESIDENT

DUP-LEGAL, TRANSCO  
SEP 19, 2018 09:24AM  
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POWER SECTOR ASSETS AND LIABILITIES  
MANAGEMENT CORPORATION  
OFFICE OF THE PRESIDENT  
SEP 19 2018  
BY: *cat* TIME 8:35

REPUBLIC OF THE PHILIPPINES)  
QUEZON CITY ) S.S.

**VERIFICATION AND  
CERTIFICATION OF NON-FORUM SHOPPING**

I, **MA. CYNTHIA Y. MANRIQUE**, Filipino, of legal age, single, with office address at 2nd Floor, NGCP Building Quezon Avenue, cor. BIR Road Diliman, Quezon City, after having been duly sworn to in accordance with law, hereby depose and say that:

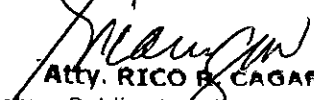
1. I am presently the Head of the Revenue Regulatory Affairs Group of the National Grid Corporation of the Philippines (NGCP);
2. I am duly authorized to sign the Verification and Certification of Non-Forum Shopping in this case for and in behalf of NGCP as evidenced by the Secretary's Certificate hereto attached as **Annex "A-Verification;"**
3. I have caused the preparation of the foregoing Application and I have read it. I attest that the allegations therein are true and correct of my personal knowledge and based on authentic records;
4. I further attest that NGCP has not filed any similar case or action before any court, tribunal or quasi-judicial agency involving the ASPA subject of this case and, to the best of my knowledge, no such other case or action is pending therein; and
5. If I should thereafter learn that a similar case, action or claim other than those mentioned above, is filed or pending before any court, tribunal or quasi-judicial agency, I shall report that fact to this Honorable Office within five (5) days therefrom;

**IN WITNESS WHEREOF**, I have heretofore ~~affixed~~ my signature this 6 September 2018, in Quezon City, Philippines.

  
**MA. CYNTHIA Y. MANRIQUE**  
Affiant

SUBSCRIBED AND SWORN to before me this 6 September 2018, in Quezon City, affiant exhibited to me her Philippine Passport No. EC0371531 valid until 20 February 2019 issued by the DFA NCR North East.

Doc. No. 127 ;  
Page No. 27 ;  
Book No. 30 ;  
Series of 2018.

  
**Atty. RICO B. CAGARA**  
Notary Public, Appointment No. 077  
Commission until 31 December 2019  
PTR No. 5521004; 01-03-18, Quezon City  
IBP Lifetime No. 08600; Bulacan  
Roll of Attorney's No. 53664  
MCLE Compliance No. V-0005735, until 4-14-19  
Unit 305, J. Rosa Condominium  
44 Matimtiman St., Teacher's Village East  
Diliman, Quezon City

REPUBLIC OF THE PHILIPPINES & PATEROS  
CITY OF ~~PASIG, SAN JUAN & PATEROS~~ ) S.S.

### VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING


I, **Joseph C. Nocos**, of legal age and with office address at 4<sup>th</sup> Floor, Alphaland Southgate Tower, EDSA corner 2258 Don Chino Roces Avenue Extension, Makati City, after having been sworn in accordance with law, hereby depose and state:

1. I am the duly authorized representative of Western Mindanao Power Corporation ("WMPC"). Attached hereto is proof of such authority.

2. Pursuant to and by virtue of such authority, I caused the preparation of the foregoing Application. I have read its contents and the allegations therein pertaining to WMPC are true and correct, and of my personal knowledge or based on authentic documents.

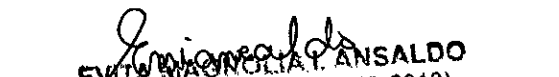
3. I hereby certify that WMPC has not commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency, and, to the best of my knowledge, no such other action or claim is pending therein. Should I thereafter learn that the same or a similar action or claim has been filed or is pending, I shall report such fact to this Honorable Commission within five (5) days therefrom.

IN WITNESS WHEREOF, I have set my hand this **SEP 06 2018** day of      2018.

  
**Joseph C. Nocos**  
**SEP 06 2018**

SUBSCRIBED AND SWORN to before me this      day of      in the City ~~PASIG, SAN JUAN & PATEROS~~ to me his Philippine Passport No. P0926168A issued at Manila, Philippines on 16 November 2016.

Doc. No. 308 ;  
Page No. 63 ;  
Book No. 3 ;  
Series of 2018.

  
**EMYR MAGNOLIA T. ANSALDO**  
Commission No. 139 (2017-2018)  
Notary Public for Pasig, San Juan & Pateros  
Until December 31 2018  
Unit 1905-A West Tower Philippine Stock Exchange  
Ortigas Pasig City  
PTR No. 3863915/1-4-2018/Pasig City  
IBP No. 020611/1-3-2018/Oriental Mindoro  
Roll of Attorney No. 61215  
MCLE Compliance No. V-0012715/1-5-2016