

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City



ATTY. ALFREDO P. VERGARA, Jr., in his capacity as the Investigating Officer of the Investigatory Unit constituted by the Honorable Commission pursuant to its Office Order No. 38, Series of 2013 dated December 26, 2013, as amended by Office Order No. 82, Series of 2017,
Complainant,

-versus-

ERC CASE NO. 2015-033MC

CIP II POWER CORPORATION (CIP II),
Respondent.

X-----X

D O C K E T E D
Date: AUG 15 2017
By: [Signature]

ORDER

On 25 July 2017, the Commission issued an Order granting Complainant's "*Motion to Reset Pre-trial Conference*". Accordingly, the Pre-trial Conference initially scheduled on 28 July 2017 was reset to 18 August 2017.

However, on 8 August 2017, Complainant filed another "*Motion to Reset Pre-trial Conference*" and prayed that the Pre-trial Conference be reset to October 2017. Complainant asseverated that he is pressed for time to finish other equally important work assigned to him at the Legal Service, and that he needs more time to go over the voluminous case records.

For equitable reasons, the Commission hereby resets the Pre-trial Conference to 15 September 2017 (Friday) at ten o'clock in the morning (10:00 A.M.) at the ERC Hearing Room, 8th Floor, Pacific Center Building, San Miguel Avenue, Pasig City.

No further resetting of the Pre-trial Conference will be granted from hereon except for the most exigent reasons.

The parties, or their duly-authorized representatives, and their respective counsels are required to be present at the hearing.

TEN (10) DAYS before the date of the hearing, the parties shall submit to the Commission, **in eight (8) original copies**, their respective Pre-Trial Briefs, which shall contain, among other matters, the following:

- (a) Theory/Version of the parties;
- (b) A summary of admitted facts and proposed stipulation of facts;
- (c) The issues to be tried or resolved;
- (d) The documents or exhibits to be presented, stating the purposes thereof and proposed markings therefore (No evidence shall be allowed to be presented and offered during the trial in support of party's evidence-in-chief other than those that had been earlier identified and pre-marked during the pre-trial, except if allowed by the Commission for good cause shown);
- (e) The number and names of the witnesses, with their written testimonies in judicial affidavit form, to be attached to the Pre-Trial Brief; and
- (f) Other matters as may aid in the prompt disposition of the case.

The parties shall serve on the adverse party their respective Pre-Trial Briefs, at least ten (10) days before the hearing.

Failure of the parties to file their Pre-Trial Briefs within the prescribed period shall have the same effect as failure to appear at the Pre-Trial Conference.

The parties are reminded that the *ERC Rules of Practice and Procedure* (ERC Rules) shall apply, in so far as they are practicable.

Let a copy of this Order be posted on the ERC website.

SO ORDERED.

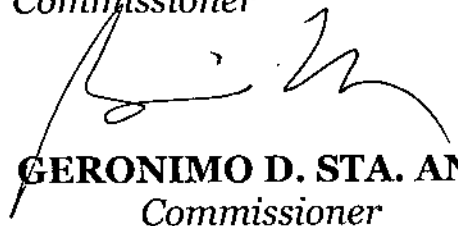
Pasig City, 9 August 2017.

JOSE VICENTE B. SALAZAR*
Chairman and CEO


ALFREDO J. NON
Commissioner


GLORIA VICTORIA C. YAP-TARUC
Commissioner

(on leave)
JOSEFINA PATRICIA A. MAGPALE-ASIRIT
Commissioner


GERONIMO D. STA. ANA
Commissioner

Concurred by:


JOSEFINA PATRICIA A. MAGPALE-ASIRIT
Commissioner


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* The Chairman was placed on preventive suspension as per Order of the Office of the President (OP-DC Case No. 17-D-094) dated 2 May 2017 and received on 04 May 2017.

Copy furnished:

1. Atty. Alfredo P. Vergara, Jr.

Atty. Grace Lu-Santos

Engr. Nelson D. Canlas

In his capacity as Investigating Officer

Energy Regulatory Commission

15th Floor, Pacific Center Building

San Miguel Avenue, Ortigas Center,

Pasig City

2. Atty. John Henry C. Lique

Atty. Martessa E. Nuylan-Rodrigueza

Counsel for Respondent CIP II Power Corporation

Level 11, Phinma Plaza, 39 Plaza Drive

Rockwell Center, Makati City