

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



**IN THE MATTER OF
VIOLATION OF ERC
ORDERS, RULES AND
REGULATIONS,**

**ERC CASE NO. 2016-102 SC
Re: For Failure to
Implement On Time the
ERC Decision dated 09
December 2013**

**PAMPANGA III ELECTRIC
COOPERATIVE INC.
(PELCO) III,**

Respondent.

X- ----- X

D O C K E T E D
Date: NOV 28 2017
By: [Signature]

ORDER

On 09 August 2016, the Commission issued a Show Cause Order (SCO) dated 08 March 2016 to Pampanga III Electric Cooperative, Inc. (PELCO III) to submit an explanation why no administrative penalty should be imposed upon it and/or criminal action instituted against it, its directors and its officers, for its failure to implement on time the Commission's Decision dated 09 December 2013 under ERC Case No. 2012-037 CF, directing PELCO III to refund the confirmed net over recovery in the amount of PhP(347,269,446.64) for the period August 2004 to December 2010.

Accordingly, the Commission issued a Decision dated 27 June 2017 directing PELCO III to pay **TWO HUNDRED THOUSAND PESOS (PhP200,000.00)**, representing the penalty for the aforesaid violation. The dispositive portion of which is hereunder quoted as follows:

“WHEREFORE, the foregoing premises considered and pursuant to *“Section 5 of the Guidelines to Govern the Imposition of Administrative Sanctions in the Form of Fines and Penalties under Section 46 of Republic Act No. 9136, as amended, pursuant to Resolution No. 03, Series of 2009.*

*Accordingly, it is hereby directed to pay, within fifteen (15) days from receipt hereof, the fine of **TWO HUNDRED THOUSAND PESOS (PhP200,000.00).***"

In compliance therewith, on 27 October 2017, PELCO III paid the amount of **TWO HUNDRED THOUSAND PESOS (PhP200,000.00)**, as evidenced by ERC Official Receipt No. 0011073.

In view of the foregoing, the Commission hereby declares this case **CLOSED AND TERMINATED.**

SO ORDERED.

Pasig City, 06 November 2017.

FOR AND BY AUTHORITY OF
THE COMMISSION:



ALFREDO J. NON
Officer-In-Charge of ERC

✓ ✓

ERC Case No. 2016-102 CC

PELCO III

Order /06 November 2017

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Copy Furnished:

Pampanga III Electric Cooperative, Inc. (PELCO III)
Sampaloc, Apalit, Pampanga

[Handwritten initials]
JSD / JACF / NDC / FBD / *[Handwritten initials]* / MCCG
Reference No.: 2017-D1-D *[Handwritten initials]*