

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



**IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF
CAPITAL EXPENDITURE
PROGRAM FOR YEARS 2018-
2020, WITH APPLICATION
FOR AUTHORITY TO
SECURE LOAN FROM THE
NATIONAL
ELECTRIFICATION
ADMINISTRATION AND
MOTION FOR PROVISIONAL
AUTHORITY,**

ERC CASE NO.2018-011 RC

**SURIGAO DEL SUR I
ELECTRIC COOPERATIVE,
INC. (SURSECO I),
Applicant.**

X ----- X

D O C K E T E D
Date: MAY 03 2018
By: [Signature]

ORDER

On 01 March 2018, Surigao del Sur I Electric Cooperative, Inc. (SURSECO I) filed an *Application* seeking the Commission's approval of its Capital Expenditure Program for Years 2018-2020, with application for authority to secure loan from the National Electrification Administration (NEA) and motion for provisional authority.

SURSECO I alleged the following in its *Application*:

1. Applicant is a non-stock, non-profit electric cooperative duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal offices at San Fernando, Bislig City, Surigao del Sur.

2/10

2. It holds an exclusive franchise from the National Electrification Commission, to operate an electric light and power distribution service in the City of Bislig and certain municipalities in the Province of Surigao del Sur, namely: Barobo, Tagbina, Hinatuan and Lingig.

LEGAL BASES FOR THE APPLICATION

3. Pursuant to Republic Act No. 9136, ERC Resolution 26, Series of 2009 and other laws and rules, and in line with its mandate to provide safe, quality, efficient and reliable electric service to its consumers, SURSECO I seeks approval, confirmation and authority from this Honorable Commission to implement its proposed Capital Expenditure (CAPEX) Program for Years 2018 - 2020.
4. On the other hand, the accompanying application for authority to secure loan from the National Electrification Administration (NEA) is being filed pursuant to Section 20 (e) of Commonwealth Act No. 146 otherwise known as the Public Service Act, which requires every public service to secure the approval and authorization of the Commission for issuance of any bonds or other evidence of indebtedness payable in more than one year.

THE PROPOSED PROJECTS

5. SURSECO I's proposed CAPEX Projects subject of the instant Application are summarized hereunder, as follows:

Proposed projects		Cost			
No.	Title	2018	2019	2020	Total
1	Relocation of Barobo 5 MVA substation.	21,470,436.65			21,470,436.65
2	Procurement of Engineering Analytical Software.		1,500,000.00		1,500,000.00
3	Replacement of Rotten Poles and Aged Line Accessories	4,500,000.00	4,500,000.00	4,500,000.00	13,500,000.00
4	Procurement and Installation of 1 unit 69KV deadtank circuit breaker for Barobo Substation.	2,700,000.00			2,700,000.00
5	Replacement of defective and overloaded Distribution transformers.	2,511,500.00	2,050,000.00	4,079,650.00	8,641,150.00
6	Uprating of San Fernando Substation from 5MVA to 10 MVA.	14,425,000.00			14,425,000.00
7	Procurement of KHW meter and Service drop wire for new connection.	2,619,560.00	3,661,570.00	3,922,750.00	10,203,880.00

10
2018
63

8	Construction of 69KV line & Installation of 5MVA Tagasaka Substation		38,023,448.30		38,023,448.30
9	Extension of primary and Secondary line	1,500,000.00	1,500,000.00	1,500,000.00	4,500,000.00
10	Sitio Electrification Program	33,940,379.86			33,940,379.86
11	Upgrading of Selected Primary Lines from Bare to Insulated.	8,000,000.00	6,000,000.00	5,000,000.00	19,000,000.00
12	Conversion of Feeder 1 backbone line structures.	10,195,640.30			10,195,640.30
13	Contingency & Buffer Stock	3,000,000.00		4,000,000.00	7,000,000.00
14	Installation of Underground Cable.	2,000,000.00			2,000,000.00
15	Replacement of Inefficient and defective KWH meters.	3,000,000.00	3,000,000.00	3,000,000.00	9,000,000.00
16	Distribution Systems Automation		10,000,000.00	10,000,000.00	20,000,000.00
17	Relocation of NGCP metering from Tabon Substation to the Substation connection point.		4,500,000.00		4,500,000.00
18	Logistics and Supports	48,713,040.00	1,615,600.00		50,328,640.00
19	Infrastructure development	41,500,000.00	17,000,000.00	3,000,000.00	61,500,000.00
Grand Total		200,075,556.81	93,350,618.30	39,002,400.00	332,428,575.11

CAPITAL EXPENDITURE PLAN

6. The proposed projects together with justifications are discussed in detail in SURSECO I's Executive Summary with technical and financial analysis and supporting data presented in ERC-specified templates.

FINANCIAL AND ECONOMIC EVALUATION

7. Financing Plan. SURSECO I's proposed projects will be financed partly through a loan from NEA. The Table below shows the CAPEX Plan financiers to be pursued and the corresponding costs to be financed.

Source of Funds	Project Cost to be financed	2018	2019	2020
NEA	298,488,195.25	166,135,176.95	93,350,618.30	39,002,400.00

9

8. **Cash Flow.** As shown in the following table, SURSECO I's cash flow shows that it can viably pursue and implement the 5-year CAPEX Plan without necessarily effecting a significant increase in its electricity rates. For the years 2018, 2019 and 2020, it shows that there is a minimal indicative additional rate requirement to cover the costs of the proposed projects, new loan annual amortization, and filing fees.

Source of Funds	2018	2019	2020	Total
NEA	16,874,966.24	26,356,934.84	30,318,553.30	73,550,454.37
Permit Fee	1,246,013.83	700,129.64	292,518.00	2,238,661.46
Total CAPEX Plan Cost to Customers	18,120,980.06	27,057,064.48	30,611,071.30	75,789,115.84

9. In addition, a previous loan from NEA with the outstanding balance as of 2017 was also considered.

Particulars	2018	2019	2020	TOTAL
Revenue from RFSC	25,774,674.41	27,288,987.57	29,013,768.18	82,077,430.16
CAPEX Plan Amortization	16,874,966.24	26,356,934.84	30,318,553.30	73,550,454.37
Permit fee	1,246,013.83	700,129.64	292,518.00	2,238,661.46
Previous Loan Amortization	11,084,234.00	10,599,732.00	8,696,760.00	30,380,726.00
Total CAPEX Plan Cost	29,205,214.06	37,656,796.48	39,307,831.30	106,169,841.84
Net Cash Flow	(3,430,539.65)	(10,367,808.91)	(10,294,063.12)	(24,092,411.68)

10. **Rate Impact.** The CAPEX Plan was envisioned to bring the most value to consumers at the most reasonable and justifiable electricity rates, such that implementation of the proposed projects will have a reasonable rate impact per kWh, as shown in the Table below, to wit:

48

	2018	2019	2020	2021	2022	TOTAL
Forecasted energy sales, kWh	66,363,210	70,262,180	74,703,050	79,704,010	85,288,020	376,320,470.00
Cash balance beginning, PhP, excess/(shortfall)	-	(3,050,916.54)	(13,039,102.33)	(22,953,542.32)	(32,155,631.42)	-
CASH INFLOWS						
current year collection @PhP0.4004/kWh at 97% collection efficiency	25,774,674.41	27,288,987.57	29,013,768.18	30,956,081.04	33,124,843.51	146,158,354.70
loan proceeds from financial institutions, PhP	166,135,176.95	93,350,618.30	39,002,400.00			298,488,195.25
50% of income on leased properties	379,623.12	379,623.12	379,623.12	379,623.12	379,623.12	1,898,115.60
Total Cash Inflows, PhP	192,289,474.48	121,019,228.99	68,395,791.30	31,335,704.16	33,504,466.63	446,544,665.55
Available cash for disbursement	192,289,474.48	117,968,312.45	55,356,688.97	8,382,161.83	1,348,835.21	446,544,665.55
CASH OUTFLOWS						
CAPEX requirement	166,135,176.95	93,350,618.30	39,002,400.00	-	-	298,488,195.25
old debt (old amortization)	11,084,234.00	10,599,732.00	8,696,760.00	10,219,239.96	10,396,167.96	50,996,133.92
new amortization (new CAPEX), PhP	16,874,966.24	26,356,934.84	30,318,553.30	30,318,553.30	30,318,553.30	134,187,560.96
ERC Permit Fee, PhP	1,246,013.83	700,129.64	292,518.00	-	-	2,238,661.46
Total Cash Outflows, PhP	195,340,391.01	131,007,414.78	78,310,231.30	40,537,793.26	40,714,721.26	485,910,551.60
Cash balance ending, PhP, excess/(shortfall)	(3,050,916.54)	(13,039,102.33)	(22,953,542.32)	(32,155,631.42)	(39,365,886.05)	(39,365,886.05)
Excess/(shortfall) on RFSC, PhP/kWh	(0.0460)	(0.1856)	(0.3073)	(0.4034)	(0.4616)	(0.1046)

AUTHORITY TO SECURE LOAN FROM NEA

11. As shown above, the proposed projects shall be financed through a loan from NEA considering that SURSECO I's Reinvestment Fund is not readily available and therefore cannot finance the implementation of the proposed projects as planned. In view thereof, SURSECO I hereby applies for authority from the Honorable Commission to secure said loan from NEA.

ALLEGATIONS IN SUPPORT OF THE MOTION FOR PROVISIONAL AUTHORITY

12. Applicant repleads the foregoing allegations as may be material herein.
13. As shown in the table of proposed projects, some of the projects may require implementation while the instant Application is pending evaluation of the Honorable Commission.
14. Further, unforeseen situations or occurrences may arise which might necessitate the immediate implementation of any of the proposed projects.

59

15. In view of the foregoing, Applicant respectfully moves for the issuance of a provisional authority while the application is pending, to implement those projects and secure loan from NEA to finance the same, as may be deemed necessary and urgent under prevailing circumstances, to enable SURSECO I to deliver a safe, efficient and more reliable electric service to its consumers.

SUBMISSION OF DOCUMENTARY AND PRE-FILING REQUIREMENTS

16. Finally, in compliance with the documentary as well as pre-filing requirements for the instant Application, Applicant is likewise submitting herewith the following documents which are being made as integral parts hereof, to wit:

Annex Markings	Nature of Document
A	Executive Summary on the Proposed Projects with supporting data in ERC-specified templates
B B-1	Affidavit of Posting Notice on the Proposed Projects
C	Affidavit of Undertaking that the corresponding application for approval of concerned agencies shall be filed, when required
D	Supporting documents for the Application for Authority to Secure Loan from NEA
E	Judicial Affidavit in Support of the Motion for Provisional Authority
F to F-1	Proof of furnishing of copies of the Application to the Sangguniang Panlungsod of Bislig and Sangguniang Panlalawigan of Surigao del Sur
G to G-2	Publication of the Application in a newspaper of general circulation in SURSECO I's franchise area or where it principally operates, with Affidavit of Publication

PRAYER

WHEREFORE, premises considered, Applicant SURSECO I respectfully prays of this Honorable Commission that:

1. Upon initial review of the instant Application and pending evaluation thereof, SURSECO I be granted provisional authority to implement any of the proposed projects as well as secure loan from NEA to finance the same, as may be deemed necessary and urgent under specific circumstances; and
2. After due notice and hearing, SURSECO I's proposed Capital Expenditure Program for Years 2018-2020 be approved and the loan being secured from NEA to finance some of the projects be authorized and approved accordingly.

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

Finding the said *Application* sufficient in substance with the required fees having been paid, the same is hereby set for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on **05 July 2018 (Thursday) at ten o'clock in the morning (10:00 A.M.), at SURSECO I's Principal Office, San Fernando, Bislig City, Surigao del Sur.**

Accordingly, SURSECO I is hereby directed to:

- 1) Cause the publication of the attached Notice of Public 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 Hearing the Offices of the Provincial Governors, the City and Municipal Mayors, and the Local Government Unit (LGU) legislative bodies within the affected franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon, the consumers within the affected franchise area, by any other means available and appropriate;
- 4) Furnish with copies of this Order and the attached Notice of Public 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.

7/17

On the date of the initial hearing, Applicant must submit to the Commission 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 Public Hearing consisting of affidavits of the Editors or Business Managers of the newspapers where the said Notice of Public 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 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 Applicant to inform of the filing of the *Application*, its reasons therefore, and of the scheduled hearing thereon, the consumers within the affected franchise area;
- 4) The evidence of receipt of copies of this Order and the attached Notice of Public Hearing by the Office of the Solicitor General (OSG), the Commission on Audit (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 proofs of compliance with the requirements of the Commission.

Applicant and all interested parties are also required to submit, at least five (5) days before the date of 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 therefore; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

Failure of Applicant 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.

SURSECO I 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, what the *Application* is all about and the reasons and justifications being cited in support thereof.


SO ORDERED.

Pasig City, 17 April 2018.

FOR AND BY AUTHORITY
OF THE COMMISSION:


AGNES VST DEVANADERA
Chairperson and CEO




ERC/ARG/APV ord.2018-011 surseco I- CAPEX io



Copy Furnished:

1. DECHAVEZ & EVANGELISTA LAW OFFICES
Counsel for SURSECO I
Unit 2008 20th Floor, Tycoon Centre
Pearl Drive, Ortigas Center, Pasig City 1605
2. Surigao del Sur I Electric Cooperative, Inc.
(SURSECO I)
San Fernando, Bislig City, Surigao del Sur
3. Office of the Solicitor General (OSG)
134 Amorsolo Street, Legaspi Village, City of Makati 1229
4. Commission on Audit (COA)
Commonwealth Avenue, Quezon City 1121
5. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City 1300
6. House of Representatives Committee on Energy
Batasan Hills, Quezon City 1126
7. Office of the City Mayor
Bislig City, Surigao del Sur
8. Office of the Sangguniang Panglungsod
Bislig City, Surigao del Sur
9. Office of the Municipal Mayor
Barobo, Surigao del Sur
10. Office of the Sangguniang Bayan
Barobo, Surigao del Sur
11. Office of the Municipal Mayor
Tagbina, Surigao del Sur
12. Office of the Sangguniang Bayan
Tagbina, Surigao del Sur
13. Office of the Municipal Mayor
Hinatuan, Surigao del Sur
14. Office of the Sangguniang Bayan
Hinatuan, Surigao del Sur
15. Office of the Municipal Mayor
Lingig, Surigao del Sur
16. Office of the Sangguniang Bayan
Lingig, Surigao del Sur
17. Office of the Governor
Province of Surigao del Sur
18. Office of the Sangguniang Panlalawigan
Province of Surigao del Sur

04

19. Philippine Chamber of Commerce and Industry (PCCI)
3rd Floor, Chamber and Industry Plaza (CIP),
1030 Campus Avenue corner Park Avenue,
McKinley Town Center, Fort Bonifacio, Taguig City

20. Regulatory Operations Service
17th Floor, Pacific Center, San Miguel Avenue
Pasig City

AL