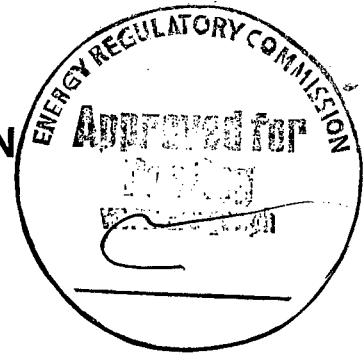


Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City



**IN THE MATTER OF THE
APPLICATION FOR APPROVAL
OF BUSINESS SEPARATION
AND UNBUNDLING PLAN
(BSUP) PURSUANT TO
SECTION 36 OF REPUBLIC ACT
9136 AND RULE 10 OF ITS
IMPLEMENTING RULES AND
REGULATIONS**

ERC CASE NO. 2014-017 MC

**ZAMBOANGA DEL SUR I
ELECTRIC COOPERATIVE, INC.
(ZAMSURECO I),**

Applicant.

X ----- X

D O C K E T E D
Date: JUL 21 2014
By: [Signature]

ORDER

On February 27, 2014, Zamboanga Del Sur I Electric Cooperative, Inc. (ZAMSURECO I) filed an application for approval of its Business Separation and Unbundling Plan (BSUP) pursuant to Section 36 of Republic Act No. 9136 and Rule 10 of its Implementing Rules and Regulations.

On March 17, 2014, the Commission issued an Order and a Notice of Public Hearing setting the application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on March 31, 2014.

In the same Order, ZAMSURECO I was directed to cause publication once (1x) in a newspaper of general circulation in the Philippines, with the date of the publication to be made not later than ten (10) days before the date of the scheduled initial hearing. It was also directed to inform the consumers within its franchise area, by any other means available and appropriate, of the filing of the instant application, its reasons therefor, and of the scheduled hearing thereon.

ZAMSURECO I was, likewise, directed to furnish the Office of the Solicitor General (OSG), the Commission on Audit (COA), the Committees on Energy of both Houses of Congress, the Offices of the Provincial Governors of Zamboanga del Sur and Misamis Occidental and the Mayors of the Municipalities within its franchise area, with copies of the Application, Order and Notice of Public Hearing.

On March 21, 2014, ZAMSURECO 1, filed an "Urgent Motion to Reset Hearing" praying for the issuance of an Order cancelling and resetting the hearing of the instant application because it cannot possibly attend the above-mentioned schedule of hearing on the ground that it will be conducting its Annual Membership Assembly which will be held per municipality/city level, from April 1 to May 15, 2014. It alleged that the preparations for said undertaking is very tight at that point in time, and is more taxing considering that there are twenty-four (24) local government units (LGUs) concerned, which will be the respective venues of the membership assembly.

Finding the said motion meritorious, the same is hereby granted. Relative thereto, the Commission hereby sets anew the instant application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on **August 27, 2014 (Wednesday) at two o'clock in the afternoon (2:00 P.M.) at the ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig City.**

ZAMSURECO I is hereby directed anew to cause the publication of the attached Notice of Public Hearing, at its own expense, once (1x) in a newspaper of general circulation in the Philippines, with the date of the publication to be made not later than ten (10) days before the date of the scheduled initial hearing. It is also directed to inform the consumers within its franchise area, by any other means available and appropriate, of the filing of the instant application, its reasons therefor, and of the scheduled hearing thereon.

Let copies of this Order, and the attached Notice of Public Hearing be furnished 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.

Likewise, let copies of this Order and the attached Notice of Public Hearing be furnished the Offices of the Provincial Governors of Zamboanga del Sur and Misamis Occidental and the Mayors of the

Municipalities within the franchise area of ZAMSURECO I for the appropriate posting thereof on their respective bulletin boards.

ZAMSURECO I is hereby directed to furnish all those making requests therefor with copies of the application and its attachments, subject to reimbursement of reasonable photocopying costs.

On the date of the initial hearing and pre-trial conference, ZAMSURECO I must submit to the Commission its written Compliance with the jurisdictional requirements attaching therewith, methodically arranged and duly marked, the evidences on the actual posting and publication of the Notice of Public Hearing consisting of certifications issued to that effect, signed by the afore-mentioned Governors and Mayors or their duly authorized representatives, bearing the seals of their offices, and the affidavit of the Editor or Business Manager of the newspaper where said Notice of Public Hearing was published together with the complete issue of the said newspaper, and such other proofs of compliance with the requirements of the Commission.

ZAMSURECO I and all interested parties are directed 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:

- (a) A summary of admitted facts and proposed stipulation of facts;
- (b) The issues to be tried or resolved;
- (c) The documents or exhibits to be presented, stating the purposes thereof and proposed markings therefor; and
- (d) The number and names of the witnesses, with their written testimonies in an individual affidavit form, to be attached to the Pre-Trial Brief.

Failure of ZAMSURECO I to submit the required Pre-Trial Brief and Judicial Affidavits of its witnesses 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 said date of cancellation.

As part of the pre-trial conference, ZAMSURECO I must also be prepared to make an expository presentation of its 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, July 14, 2014.

FOR AND BY AUTHORITY
OF THE COMMISSION:


ZENAIDA G. CRUZ-DUCUT
Chairperson ✓


LBB/NJS

Copy Furnished:

1. **Atty. Ditas A. Lerios-Amboy**
Counsel for ZAMSURECO I
Units 1609-1610, Tycoon Center.
Pearl Drive, Pasig City, Metro Manila
2. **Zamboanga del Sur Electric Cooperative, Inc. (ZAMSURECO I)**
J.S. Alano Street, Pagadian City, Zamboanga del sur
3. **Office of the Solicitor General**
134 Amorsolo Street, Legaspi Village
Makati City, Metro Manila
4. **Commission on Audit**
Commonwealth Avenue
Quezon City, Metro Manila
5. **Senate Committee on Energy**
GSIS Bldg. Roxas Blvd., Pasay City
Metro Manila
6. **House Committee on Energy**
Batasan Hills, Quezon City, Metro Manila
7. **Office of the President**
Philippine Chamber of Commerce and Industry (PCCI)
3rd Floor, ECC Building, Sen. Gil Puyat Avenue
Makati City
8. **Office of the Provincial Governor**
Zamboanga del Sur
9. **Office of the Provincial Governor**
Misamis Occidental
10. **Office of the Municipal Mayor**
Tambulig, Zamboanga del Sur
11. **Office of the Municipal Mayor**
Molave, Zamboanga del Sur
12. **Office of the Municipal Mayor**
Dumingag, Zamboanga del Sur
13. **Office of the Municipal Mayor**
Mahayag, Zamboanga del Sur
14. **Office of the Municipal Mayor**
Josefina, Zamboanga del Sur
15. **Office of the Municipal Mayor**
Aurora, Zamboanga del Sur

16. **Office of the Municipal Mayor**
Ramon Magsaysay, Zamboanga del Sur
17. **Office of the Municipal Mayor**
Suminot, Zamboanga del Sur
18. **Office of the Municipal Mayor**
Tukuran, Zamboanga del Sur
19. **Office of the Municipal Mayor**
Labangan, Zamboanga del Sur
20. **Office of the Municipal Mayor**
Dumalinao, Zamboanga del Sur
21. **Office of the Municipal Mayor**
Tigbao, Zamboanga del Sur
22. **Office of the Municipal Mayor**
San Pablo, Zamboanga del Sur
23. **Office of the Municipal Mayor**
Guipos, Zamboanga del Sur
24. **Office of the Municipal Mayor**
San Miguel, Zamboanga del Sur
25. **Office of the Municipal Mayor**
Lapuyan, Zamboanga del Sur
26. **Office of the Municipal Mayor**
Margosatubig, Zamboanga del Sur
27. **Office of the Municipal Mayor**
Margosatubig, Zamboanga del Sur
28. **Office of the Municipal Mayor**
Vincenzo Sagun, Zamboanga del Sur
29. **Office of the Municipal Mayor**
Dinas, Zamboanga del Sur
30. **Office of the Municipal Mayor**
Dimataling, Zamboanga del Sur
31. **Office of the Municipal Mayor**
Tabina, Zamboanga del Sur
32. **Office of the Municipal Mayor**
Pitogo, Zamboanga del Sur
33. **Office of the Municipal Mayor**
Don Victoriano, Misamis Occidental