

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



IN THE MATTER OF THE  
APPLICATION FOR APPROVAL  
OF THE TRANSLATION INTO  
DISTRIBUTION RATES OF  
DIFFERENT CUSTOMER  
CLASSES FOR THE FOURTH  
REGULATORY YEAR OF THE  
ERC-APPROVED ANNUAL  
REVENUE REQUIREMENT FOR  
DECORP UNDER THE  
PERFORMANCE BASED  
REGULATION (PBR) FOR THE  
REGULATORY PERIOD 2011-2015

ERC CASE NO. 2014- 027 RC

DAGUPAN ELECTRIC  
CORPORATION (DECORP),  
Applicant.

x ----- x

BOOKETED  
Date: JUL 28 2014  
✓

**ORDER**

On June 20, 2014, the Dagupan Electric Corporation (DECORP) filed a "Manifestation and Motion to Reset Hearing" praying that the hearing of the instant application set on June 25, 2014 be reset to another date due to its failure to comply with the Commission's publication of notice requirements.

Finding said motion meritorious, the same is hereby GRANTED. Accordingly, the jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing of the instant application is hereby reset to **August 29, 2014 (Friday) at nine-thirty in the morning (9:30 A.M.) at the DECORP's Main Office, AB Fernandez West, Dagupan City.**

DECORP is hereby directed anew to cause the publication of the attached Notice of Public Hearing, at its own expense, twice (2x) for two (2) successive weeks in two (2) newspapers of general circulation in the Philippines, with the date of the last 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 the application, this Order, the Order dated May 12, 2014 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 hearings.

Likewise, let copies of this Order, the Order dated May 12, 2014 and the attached Notice of Public Hearing be furnished the Offices of the Governor of Pangasinan, the Mayors of the City and Municipalities and the Barangays Cruz and Bolingit of San Carlos City, Pangasinan, within the franchise area of DECORP for appropriate posting thereof on their respective bulletin boards.

DECORP 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, DECORP must submit to the Commission its written Compliance with the jurisdictional requirements attaching therewith, methodically arranged and duly marked, the evidences of the actual posting and publication of the Notice of Public Hearing consisting of certification issued to that effect, signed by the afore-mentioned Governor, Mayors and Barangays or their duly authorized representatives, bearing the seals of their offices, and the affidavits of the Editors or Business Managers of the newspapers where said Notice of Public Hearing were published together with the complete issues of the said newspapers, and such other proofs of compliance with the requirements of the Commission.

DECORP 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 therefore; 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 DECORP 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, DECORP 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 21, 2014.

FOR AND BY AUTHORITY  
OF THE COMMISSION

  
**ZENAIDA G. CRUZ-DUCUT**  
Chairperson

Copy furnished:

1. **Atty. Manuel L.M. Torres**  
Counsel for Applicant  
21<sup>st</sup> Floor, Robinsons-Equitable Tower  
ADB Avenue corner Poveda Street  
Ortigas Center, Pasig City
2. **Office of the Solicitor General**  
134 Amorsolo Street, Legaspi Village  
1229 City of Makati
3. **Commission on Audit**  
Commonwealth Avenue  
1121 Quezon City
4. **Senate Committee on Energy**  
GSIS Building, Roxas Boulevard  
Pasay City 1307
5. **House Committee on Energy**  
Batasan Hills, Quezon City 1126
6. **The City Mayor**  
Dagupan City
7. **The Municipal Mayor**  
San Fabian, Pangasinan
8. **The Municipal Mayor**  
Calasiao, Pangasinan
9. **The Municipal Mayor**  
Sta. Barbara, Pangasinan
10. **The Municipal Mayor**  
San Jacinto, Pangasinan
11. **The Municipal Mayor and Heads of Barangay**  
Barangays Cruz and Bolingit  
San Carlos, Pangasinan
12. **The Municipal Mayor**  
Manaoag, Pangasinan