

Summary of the 143 Cases Decided In 2009

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
1	2001-811 (ERB 2001-27)	In the Matter of the Petition for Authority for the Inclusion of the Power Purchase/Energy Conversion Agreement of the Mindanao Coal-Fired Thermal Power Plant Project (Mindanao 200 MW CFTPP) in the Fuel and Purchase Power Adjustment Clause (FPCA), with Prayer for Provisional Authority	National Power Corporation (NPC)	Decision dated February 2, 2009. The ERC approved, with modification, the petition for authority filed by NPC for the following base rates: 1) Foreign Component - Capacity Fee of US\$11.86154/kW/month, Fixed O&M Fee of US\$2.86835/kW/month and Variable O&M Fee of US\$0.002176/kW; and 2) Local Component - Capacity Fee of PhP21.44266/kW/month, Fixed O&M Fee of PhP182.08233/kW/month and Variable O&M Fee of PhP0.01069/kW. The ERC directed NPC to compute the monthly fixed Capacity Fee, Fixed and Variable O&M Fees and Fuel Cost based on the formula provided in the PPA and subject to the modified rates, and to adjust the O&M Fee every 6 months with reference base indices as of November 2009. Further, NPC was directed not to pass on to its customers the increase in the blended rate resulting from non-utilization of available capacity if due to NPC's fault.
2	2001-900	In the Matter of the Application for the Approval of the Unbundled Rates Pursuant to the Provision of Republic Act No. 9136	Manila Electric Company (MERALCO)	Decision dated April 20, 2009. The ERC reinstated its Order dated September 26, 2008 directing MERALCO to refund its Currency Exchange Rate Adjustment (CERA) over-recovery amounting to PhP3,924,922,762.58 equivalent to PhP0.1461/kWh. This Order supersedes the Order dated February 16, 2009 which considered the Motion for Reconsideration filed by MERALCO and renders moot and academic the National Association of Electricity Consumers for Reforms, Inc. (NASECORE's) "Urgent Motion for Execution" dated November 24, 2008 and "Motion for Reconsideration" dated March 5, 2009.
3	2004-43	Vicente O. Gomez vs. Misamis Oriental II Electric Cooperative, Inc. (MORESCO II)	Vicente O. Gomez	Decision dated November 17, 2008. The ERC dismissed for lack of merit the complaint filed by Vicente Gomez. The complainant was advised to comply with the requirements of MORESCO II as well as the requirements provided by the Local Government Unit (LGU) under the Magna Carta for Residential Electricity Consumers in order to facilitate his application for electric service.
4	2004-106	Jose Rimando vs. Manila Electric Company (MERALCO)	Jose Rimando	Decision dated June 22, 2009. The ERC, having found that Complainant Jose Rimando was not consuming illegally-drawn electricity, declared the differential billing of PhP217,630.30 being imposed MERALCO to have no sufficient basis.
5	2005-004 RC	In the Matter of the Application for Approval of the Electric Power Purchase Agreement (EPPA) Entered into by and between Applicant and Mirant (Philippines) Energy Corporation	La Union Electric Company, Incorporated (LUECO)	Decision dated September 29, 2009. The ERC approved the application filed by LUECO on January 13, 2005 for the approval of its EPPA with Mirant (Philippines) Energy Corporation (MIRANT, now Team [Philippines] Energy Corporation [TPEC]) subject to the following conditions: 1) The heat rate should be based on the guaranteed

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		tion, with Prayer for Provisional Authority		heat rate per year of Sual Power Plant under NPC and MIRANT/TPEC's Energy Conversion Agreement (ECA) or actual heat rate whichever is lower; and 2)In the event that NPC rate is no longer competitive and equitable to both parties due to the on-going privatization of its assets, LUECO and MIRANT/TPEC should conduct mutual discussions and renegotiate a new pricing scheme, subject to ERC's approval.
6	2005-024 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Masbate Electric Cooperative, Inc. (MASELCO)	Decision dated April 15, 2009. The ERC found and declared that MASELCO has committed the violation of not including pilferage recovery in the PPA computation. Accordingly, MASELCO was directed by ERC to pay the corresponding penalty in the amount of PhP494,100.00.
7	2005-027 MC 2007-309 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement Purchased Power Adjustment (PPA) Using the Power Cost at "Net" of Discounts & Non-Inclusion of Pilferage Recovery in PPA Computation</i>	La Union Electric Cooperative, Inc. (LUELCO)	Decision dated March 3, 2009. The ERC declared the case to be closed and terminated in view of the payment made by LUELCO in the amount of PhP155,650.00 on March 03, 2009 under O.R. No. 8739512 as compromise settlement for the penalty incurred for its failure to implement PPA using the power cost at "net" of discounts and for not including pilferage recovery in its PPA computation.
8	2005-316 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implement Energy Regulatory Board's (ERB) Order on Purchased Power Adjustment (PPA)</i>	Ticao Island Electric Cooperative, Inc. (TISELCO)	Decision dated August 18, 2009. The ERC found and declared that TISELCO has committed the violation of not implementing the ERB's Order on PPA. Accordingly, TISELCO was directed by ERC to pay the corresponding penalty in the amount of PhP503,200.00.
9	2005-319 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Rate Reduction Due to Loan Condonation and Cross Subsidy Removal</i>	Central Pangasinan Electric Cooperative, Inc. (CENPELCO)	Decision dated March 16, 2009. The ERC reprimanded CENPELCO for its failure to implement the rate reduction due to loan condonation and cross subsidy removal and warned that a similar offense in the future shall be dealt with more severely. CENPELCO, after the ERC issued a Show Cause Order on December 07, 2005 directing them to explain such violation, justified that the implementation will result to bankruptcy, hence they opted to defer. The ERC confirmed that they finally implemented effective January 2009 billing.
10	2006-007 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Sorsogon II Electric Cooperative, Inc. (SORECO II)	Decision dated February 13, 2009. The ERC declared the case to be closed and terminated in view of the payment made by SORECO II in the amount of PhP320,100.00 on February 12, 2009 under O.R. No. 8739330 as compromise settlement for the penalty incurred for not including pilferage recovery in its PPA computation.
11	2006-008 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement Purchased Power Adjustment (PPA) Using the Power Cost at "Net" of Discounts</i>	Sorsogon II Electric Cooperative, Inc. (SORECO II)	Decision dated February 19, 2009. The ERC declared the case to be closed and terminated in view of the payment made by SORECO II in the amount of PhP68,300.00 on February 12, 2009 under O.R. No. 8739330 as compromise settlement for the penalty incurred for its failure to implement PPA using "net" of discounts.

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12	2006-027 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Implementation of Final Rate Reduction due to Loan Condonation and Cross Subsidy Removal</i>	Camarines Norte Electric Cooperative, Inc. (CANORECO)	Decision dated May 26, 2009. The ERC reprimanded CANORECO for its late implementation of final rate reduction due to loan condonation and removal of cross-subsidy and warned that a similar offense in the future shall be dealt with more severely. CANORECO filed its "Verified Explanation" stating that it implemented the rate reduction on January 2005 instead of September 2004 due to the pending "Motion for Reconsideration and Deferment of Implementation".
13	2006-028 RC	In the Matter of the Application for the Approval of the Proposed Time-Of-Use (TOU) Retail Rates to End-Users, with Prayer for Provisional Authority	Cagayan Electric Power and Light Company, Inc. (CEPALCO)	Decision dated October 12, 2009. The ERC approved, with modification, the application filed by CEPALCO for approval of its TOU retail rates, and provided CEPALCO the Rate Schedules for its customers. The ERC directed CEPALCO to submit a list of requirements, together with the AGRA requirements for the ERC's verification and confirmation. It was further directed by ERC to file an application for approval of its re-negotiated EPA with MIN-ERGY and apply for the appropriate rate for its PV plant under Power Supply Agreement (PSA) or Ancillary Service Procurement Plan (ASPP) as the case may be.
14	2006-079 RC	In the Matter of the Joint Application for Approval of the Transition Supply Contract (TSC) between the National Power Corporation (NPC) and Manila Electric Company (MERALCO), with Prayer for Provisional Authority	National Power Corporation (NPC) and Manila Electric Company (MERALCO)	Decision dated June 30, 2008. The ERC made permanent the provisional authority granted to NPC and MERALCO in ERC Order dated January 22, 2007 relative to their application for TSC approval provided that Section 6.3 be deleted and Sections 6.4 and 6.5 be made a separate agreement instead of being incorporated in the TSC. Further, the ERC provided that the incremental cost of replacement power will not be passed on to MERALCO's customers in any way.
15	2006-081 MC	In the Matter of the Violation of ERC Orders, Rules and Regulations - <i>Failure to Submit Progress Report on 5% Reinvestment Fund On Time</i>	Quezon II Electric Cooperative, Inc. (QUEZELCO II)	Decision dated February 19, 2009. The ERC reprimanded QUEZELCO II for the delay in the submission of their Reinvestment Fund Report on time and warned that a similar offense in the future shall be dealt with more severely. QUEZELCO II only submitted their Report covering the period January to December 2005 on February 13, 2009, after the ERC issued a Show Cause Order directing them to explain such violation.
16	2006-092 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Rate Reduction Due to Loan Condonation and Cross Subsidy Removal</i>	Aurora Electric Cooperative, Inc. (AURELCO)	Decision dated February 16, 2009. The ERC reprimanded AURELCO for its failure to implement the rate reduction due to loan condonation and cross subsidy removal and warned that a similar offense in the future shall be dealt with more severely. AURELCO, after the ERC issued a Show Cause Order on May 10, 2006 directing them to explain such violation, filed a Motion for Reconsideration stating that it received the Order on the cross subsidy on May 23, 2005 and immediately implemented in June 2005, and received the Order on Loan Condonation on May 23, 2005 and implemented in August 2005.

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17	2006-111 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Board's (ERB) Order on Purchased Power Adjustment (PPA)</i>	Camiguin Electric Cooperative, Inc. (CAMELCO)	Decision dated March 4, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CAMELCO of the total amount of imposable penalty for not implementing ERB's Order on PPA, with an equivalent amount of PhP139,150.00. CAMELCO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
18	2006-154 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Refund the Full Amount of PhP2,307,879.85 to its End-Users</i>	Sorsogon I Electric Cooperative, Inc. (SORECO I)	Decision dated July 24, 2009. The ERC reprimanded SORECO I for its failure to refund the full amount of PhP2,307,879.85 to its end-users on time and warned that a similar offense in the future shall be dealt with more severely. SORECO I manifested that it implemented the refund on December 2008.
19	2006-156 MC	In re: Petition for Direct Connection of Electric Power with the National Power Corporation (NPC) and/or the National Transmission Corporation (TRANSCO)	Technology Livelihood and Resource Center (TLRC)	Decision dated May 4, 2009. The ERC denied the "Petition" and "Supplemental Petition" both filed by TLRC for direct connection with NPC through the transmission system of TRANSCO for lack of merit without prejudice to the filing of the appropriate petitions by the locators/lessees in the Mabalacat Technocenter. Based on the evidence presented by TLRC, it is apparent that it filed the instant petitions primarily for the locators/lessees in the Mabalacat Technocenter to directly source their power requirements from the NPC. However, such locators/lessees were never impleaded as co-petitioners. Moreover, TLRC failed to prove that the said locators/lessees have expressly authorized it to file the petitions on their behalf.
20	2006-307 CC	Elditha A. Pujanes vs. First Laguna Electric Cooperative, Inc. (FLECO)	Elditha A. Pujanes	Decision dated June 22, 2009. The ERC declared that the electric service disconnection of complainant Elditha Pujanes and the differential billing of PhP28,998.82 to be without legal basis. Accordingly, the Order of the ERC directing FLECO to temporarily reconnect complainant's was made permanent. ERC found out that the disconnection effected by FLECO was procedurally flawed and their claim for differential billing lacked legal and factual basis. Not only did it fail to comply with the meter testing requirements by an ERC representative, but it also failed to substantiate the amount of PhP28,998.82.
21	2006-308 CC	Cesar Aguja vs. First Laguna Electric Cooperative, Inc. (FLECO)	Cesar Aguja	Decision dated June 22, 2009. The ERC declared that the electric service disconnection of complainant Cesar Aguja and the differential billing of PhP21,267.76 to be without legal basis. Accordingly, the Order of the ERC directing FLECO to temporarily reconnect complainant's electric service was made permanent. ERC found out that the disconnection effected by FLECO was procedurally flawed and their claim for differential billing lacked legal and factual basis. Not only did it fail to comply with the meter testing requirements by an ERC representative, but it also failed to substantiate the amount of PhP21,267.76.

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22	2006-527	Lim and Ocampo Law Offices vs. Manila Electric Company (MERALCO)	Lim and Ocampo Law Offices	Decision dated August 17, 2009. The ERC ordered MERALCO to desist from further demanding and claiming against complainant Lim and Ocampo Law Office of the unbilled electricity consumption amounting to PhP411,100.00. MERALCO failed to present any proof as to the condition as well as on the reading/consumption of the subject meter when it was actually pulled out in October 2005. Neither was there evidence to support its claim that the Law Office actually benefited from the subject terminated meter.
23	2007-102 RC	In the Matter of the Application for Approval/Review of Electric Capital Projects within the Franchise Area for Calendar Years 2002, 2003, 2004, 2005 and 2006	Aklan Electric Cooperative, Inc. (AKELCO)	Decision dated January 12, 2009. The ERC approved the application filed by AKELCO for its electric capital projects for calendar years 2002, 2003, 2004, 2005 and 2006, specifically 1) Construction of 10 MVA Substation in 2002; 2) Construction of 10 MVA Substation in 2003; 3) Distribution line projects; and 4) Construction of 13.2 kV Submarine Cable in 2005, with a total cost of PhP113,324,655.00. The projects will address substation overloading and the increase in demand, reduce distribution system losses and improve voltage variation in various locations. Accordingly, AKELCO was directed to remit to ERC the amount of PhP849,935.00 as permit fee.
24	2007-115 MC	In the Matter of the Petition for the Approval of Direct Connection with the National Power Corporation (NPC) and the National Transmission Corporation (TRANSCO), with Prayer for Provisional Authority and Issuance of a Temporary Mandatory Order and/or a Writ of Preliminary Injunction	Philippine Resins Industries, Inc. (PRII)	Decision dated March 30, 2009. The ERC approved the petition of PRII for direct connection with the NPC and TRANSCO. The ERC finds that Peninsula Electric Cooperative Inc.'s (PENELCO) existing distribution facilities will not be able to support the load requirements of PRII, and any power interruption during the operation of PRII will result to serious damage to its business.
25	2007-134 RC	In the Matter of the Application for Approval of an Emergency Capital Project	Aklan Electric Cooperative, Inc. (AKELCO)	Decision dated January 12, 2009. The ERC approved the application filed by AKELCO for its Emergency Capital Project, specifically the Repair of Submarine Cable with a total cost of PhP4,032,558.00. The project aims to restore power in Boracay Island and maintain the submarine cables. Accordingly, AKELCO was directed to remit to ERC the amount of PhP30,244.00 as permit fee.
26	2007-138 RC	In the Matter of the Application for Approval of the Power Supply Contract (PSC) entered into between Central Negros Electric Cooperative, Inc. (CENECO) and KEPCO-Salcon Power Corporation (KSPC)	Central Negros Electric Cooperative, Inc. (CENECO) and KEPCO-SPC Power Corporation (KSPC)	Decision dated February 16, 2009. The ERC approved, with modification, the application filed by CENECO and KSPC for the approval of their PSC and the "Motion for the Approval of the Amendments to the Power Sales Contract". The amended PSC shall be subject to a total KSPC price of PhP4.2511/kWh, with the following components: 1) Capacity Fee of PhP2.2958/kWh; 2) Foreign O & M Fee of PhP0.2782/kWh; 3) Local O & M Fee of PhP0.3809/kWh; and 4) Fuel Fee of PhP1.2962/kWh. CENECO was directed to submit, in its Automatic Generation Rate Adjustment (AGRA) confirmation, the derivation of the Fuel Fee

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				and the heat rate utilized for the applicable billing period with supporting documents. Finally, the provision in the PSC relative to the supply by the National Power Corporation (NPC) of about 120,000,000 kWh out of CENECO's 470,400,000 kWh total annual contract quantity with KSPC should be embodied in a separate contract subject to the approval by the Commission.
27	2007-147 RC	In the Matter of the Application for Authority to Recover Transmission Cost Under-Recoveries, Including the Carrying Cost, with Prayer for Provisional Authority	Manila Electric Company (MERALCO)	Decision dated October 12, 2009. The ERC approved, with modification, the application filed by MERALCO and confirms the total under-recoveries of MERALCO in the transmission charges for the period June 2003 to July 2007 in the amount of PhP4.321 Billion and carrying costs amounting to PhP1.026 Billion. MERALCO was authorized to collect the amount of PhP5,347,621,003.62 equivalent to the following charges per customer class starting the next billing cycle: 1) Residential & General Service - PhP0.1978/kWh; 2) Residential - PhP0.1892/kWh; 3) General Service - PhP0.2692/kWh; 4) GHMS - PhP0.2292/kWh; 5) Flat Streetlights - PhP0.1990/kWh; 6) NIS/IS Small - PhP59.1522/kW; 7) NIS/IS Secondary - PhP66.4243/kW; 8) NIS/IS Below 13.2 kV - PhP65.4939/kW; 9) NIS/IS 13.8/13.2 kV - PhP66.4062/kW; 10) NIS/IS 34.5 kV - PhP71.5040/kW; and 11) NIS/IS 115 kV - PhP72.0375/kW. Further, MERALCO was directed to incorporate in the computed Monthly Transmission Rate the Other Transmission Cost Adjustment (OTCA).
28	2007-148 RC	In the Matter of the Application of the National Transmission Corporation (TRANSCO) or its Concessionaire for Approval of Force Majeure (FM) Event Regulated FM Pass Through for Typhoons Milenyo, Reming, Seniang and Paeng, in Accordance with the Transmission Wheeling Rate Guidelines (TWRG)	National Transmission Corporation (TRANSCO)	Decision dated December 15, 2008. The ERC approved the application filed by TRANSCO for approval of force majeure event regulated FM pass through for Typhoons Milenyo, Reming, Seniang, and Paeng, in accordance with the provisions of the TWRG provided that the recoverable project cost of PhP1,851.28 Million will be subjected to optimization during the Reset Process for the 3rd Regulatory Period. In addition to that, TRANSCO was authorized to collect, on top of the 2009 MAR, the following FM Pass-Through Amounts: 1) Luzon Customers- PhP1.9183/kW for Milenyo and PhP4.6695/kW for Reming; and 2) Visayas Customers - PhP0.0859/kW for typhoon Seniang. Further, the ERC directed that the proposed Accelerated Depreciation in the amount of PhP284.080 Million will be included in the Annual Revenue Requirement (ARR) for the 3rd Regulatory Period and will not be included in the computation of FM Pass Through Amount and the transmission network facilities damaged by Typhoons "Milenyo", "Reming", "Seniang" and "Paeng" shall be excluded in the Regulatory Asset Base (RAB) of TRANSCO commencing the 3rd Regulatory Period. Finally, TRANSCO was directed by ERC to pay the amount of PhP13,884,578.73 as permit fee within thirty (30) days from receipt of the Decision.

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29	2007-157 RC	In the Matter of the Application for Authority to Recover Inter-Class Cross Subsidy Under-Recoveries and Carrying Charges, with Prayer for Provisional Authority	Manila Electric Company (MERALCO)	Decision dated November 16, 2009. The ERC approved, with modification, the application filed by MERALCO for authority to recover inter-class cross subsidy under-recoveries and carrying charges. MERALCO was authorized to collect the total inter-class cross subsidy under-recovery covering the period June 2003 to October 2006 amounting to PhP1,048,541,216.00 equivalent to PhP0.0103/kWh until its full recovery.
30	2007-242 MC	In the Matter of the Petition for Direct Connection with the National Power Corporation (NPC) through the Transmission System of the National Transmission Corporation (TRANSCO)	Golden Portals Industries, Inc. (GPIL)	Decision dated May 25, 2009. The ERC denied the petition filed by GPIL for direct connection with the NPC through TRANSCO for lack of merit. The ERC found clear indications that Panay Electric Company, Inc. (PECO) was financially and technically capable to provide the power requirements of GPIL. On that basis, the Commission found no logical reason to allow GPIL to source its entire power requirement directly from NPC.
31	2007-265 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission (ERC) Order on Purchased Power Adjustment (PPA)</i>	First Laguna Electric Cooperative, Inc. (FLECO)	Decision dated April 7, 2009. The ERC reprimanded FLECO for its failure to implement on time the refund on PPA and warned that a similar offense in the future shall be dealt with more severely. FLECO explained that it still has a pending Motion for Reconsideration (MR) and it started the implementation of the refund as directed on the billing month of October 2008.
32	2007-293 MC 2006-146 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement Energy Regulatory Board's (ERB) Order on Purchased Power Adjustment (PPA) and Failure to Implement Energy Regulatory Commission's (ERC) Order on PPA</i>	Abra Electric Cooperative, Inc. (ABRECO)	Decision dated February 13, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ABRECO of the total amount of impossible penalty for its failure to implement ERB and ERC's order on PPA, with an equivalent amount of PhP292,850.00. ABRECO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
33	2007-299 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Board (ERB) Order on Purchased Power Adjustment (PPA)</i>	Masbate Electric Cooperative, Inc. (MASELCO)	Decision dated April 13, 2009. The ERC found and declared that MASELCO has committed the violation of not implementing the ERB order on PPA. Accordingly, MASELCO was directed by ERC to pay the corresponding penalty in the amount of PhP451,700.00.
34	2007-323 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement Purchased Power Adjustment (PPA) Using the Power Cost at "Net" of Discounts</i>	Camarines Sur IV Electric Cooperative, Inc. (CASURECO IV)	Decision dated February 23, 2009. The ERC found and declared that CASURECO IV has committed the violation of not implementing the PPA using the power cost at "net" of discounts in the computation of its monthly PPA charges. Accordingly, CASURECO IV was directed by ERC to pay the corresponding penalty in the amount of PhP151,800.00.
35	2007-326 MC 2007-303 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement Purchased Power Adjustment</i>	Leyte III Electric Cooperative, Inc. (LEYECO III)	Decision dated March 23, 2009. The ERC declared the case to be closed and terminated in view of the payment made by LEYECO III in the amount of PhP262,200.00 on March 23, 2009 under O.R. No. 8739693 as compromise

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		<i>(PPA) Using the Power Cost at "Net" of Discounts and Failure to Implement the Energy Regulatory Board's (ERB) Order on PPA</i>		settlement for the penalty incurred for its failure to implement PPA using the power cost at "net" of discounts and failure to implement the ERB's Order on PPA.
36	2007-344 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in PPA Computation</i>	Nueva Ecija II -Area 1 Electric Cooperative, Inc. (NEECO II-Area 1)	Decision dated August 26, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of NEECO II-Area 1 of the total amount of impossible penalty for not including Pilferage Recovery in PPA computation, with an equivalent amount of PhP313,750.00. NEECO II-Area 1 was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
37	2007-354 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Aurora Electric Cooperative, Inc. (AURELCO)	Decision dated January 22, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of AURELCO of the total amount of impossible penalty for not including pilferage recovery in its PPA computation, with an equivalent amount of PhP111,050.00. AURELCO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
38	2007-364 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Camarines Sur IV Electric Cooperative, Inc. (CASURECO IV)	Decision dated February 23, 2009. The ERC found and declared that CASURECO IV has committed the violation of not including pilferage recovery in its PPA computation. Accordingly, CASURECO IV was directed by ERC to pay the corresponding penalty in the amount of PhP253,400.00.
39	2007-366 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Sorsogon I Electric Cooperative, Inc. (SORECO I)	Decision dated January 12, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of SORECO I of the total amount of impossible penalty for not including Pilferage Recovery in the computation of PPA, with an equivalent amount of PhP184,950.00. SORECO I was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
40	2007-370 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Iloilo I Electric Cooperative, Inc. (ILECO I)	Decision dated February 19, 2009. The ERC declared the case to be closed and terminated in view of the payment made by ILECO I in the amount of PhP304,900.00 on February 19, 2009 under O.R. No. 8739397 as compromise settlement for the penalty incurred for not including pilferage recovery in its PPA computation.
41	2007-373 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Bantayan Island Electric Cooperative, Inc. (BANELCO)	Decision dated January 29, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of BANELCO of the total amount of impossible penalty for not including pilferage recovery in its PPA computation, with an equivalent amount of PhP62,250.00. BANELCO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.

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42	2007-377 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in PPA Computation</i>	Negros Oriental I Electric Cooperative, Inc. (NORECO I)	Decision dated April 15, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of NORECO I of the total amount of imposable penalty for not including Pilferage Recovery in the PPA computation, with an equivalent amount of PhP162,000.00. NORECO I was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
43	2007-388 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Basilan Electric Cooperative, Inc. (BASELCO)	Decision dated May 18, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of BASELCO of the total amount of imposable penalty for not including the pilferage recovery in the PPA computation, with an equivalent amount of PhP185,600.00. BASELCO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
44	2007-396 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in Purchased Power Adjustment (PPA) Computation</i>	Dinagat Island Electric Cooperative, Inc. (DIELCO)	Decision dated March 16, 2009. The ERC declared the case to be closed and terminated in view of the payment made by DIELCO in the amount of PhP59,250.00 on March 10, 2009 under O.R. No. 8739590 as compromise settlement for the penalty incurred due to non-inclusion of Pilferage Recovery in PPA computation.
45	2007-430 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collections</i>	Lanao del Norte Electric Cooperative, Inc. (LANECO)	Decision dated June 22, 2009. The ERC reprimanded LANEKO for the late remittance of the UC collections and warned that a similar offense in the future shall be dealt with more severely. LANEKO submitted summaries of collections and remittances made to the Power Sector Assets and Liabilities Management Corporation (PSALM) for the period January 2004 to December 2008.
46	2007-436 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collection</i>	Pampanga III Electric Cooperative, Inc. (PELCO III)	Decision dated March 4, 2009. The ERC reprimanded PELCO III for the delay in the remittance of the UC collection and warned that a similar offense in the future shall be dealt with more severely. PELCO III only submitted the Official Receipts to ERC as proof of its remittance on October 10, 2008, after the ERC issued a Show Cause Order on July 4, 2007 directing them to explain such violation.
47	2007-520 MC	In the Matter of the Application for the Approval of the Sta. Rita-Quinapundan 69kV Transmission Project, with Prayer for Provisional Authority	National Transmission Corporation (TRANSCO)	Decision dated February 9, 2009. The ERC approved the application filed by TRANSCO for the construction of the Sta. Rita-Quinapundan 69kV Transmission Project with a total project cost of PhP449.941 Million subject to the following conditions: 1) the project cost will not be included in the Maximum Allowable Revenue (MAR) for the current Regulatory Period; 2) the project will be optimized based on its actual use during the Reset Process for the 3rd Regulatory Period; and 3) the affected 69kV Wright-Taft-Borongon-Buenavista currently supplying power to ESAMELCO should be reclassified from Connection Asset to Transmission Network Asset. The project aims to prevent overloading of the Wright Substation, reduce undesirable line loss and improve reliability of power supply, preclude the installation of shunt capacitor bank and for network re-

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				inforcement. Accordingly, TRANSCO was directed to remit to ERC the amount of PhP3,375,000.00 as permit fee.
48	2007-532 MC	In the Matter of the Application for the Approval of the Visayas 69 kV Transmission Line Project-Sibalom-Culasi, with Prayer for Issuance of Provisional Authority	National Transmission Corporation (TRANSCO)	Decision dated February 9, 2009. The ERC approved the application filed by TRANSCO for the construction of the Visayas 69 kV Transmission Line Project-Sibalom-Culasi, with a total project cost of PhP260.895 Million subject to the following conditions: 1) the project cost will not be included in the Maximum Allowable Revenue (MAR) for the current Regulatory Period; 2) the project will be optimized based on its actual use during the Reset Process for the 3rd Regulatory Period; and 3) the affected lines (Panitan-Nabas-Culasi and Sta. Barbara-Sibalom Lines) currently supplying power to Electric Cooperatives in Panay Island should be reclassified from Sub-transmission Asset to Transmission Network Asset. The project aims to loop with the existing 69 kV line from Panitan to Culasi Load-end Substation and the line from Sta. Barbara to Sibalom Load-end Substation in order to minimize the outages, enhance system reliability and address the low voltage problem in the area. Accordingly, TRANSCO was directed to remit to ERC the amount of PhP1,957,000.00 as permit fee.
49	2008-008 RC	In the Matter of the Application for Authority to Recover Lifeline Subsidy Under-Recoveries Including Carrying Cost, with Prayer for Provisional Authority	Manila Electric Company (MERALCO)	Decision dated November 16, 2009. The ERC approved, with modification, the application filed by MERALCO to recover lifeline subsidy under-recovery. Accordingly, MERALCO was authorized to recover the total lifeline subsidy under-recovery covering the period June 2003 to December 2007 amounting to PhP856,367,808.00, equivalent to PhP0.0068/kWh until its full recovery.
50	2008-010 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's (ERC) Order on Purchased Power Adjustment (PPA)</i>	Nueva Ecija II -Area 1 Electric Cooperative, Inc. (NEECO II-Area 1)	Decision dated June 25, 2009. The ERC reprimanded NEECO II - Area 1 for the late implementation of the Purchased Power Adjustment (PPA) Refund and warned that a similar offense in the future shall be dealt with more severely. NEECO II - Area 1 explained that they belatedly implemented the PPA refund in May 2009 instead of September 2007.
51	2008-011 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's (ERC) Order on Purchased Power Adjustment (PPA)</i>	Pampanga III Electric Cooperative, Inc. (PELCO III)	Decision dated December 2, 2009. The ERC reprimanded PELCO III for its failure to implement the ERC's Order on PPA and warned that a similar offense in the future shall be dealt with more severely. PELCO III explained that they belatedly implemented the PPA refund in July 2009.
52	2008-021 RC	In the Matter of the Application for Approval of the Electricity Supply Agreement (ESA) between First Catanduanes Electric Cooperative, Inc. (FICELCO) and Sunwest	First Catanduanes Electric Cooperative, Inc. (FICELCO) and Sunwest Water and Electric Company, Inc. (SUWECO)	Decision dated January 19, 2009. The ERC made permanent the provisional authority granted to FICELCO and SUWECO on June 30, 2008 for the approval of their ESA, subject to the following modifications and conditions: 1) Total approved base rate is PhP4.3792/kWh (Capital Recovery Fee and O&M Fee are PhP3.6642/kWh

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		Water and Electric Company, Inc. (SUWECO)		and Php0.7150/kWh, respectively); 2) Capital Recovery Fee shall not be subject to indexation for the duration of the cooperation period except from April 2008 up to the commencement of the commercial operation of the power plants; 3) O&M fee shall be subject to monthly adjustment based on Philippine CPI (August 2007 as the base CPI) for all income households; 4) In the event that SUWECO rates are no longer competitive, FICELCO should conduct mutual discussions and any agreement resulting from such should be subject to ERC approval; and 5) SUWECO should submit to ERC the actual project cost within 3 months from commercial operation of the plant. The ERC finds the urgency and necessity to build new power plants as early as 2008 in order to address the impending power shortages due to increasing energy demands considering that NPC could no longer commit the availability of capacity to supply any energy requirements of FICELCO due to the on-going privatization of its generating assets.
53	2008-027 RC	In the Matter of the Application for Approval of the Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) in Accordance with the Provisions of the Rules for Setting Distribution Wheeling Rates (RDWR)	Iligan Light and Power, Inc. (ILPI)	Decision dated December 15, 2008. The ERC approved the application filed by ILPI for the approval of its Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) for the Second Regulatory Period commencing on April 1, 2009 and terminating on March 30, 2013 in accordance with the provisions of the Rules for Setting Distribution Wheeling Rates (RDWR).
54	2008-028 RC	In the Matter of the Application for Approval of the Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) in Accordance with the Provisions of the Rules for Setting Distribution Wheeling Rates (RDWR)	Mactan Electric Company, Inc. (MECO)	Decision dated December 15, 2008. The ERC approved the application filed by MECO for the approval of its Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) for the Second Regulatory Period commencing on April 1, 2009 and terminating on March 30, 2013 in accordance with the provisions of the Rules for Setting Distribution Wheeling Rates (RDWR).
55	2008-029 RC	In the Matter of the Application for Approval of the Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) in Accordance with the Provisions of the Rules for Setting Distribution Wheeling Rates (RDWR)	Cotabato Light and Power Company, Inc. (CLPC)	Decision dated December 15, 2008. The ERC approved the application filed by CLPC for the approval of its Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) for the Second Regulatory Period commencing on April 1, 2009 and terminating on March 30, 2013 in accordance with the provisions of the Rules for Setting Distribution Wheeling Rates (RDWR).
56	2008-031 RC	In the Matter of the Application for the Recovery of the Incremental Fuel and Independent Power Producer (IPP) Cost, with Prayer for Provisional Authority	National Power Corporation (NPC)	Decision dated December 15, 2008. The ERC made permanent the provisional authority granted to the National Power Corporation (NPC) on June 11, 2008 for the recovery of Incremental Fuel and Independent Power Producer (IPP) Cost.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
57	2008-032 MC	In the Matter of the Petition for Direct Connection with the National Power Corporation (NPC) and the National Transmission Corporation (TRANSCO), with Prayer for Provisional Authority and Issuance of a Temporary Mandatory Order and/or a Writ of Preliminary Injunction	Embarcadero Land Ventures, Inc. (ELVI)	Decision dated September 22, 2009. The ERC made permanent the provisional authority granted to the ELVI on February 27, 2008 to directly connect and source its power requirements from NPC through TRANSCO. The ERC established that Albay Electric Cooperative, Inc. (ALECO) is not capable of supplying the power requirements of ELVI.
58	2008-032 RC	In the Matter of the Application for the Recovery of the Incremental Costs on Foreign Currency Exchange Rate Fluctuations under the Incremental Currency Exchange Rate Adjustment (ICERA), with Prayer for Provisional Authority	National Power Corporation (NPC)	Decision dated December 15, 2008. The ERC made permanent the provisional authority granted to the NPC on June 11, 2008 for the recovery of its incremental costs on foreign currency exchange rate fluctuations under the ICERA, in the Luzon, Visayas and Mindanao Grids with total Deferred Accounting Adjustments (DAA) of PhP(0.1820)/kWh, PhP0.0279/kWh, and PhP(0.0042)/kWh, respectively. For Luzon & Mindanao, recovery period is 6 months both for VATable & NONVATable DAAs. For Visayas, on the other hand, recovery period for VATable DAA is 10 months while for NONVATable DAA is for 30 months. The ERC's computation considers July 2006 to December 2006 as the applicable test year. Moreover, the ERC used the average exchange rate for 2002 of the Bangko Sentral ng Pilipinas (BSP) Base Exchange FOREX Rates for DAA for OPEX, and the Base Exchange FOREX Rates at CY 2000 levels for the DAA for Debt Service.
59	2008-033 MC	In the Matter of the Petition for Dispute Resolution on the Classification of an Asset of the National Transmission Corporation (TRANSCO)	Visayan Electric Company, Inc. (VECO)	Decision dated July 20, 2009. The ERC granted, with modification, the petition filed by VECO for dispute resolution on the classification of TRANSCO's assets. The 100 MVA power transformer and all the associated 69 kV facilities and equipment shall be reclassified from transmission assets to subtransmission assets, while all the 138 kV facilities will remain as transmission network assets to be retained by NGCP as part of its Regulatory Asset Base (RAB) up to the end of the 2nd Regulatory Period. The reclassification shall retroactively take effect on May 7, 2008 which was the date when the Quiot Substation was completely constructed and energized.
60	2008-036 RC	In the Matter of the Application for Approval of (1) Sound Value Appraisal of its Assets as of December 2006 and Acquisitions for 2007; and (2) Revision of Rates including Variable Cost Formula to Achieve the Proposed Revenue Requirement in Accordance with the Provisions of R.A. 9136, with Prayer for Provisional Authority	Angeles Electric Corporation (AEC)	Decision dated September 14, 2009. The ERC approved, with modification, the application filed by AEC for sound value appraisal and revision of rates. Accordingly, AEC was granted the a Total Revenue Requirement (TRR) of PhP340,607,315.00 equivalent to an OATA of PhP0.1087/kWh, an Appraisal of Property with a Reproduction Cost New of PhP2,154,443,219.00, and an adjusted Sound Value of PhP1,064,396,597.00. AEC was also authorized by ERC to implement the schedule of rates provided in the Decision and lifeline levels and corresponding discounts and subsidy effective its next billing cycle. Lifeline discount for 20 kWh and below is now 100%, for 21-35 kWh is 40%,

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				36-45 kWh is 30%, for 46-55 kWh is 20%, and 56-65 kWh is 10% discount, with subsidy to non-lifeline costumers at PhP0.0444/kWh. AEC was directed to file an application for the approval of the rate to be charged to 69 kV costumers upon connection of the same to its distribution system and an application for the distribution rate reduction in view of the exclusion of the generation plant costs as soon as the transmission line constraint in the Mexico-Angeles line has been addressed by the National Grid Corporation of the Philippines (NGCP).
61	2008-037 RC	In the Matter of the Application for Approval of the Amended Electricity Purchase Agreement (AEPA) entered into by and between Angeles Electric Corporation (AEC) and Angeles Power, Inc. (API), with Prayer for Provisional Authority	Angeles Electric Corporation (AEC) and Angeles Power, Incorporated (API)	Decision dated March 2, 2009. The ERC made permanent the provisional authority granted to AEC and API on September 15, 2008, subject to the following base rates: 1) Capacity/Capital Recovery Fee of PhP247.34/kWh; and 2) O&M Fee of PhP0.33/kWh. Moreover, API was directed to conduct a transparent competitive fuel procurement under Mean of Piatt Singapore (MOPS) pricing formula on kiloliter basis (not time bound) based on estimated requirements for three (3) years. AEC and API were further directed to review the guaranteed off-take stipulation in the AEPA and reconcile it with the forecasted power requirement of AEC for 2009-2012.
62	2008-038 RC	In the Matter of the Application for Authority to Recover Under-Recoveries in the Generation Rate, with Prayer for Provisional Authority (In the Matter of the Application for Prior Verification of Other Generation Rates Adjustments under Section 3, Article IV of the Guidelines for the Automatic Adjustments of Generation Rates and System Loss Rates by Distribution Utilities, with Prayer for Provisional Authority)	Panay Electric Company, Inc. (PECO) and Panay Power Corporation (PPC)	Decision dated May 4, 2009. The ERC approved, with modification, the application filed by PECO and PPC for authority to recover under-recoveries in the generation rate. PECO and PPC were authorized to recover the under-recoveries in the generation cost for the period August 2005 to December 15, 2005 amounting to PhP400,341,744.22 equivalent to PhP0.2391/kWh, effective the next billing cycle until full recovery. Accordingly, PECO was directed to reflect this as a separate item in the bill using "Previous Months Adjustment on Generation Cost" and to maintain a separate account for the proceeds collected from consumers to be earmarked for payment to PPC.
63	2008-042 MC	In the Matter of the Petition for Direct Connection with the National Power Corporation (NPC) and the National Transmission Corporation (TRANSCO), with Prayer for Provisional Authority	RJS Commodities, Inc. (RJS)	Decision dated July 13, 2009. The ERC approved the petition filed by RJS to directly connect with the NPC through the regulated transmission lines of TRANSCO (now the National Grid Corporation of the Philippines [NGCP]). The ERC found clear indications that Nueva Ecija II Electric Cooperative, Inc. - Area I (NEECO II - Area I) was incapable of providing the power requirements of RJS. As manifested by RJS, it will provide its own connection facilities and 3.5 MVA power substation to connect directly to NGCP's 69 kV line.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
64	2008-045 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Iloilo III Electric Cooperative, Inc. (ILECO III)	Decision dated January 12, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ILECO III of the total amount of imposable penalty for implementing capital projects without prior ERC approval, with an equivalent amount of PhP57,200.00. ILECO III was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
65	2008-046 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Inclusion of Power Supply Contract Cost in the Retail Rates Without Prior Approval from the Commission</i>	Camarines Sur I Electric Cooperative, Inc. (CASURECO I)	Decision dated March 3, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CASURECO I of the total amount of imposable penalty for including the Power Supply Contract Cost in the retail rates without prior ERC approval, with an equivalent amount of PhP103,200.00. CASURECO I was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
66	2008-049 RC	In the Matter of the Application for Authority to Implement the Local Franchise Tax Rate in the City of Calamba, Laguna, with Prayer for Provisional Authority	Manila Electric Company (MERALCO)	Decision dated January 12, 2009. The ERC approved MERALCO's application for authority to implement the new local franchise tax rates in the City of Calamba, Laguna. MERALCO was authorized to implement the new local franchise tax rate of 65% of 1% on its customers' bills based on its distribution revenues in the City of Calamba, Laguna starting the next billing cycle from receipt the Decision. Moreover, MERALCO was directed to submit a scheme for the recovery of paid taxes from the effectivity of the Ordinance imposing new local franchise tax until the implementation of the Decision for confirmation and verification.
67	2008-050 RC	In the Matter of the Application of the Level of Market Transaction Fees for Calendar Years 2009-2011 for the Philippine Wholesale Electricity Spot Market (WESM)	Philippine Electricity Market Corporation (PEMC)	Decision dated March 16, 2009. The ERC approved with modification the application filed by PEMC for approval of the proposed level of Market Transaction Fees for calendar years 2009-2011 for the WESM. The ERC resolved to: (1) Approve the market fee rate for calendar year 2009 of PhP0.0144/kWh; (2) Approve the further study and development of the performance output based methodology for next years' budgeting; and (3) Authorize PEMC, within 2009, to finance its other CAPEX Projects by securing loans as an addition to the approved budget, apply for a supplemental budget for urgent and important requirements which cannot be accommodated from their approved market fees and which cannot be reasonably and timely financed through loans, and deduct unused portions of the budget or over-recoveries in the succeeding year's approved budget. The 2% of the Market Transaction Fees allocation to Department of Energy (DOE) and ERC to support their monitoring functions is still in effect. On the other hand, the ERC denied the "Motion for Audit and Production of Documents" of NASECORE and "Motion to Strike" of PEMC for having become moot.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
68	2008-051 RC (2006-007 RC)	In the Matter of the Application for the Approval of the Price Determination Methodology (PDM) for the Philippine Wholesale Electricity Spot Market (WESM)	Department of Energy (DOE) through the Philippine Electricity Market Corporation (PEMC)	Decision dated February 16, 2009. The ERC approved, with modification the Motion for Reconsideration (MR) filed by Masinloc Power Partners Company, Ltd. (MPPCL). The Price Substitution Methodology (PSM) approved shall be applied for the period July 11, 2008 to September 30, 2008. Moreover, the ERC approved the Price Substitution Methodology (PSM) applied by PEMC subject to the following modifications: 1) The PSM approved shall be applied beginning July 11, 2008 and onwards; 2) The formula which triggers the application of PSM shall be enhanced by using the absolute value of the left side of the equation indicated in the Decision; and 3) For constrained on generators, the different quantity shall be paid based on such generators' offer price. Furthermore, PEMC was directed to conduct consultations on the review of the trigger factor "F" every 3 months for the 1st year of implementation, to contract an external auditor, to be administered by ERC, to audit the software to be used for the PSM, and to submit a mechanism to ERC for the implementation of PSM showing the adjustments that must be made to affected generators and customers.
69	2008-052 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Capiz Electric Cooperative, Inc. (CAPELCO)	Decision dated June 9, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CAPELCO of the total amount of imposable penalty for implementing capital projects without prior ERC approval, with an equivalent amount of Php223,050.00. CAPELCO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
70	2008-053 MC	In the Matter of the Application for Approval of Distribution Capital Projects for the Years 2007-2008, with Prayer for Provisional Authority	Panay Electric Company, Inc. (PECO)	Decision dated January 26, 2009. The ERC approved the application filed by PECO for its distribution capital projects for the years 2007-2008, specifically 1) Improvement of Buildings and Facilities; 2) Improvement of Substation and Plant Equipment; 3) Acquisition of Furniture and Equipment; 4) Acquisition of Vehicle Spare-parts and Equipment; 5) Procurement of Communication Equipment, Tools and Devices; 6) Corrective and Maintenance Works; and 7) Procurement and Installation of Watt-hour Meters, with a total project cost of Php39,440,381.00. The completion of the said projects will benefit PECO's consumers in terms of continuous, reliable and efficient power supply. Accordingly, PECO was directed to remit the amount of Php295,802.86 as permit fee.
71	2008-056 RC	In the Matter of the Application of the National Transmission Corporation (TRANSCO) or any Future Concessionaire thereof for Approval of the Maximum Allowable Revenue (MAR) for Calendar Year 2009 in Accordance with the	National Transmission Corporation (TRANSCO)	Decision dated December 15, 2008. The ERC approved, with modification the application filed by TRANSCO for approval of its Maximum Annual Revenue (MAR) for Calendar Year 2009, and set the effective 2009 MAR cap at Php39,510.98 Million, which already includes the Performance Incentive System (PIS) reward in the amount of Php334.32 Million.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		Alternative Form of Rate Setting Methodology under the Transmission Wheeling Rate Guidelines (TWRG), with Prayer for Provisional Authority		
72	2008-057 MC	In the Matter of the Application for Renewal of the Certificate of Public Convenience and Necessity (CPCN)	Iligan Light and Power, Inc. (ILPI)	Decision dated February 2, 2009. The ERC approved the application filed by ILPI for renewal of its CPCN for the operation of Electric Service in the City of Iligan, Province of Lanao Del Norte effective December 6, 2005 to December 6, 2030, to coincide with its approved congressional franchise. It was established that ILPI has the expertise and resources to adequately and reliably serve the present and future electrical power needs of its customers.
73	2008-059 RC	In the Matter of the Application for Approval of the Amended Memorandum of Agreement (MOA) Between the National Transmission Corporation (TRANSCO) and Avon River Power Holdings Corporation (AVON), with Prayer for Provisional Authority	National Transmission Corporation (TRANSCO) [now National Grid Corporation of the Philippines (NGCP)] and Avon River Power Holdings Corporation (AVON) [now Panay Power Corporation (PPC)]	Decision dated August 10, 2009. The ERC approved, with modification, the joint application filed by NGCP and PPC for approval of the Amended MOA, subject to the following approved rates: 1) Capacity Fee of PhP628.31/kW; 2) Energy Fee of PhP0.5331/kWh; and 3) Fuel Cost Fee which is the pass through of fuel and lube oil costs for consumption with generation. Relatively, the Minimum Energy Off-Take (MEOT) of 2,000,000 kWh per month for the Nabas Plant and the approved base rate of PhP2.4375/kWh in the ERC's Decision dated August 2, 2006 was suspended during the effectivity of the Decision or for a period of 3 years. Finally, the provisional authority granted to TRANSCO and AVON in the Order dated December 17, 2007 in ERC Case No. 2007-150 RC was revoked accordingly.
74	2008-064 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Clark Electric Distribution Corporation (CEDC)	Decision dated August 13, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CEDC of the total amount of imposable penalty for implementing capital projects without prior ERC approval, with an equivalent amount of PhP54,300.00. CEDC was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
75	2008-065 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Camarines Norte Electric Cooperative, Inc. (CANORECO)	Decision dated April 29, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CANORECO of the total amount of imposable penalty for implementing capital projects without ERC approval, with an equivalent amount of PhP166,500.00. CANORECO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
76	2008-068 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Cebu III Electric Cooperative, Inc. (CEBECO III)	Decision dated January 27, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CEBECO III of the total amount of imposable penalty for implementing capital projects without prior approval from the Commission, with an equivalent amount of PhP68,050.00. CEBECO III was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
77	2008-073 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Bohol Light Company, Inc. (BLCI)	Decision dated January 21, 2009. The ERC reprimanded BLCI for implementing capital projects without prior approval from the Commission and warned that a similar offense in the future shall be dealt with more severely. BLCI, after the ERC issued a Show Cause Order on June 19, 2008 directing them to explain such violation, filed a Motion for Reconsideration stating that it implemented just one (1) project before the issuance of Provisional Authority which was the installation of residential metering in compliance with Sec. 1.5.2, Article 1 of ERC Resolution No. 13, series of 2008.
78	2008-074 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing the Projects without Prior Approval from the Commission</i>	Misamis Oriental I Electric Cooperative, Inc. (MORESCO I)	Decision dated August 10, 2009. The ERC declared the violation case filed against MORESCO I for implementing Projects without prior ERC approval as closed and terminated. The ERC acknowledged the payment made by MORESCO I in the amount of PhP50,000.00 on August 7, 2009 as compromise settlement for their penalty. Accordingly, MORESCO I was absolved from any administrative accountability..
79	2008-075 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Pampanga I Electric Cooperative, Inc. (PELCO I)	Decision dated March 27, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of PELCO I of the total amount of imposable penalty for implementing capital projects without prior ERC approval, with an equivalent amount of PhP58,500.00. PELCO I was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
80	2008-079 MC	In the Matter of the Petition for Review/Evaluation and Approval of the Capital Projects for the Year 2008, with Prayer for the Issuance of Provisional Authority	Zamboanga City Electric Cooperative, Inc. (ZAMCELCO)	Decision dated March 16, 2009. The ERC approved the application filed by ZAMCELCO for its capital projects for year 2008, specifically: 1) Construction of a Single Phase Line Extension; 2) Rehabilitation/Upgrading of Line; 3) Replacement of Overloaded Distribution Transformer; 4) Replacement of Rotten Poles; 5) Re-routing of Backbone Three-Phase Primary Line; 6) Procurement of Kilowatt-hour (kWh) Meters; 7) Procurement of Potential Transformers and Current Transformers; 8) Procurement of Distribution Transformers, Pole Type Conventional; 9) Procurement of Distribution Poles; 10) Emergency Rewinding of Busted Power Transformer; 11) Procurement of Handheld.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				Computers for Meter Reading; 12) Installation of Integrated Accounting System and Wireless Communication; 13) Procurement of Vacuum Circuit Breaker; 14) Procurement of PWS2.3 Plus MTE Testing Equipment; 15) Procurement of Maintenance/Utility Trucks; 16) Procurement of Service Vehicles; and 17) Construction of Multi-Purpose Building, with a total project cost of Php103,693,493.65. The completion of the said projects will benefit the consumers of ZAMCELCO in terms of continuous, reliable and efficient power supply. Accordingly, ZAMCELCO was directed to remit to ERC the amount of Php777,701.20 as permit fee
81	2008-082 MC	In the Matter of the Application for Approval of Emergency Capital Projects Re: Rehabilitation and Repair of Damaged Distribution Lines and Repair of Andagao Office Building and Replacement of Damaged Computer Equipment due to Typhoon "Frank", with Prayer for Provisional Authority	Aklan Electric Cooperative, Inc. (AKELCO)	Decision dated March 2, 2009. The ERC approved the application filed by AKELCO for its emergency capital project, specifically the rehabilitation and repair of damaged distribution lines, repair of the Andagao office building and replacement of damaged office equipment, with a total project cost of Php65,766,235.37. The project aims to restore power supply in the areas affected by typhoon "Frank" and improve the commercial operations and business dealings of AKELCO. Accordingly, AKELCO was directed to remit to ERC the amount of Php493,246.77 as permit fee.
82	2008-084 MC	In the Matter of the Petition for Direct Connection with the National Power Corporation (NPC) and the National Transmission Corporation (TRANSCO), with Prayer for Provisional Authority and Issuance of Temporary Mandatory Order	Currimao Aluminum Corporation (CAC)	Decision dated February 16, 2009. The ERC approved the petition of CAC for direct connection with the NPC and TRANSCO. The ERC finds that Pampanga III Electric Cooperative, Inc.'s (PELCO III) existing distribution facilities will not be able to support the load requirements of CAC, and any power interruption during the operation of CAC will result to serious damage to its business and equipment.
83	2008-087 MC	In the Matter of the Application for Authority to Implement 2008 Major Capital Projects, with Prayer for Provisional Authority	Angeles Electric Corporation (AEC)	Decision dated January 12, 2009. The ERC approved the application filed by AEC to implement its 2008 major capital projects, mainly the 1) Construction of 13.8 kV and 115/230 kV Distribution System and 2) Construction of 13.8 kV primary distribution system or primary metering facilities, with a total project cost of Php34,116,512.09. The projects were aimed to address the present as well as the future load requirements of its consumers. Accordingly, AEC was directed to remit to ERC the amount of Php255,873.85 as permit fee.
84	2008-088 MC	In the Matter of the Petition for the Approval of the Reclassification of the TRANSCO's Sub-Transmission Lines to Transmission Lines Serving Northern Samar via Paranas, Western Samar, or in the Alternative, to Transfer the 69 kV	Northern Samar Electric Cooperative, Inc. (NORSAMELCO)	Decision dated October 12, 2009. The ERC resolved to reclassify the following 69kV sub-transmission assets to transmission assets without prejudice to the reclassification of other similarly situated sub-transmission assets, to include those assets serving both SAMELCO I and SAMELCO II: 1) Wright - SAMELCO II; 2) SAMELCO II - Catbalogan; 3) Catbalogan - Gadgaran; 4) Gadgaran - Palanas Cara; 5) Palanas Cara - Catarman; 6) Catarman

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		Line Serving NORSAMELCO to the 138 kV Transmission Lines near Calbayog City		-Catubig; and 7) Catarman - Allen. On the other hand, the SwBay 69 kV double bus bay with 2-breaker, transformer and the SwBay 69 kV double bus bay with 1-breaker, feeder which are connected to the subject lines shall remain as sub-transmission assets.
85	2008-090 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Negros Oriental II Electric Cooperative, Inc. (NORECO II)	Decision dated January 12, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of NORECO II of the total amount of imposable penalty for implementing capital projects without prior ERC approval, with an equivalent amount of PhP164,750.00. NORECO II was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
86	2008-091 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Tarlac II Electric Cooperative, Inc. (TARELCO II)	Decision dated March 16, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of TARELCO II of the total amount of imposable penalty for implementing capital projects without prior approval of the Commission, with an equivalent amount of PhP76,200.00. TARELCO II was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
87	2008-092 MC	In the Matter of the Application for Approval of the Proposed Electric Capital Projects for the Years 2008 to 2010 and Authority to Secure Loan from the National Electrification Administration (NEA)	Agusan Del Norte Electric Cooperative, Inc. (ANECO)	Decision dated April 27, 2009. The ERC approved the application filed by ANECO for the following 2008-2010 electric capital projects: 1) Installation of a new 5 MVA Substation in Cabadbaran, Agusan Del Norte; 2) Construction of 69 kV line for 5 MVA Cabadbaran Substation; 3) Procurement of Kilowatthour (kWhr) Meters; 4) Conversion and Procurement of Current Transformers and potential Transformer for Commercial and Industrial Consumers; 5) Procurement of Electronic kWhr meters for Commercial and Industrial Customers; 6) Replacement of Under-Loaded or Overloaded Transformers; 7) Acquisition of Load Logger; 8) Procurement of 69 kV power Circuit Breaker for the Soriano Substation; 9) Acquisition of Thermal Scanner; 10) Construction of Additional Double Circuit Line from Ambago Substation to Butuan City Proper; 11) Construction of 1.6 km 69 kV line to Robinson's Mall; 12) Upgrading of Hotline Equipment; and 13) Procurement of Concrete Poles and Aluminum Concrete Steel Reinforce, with total project cost of PhP89,488,889.00. The projects aim to relieve the over-loading of substations, meet the growing demand of service areas, replace inaccurate meters and reduce system loss, improve transformer load management and reduce transformer loss, improve profiling of consumer loading and detection of pilferages, and improve reliability and efficiency of service to customers. Accordingly, ANECO was directed to remit to ERC the amount of PhP671,691.61 in six equal monthly instalments. Similarly, the ERC approved ANECO's application to secure loan from NEA to finance the above-mentioned projects with an interest rate of 10% per annum for 10 years.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
88	2008-094 MC	In the Matter of the Application for Approval of the Emergency Capital Project Worth More than PhP17 Million due to Force Majeure, with Prayer for Provisional Authority	Bantayan Electric Cooperative, Inc. (BANELCO)	Decision dated March 2, 2009. The ERC approved the application filed by BANELCO for the emergency capital project, specifically the rehabilitation and restoration of its Distribution Lines, worth more than PhP17,000,000.00 due to force majeure. The project aims to restore power supply to consumers and provide safe, efficient and reliable electric service. Accordingly, BANELCO was directed to remit to ERC the amount of PhP107,498.67 as permit fee.
89	2008-095 MC	In the Matter of the Application for Extension of Certificate of Public Convenience and Necessity (CPCN) Predicated on Republic Act No. 9339 to Continue Operating the Electric Light and Power System in the Cities of Cebu, Mandaue and Talisay and the Municipalities of Consolacion, Liloan, Minglanilla, Naga and San Fernando, All In the Province of Cebu until September 24, 2030	Visayan Electric Company, Inc. (VECO)	Decision dated January 26, 2009. The ERC approved the application filed by VECO for extension of its CPCN predicated on RA No. 9339 in the Cities of Cebu, Mandaue and Talisay and in the Municipalities of Consolacion, Liloan, Minglanilla, Naga and San Fernando, all in the Province of Cebu, until September 24, 2030, to coincide with its approved congressional franchise. It has already been established that VECO has the expertise and resources to adequately and reliably serve the present and future electrical power needs of its customers.
90	2008-101 MC	Camiguin Electric Cooperative, Inc. (CAMELCO) vs. National Transmission Corporation (TRANSCO) and Misamis Oriental II Electric Service Cooperative, Inc. (MORESCO II) - Dispute Resolution on the Purchase of TRANSCO Subtransmission Lines	Camiguin Electric Cooperative, Inc. (CAMELCO)	Decision dated September 22, 2009. The ERC granted CAMELCO and MORESCO II the right to purchase and own the 4 kilometer Aplaya-Jasaan Lines and the 17 kilometer Jasaan-Balingasag Lines by way of consortium. Accordingly, the ERC granted the sole right to CAMELCO to purchase and own the 35 kilometer Balingasag-Kinoguitan Lines, without prejudice to subscription rights of MORESCO II in the event of a connection to the said subtransmission asset.
91	2008-102 MC	In the Matter of the Petition for Direct Connection with the National Power Corporation (NPC) and the National Transmission Corporation (TRANSCO), with Prayer for Provisional Authority	Formosa Ceramic Tiles Manufacturing Corporation (FCTMC)	Decision dated March 9, 2009. The ERC approved the petition filed by FCTMC to directly connect with the NPC through TRANSCO subject to the following conditions set forth under ERC Resolution No. 48, Series of 2006: 1) that the constructed assets undertaken by FCTMC or funded by TRANSCO be transferred to PELCO III, if qualified, and if not, TRANSCO, to be treated as Contribution in Aid of Construction (CIAC) and will not form part of its Regulatory Asset Base (RAB); 2) that if TRANSCO or PELCO III finances, FCTMC shall pay the charges related to such assets to TRANSCO or PELCO III; and 3) that if FCTMC constructs the assets, the same shall be transferred to PELCO III, if qualified and if not, TRANSCO. Records disclosed that FCTMC has experienced frequent power interruptions and unreliable power supply from Pampanga III Electric Cooperative, Inc. (PELCO III) which caused severe damage to its products and equipment. PELCO III has acknowledged the fact that it cannot provide a stable and reliable power supply to FCTMC.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
92	2008-105 MC	In the Matter of the Application for the Approval of the Eastern Albay 69 kV Line Project with, Prayer for Provisional Authority	National Transmission Corporation (TRANSCO)	Decision dated September 22, 2009. The ERC approved the application filed by TRANSCO for approval of the Eastern Albay 69 kV Line Project with a total project cost of PhP262,925,341.00 provided that the project cost will not be automatically included in its Maximum Allowable Revenue (MAR) for the current Regulatory Period and provided also that the project be further optimized based on actual use during the Reset Process. Moreover, the ERC directed TRANSCO to reclassify the affected 68kV sub-transmission assets from Connection Asset to Transmission Network Asset in view of the non-radial character resulting from the implementation of the Eastern Albay 69kV line looping project and its connection to the Tiwi Geothermal Plant. The project aims to improve reliability and facilitate the transmission of power to industries and commercial establishments located within the Philippine Export Zone Authority (PEZA), a certified Tourism Economic Zone. Accordingly, TRANSCO was directed to remit to ERC the amount of PhP1,971,940.00 as permit fee.
93	2008-106 MC	In the Matter of the Application for the Approval of SORECO II's Major Capital Projects, namely: 1) The Rehabilitation of the Power Distribution System; 2) The Distribution Load Improvement of Various Sections of Distribution System; and 3) Operation and Maintenance (O & M) Enhancement, with Prayer for Provisional Authority	Sorsogon II Electric Cooperative, Inc. (SORECO II)	Decision dated September 7, 2009. The ERC approved the application filed by SORECO II for approval of their major capital projects, namely: 1) the Rehabilitation of the Power Distribution System; 2) the Distribution Load Improvement of the Various Sections of Distribution System; and 3) Operation & Maintenance (O & M) Enhancement, with total project cost of PhP104,537,894.40. The projects aim to improve system reliability as well as to protect lives and properties, reduce system loss, prevent pilferage, and meet higher customer service satisfaction and efficiency. Accordingly, SORECO II was directed to remit to ERC the amount of PhP784,034.21 as permit fee.
94	2008-108 MC	In the Matter of the Application for Approval of the Sale of Various Subtransmission Lines/Assets of the National Transmission Corporation (TRANSCO) to Camarines Norte Electric Cooperative, Incorporated (CANORECO), as Covered by a Lease Purchase Agreement	National Transmission Corporation (TRANSCO) and Camarines Norte Electric Cooperative, Incorporated (CANORECO)	Decision dated December 1, 2009. The ERC approved the application filed by TRANSCO and CANORECO for the sale of various subtransmission lines/assets within the franchise area of CANORECO, as covered by a Lease Purchase Agreement, with agreed purchase price of PhP25,628,659.31. CANORECO was found to be qualified to take over the responsibility for operating, maintaining, upgrading and expanding the said assets. Lastly, the ERC concluded that the purchase price was fair and reasonable. Moreover, TRANSCO and CANORECO were directed to reconsider and amend their Lease Purchase Agreement, particularly the pertinent provisions of the terms and conditions on down payment, to protect the interest of CANORECO's consumers and to conform with Resolution No. 1, Series of 2009.
95	2008-110 MC	In the Matter of the Application for the Approval of Major Capital Project - re: Upgrading of the Polanco Substation from	Zamboanga Del Norte Electric Cooperative, Inc. (ZANECO)	Decision dated May 11, 2009. The ERC approved the application filed by ZANECO for approval of its major capital project, specifically the upgrading of the Polanco Substation from 10 MVA to 20 MVA and the transfer of the 10

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		10 MVA to 20 MVA, with Prayer for Provisional Authority		MVA transformer to Dapitan Substation, with total project cost of PhP39,450,000.00. The project aims to relieve the overloaded condition of the Polanco Substation, accommodate additional load of 3000 kW for LEE Plaza and the anticipated growing demand of commercial and residential consumers of Dipolog City and the Municipality of Polanco. Accordingly, ZANECO was directed to remit to ERC the amount of PhP295,875.00 as permit fee.
96	2008-112 MC	In the Matter of the Application for the Approval of the Replacement of the Existing Transformers of the San Jose Substation of the National Transmission Corporation (TRANSCO), with Prayer for Provisional Authority	National Transmission Corporation (TRANSCO), now National Grid Corporation of the Philippines (NGCP)	Decision dated April 27, 2009. The ERC approved the application filed by TRANSCO, now known as the NGCP, for the approval of the replacement of the existing transformers of its San Jose Substation, with a total project cost of PhP2.957 Billion. The project aims to maintain the security and reliability of the grid. Accordingly, NGCP was directed to remit to ERC the amount of PhP22,178,000.00 as permit fee.
97	2008-113 MC	In the Matter of the Application for the Approval of the Procurement of a 300 MVA Transformer for Araneta Substation of the National Transmission Corporation, with Prayer for Provisional Authority	National Transmission Corporation (TRANSCO) now National Grid Corporation of the Philippines (NGCP)	Decision dated May 11, 2009. The ERC approved the application filed by TRANSCO/NGCP for the procurement of 300 MVA transformer for the Araneta Substation with total project cost of PhP245,895,000.00, provided that the cost will not be automatically included in the Maximum Allowable Revenue (MAR) for the current Regulatory Period and provided that the project will be further optimized based on actual use during the Reset Process. The project aims to maintain the security and reliability of the grid and operation of the substation. Accordingly, NGCP was directed to remit to ERC the amount of PhP1,844,212.50 as permit fee.
98	2008-114 MC	in the Matter of the Application for the Approval of the Capital Projects of Misamis Oriental I Rural Electric Service Cooperative, Inc. (MORESCO I) for the Year 2009, with Prayer for Provisional Authority	Misamis Oriental I Rural Electric Service Cooperative, Inc. (MORESCO I)	Decision dated May 4, 2009. The ERC approved the application filed by MORESCO I for the following 2009 capital projects: 1) Construction of three 10 MVA Substations, and Subtransmission and Primary Distribution Lines; 2) Acquisition of Electronic Kilowatt-hour (kWhr) Meters for use in the years 2009-2011; 3) Acquisition of Microprocessor Relay; 4) Acquisition of Power Monitoring Instruments (potential Transformers); 5) Acquisition of Switch Capacitors; 6) Acquisition of Voltage Regulators; 7) Acquisition of Circuit Recloser; 8) Acquisition of Power Quality Monitoring Instruments; 9) Installation of Equipment Identification; and 10) Acquisition of Engineering Software, with a total project cost of PhP228,519,413.19. The projects aim to address load growth in the Municipality of Opol, City of El Salvador and power requirements of the new International Airport of Laguindingan, extend electric services to potential consumers, monitor power quality, improve reliability, easily identify system equipment, and to generate automatic mapping of system coverage. Accordingly, MORESCO I was directed to remit to ERC the amount of PhP1,713,896.00 as permit fee.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
99	2008-115 MC	In the Matter of the Application for Authority to Implement 2008 Major Electrical and Non-Electrical Capital Projects (ECPs and Non-ECPs), with Prayer for Provisional Authority	Davao Light and Power Company, Inc. (DLPC)	Decision dated May 4, 2009. The ERC approved the application filed by DLPC for the following ECPs and Non-ECPs: 1) Upgrading and Relocation of 69 kV Sub-transmission Lines; 2) Upgrading and Rehabilitation of 13.8 kV Distribution Lines and Rural Electrification; 3) Installation of Protective Relays; 4) Installation of Capacitor Banks; 5) Acquisition of Specialized Vehicles; and 6) Construction of 33 MVA 3-Winding Power Transformer, with a total project cost of PhP130,199,038.00. The projects aim to stabilize the 69 kV sub-transmission lines, promote system reliability, flexibility and increase capacity, increase distribution system reliability, reduce system losses and increase line capacity, and improve customer service response. Accordingly, DLPC was directed to remit to ERC the amount of PhP976,492.79 as permit fee.
100	2008-116 MC	In the Matter of the Application for the Issuance of Certificate of Public Convenience and Necessity (CPCN) to Engage in the Operation of Electrical Transmission Services and to Construct, Install, Finance, Manage, Improve, Expand, Operate, Maintain, Rehabilitate, Repair and Refurbish the Nationwide Transmission Service of the Republic of the Philippines, with Prayer for Provisional Authority	National Grid Corporation of the Philippines (NGCP)	Decision dated March 9, 2009. The ERC made permanent the provisional authority granted to the NGCP on December 22, 2008 authorizing it to engage in the operation of electrical transmission services and to construct, install, finance, manage, improve, expand, operate, maintain, rehabilitate, repair and refurbish the nationwide transmission system of the Philippines. The ERC established that NGCP has the expertise and resources to adequately and reliably provide electrical transmission services. It has submitted sufficient evidence to prove its technical and financial capabilities to operate and maintain the transmission system in the country.
101	2009-002 RC	In the Matter of the Application for Approval of Over-All Tariff Adjustment (OATA), with Prayer for Issuance of Provisional Authority	Surigao Del Norte Electric Cooperative, Inc. (SURNECO)	Decision dated June 8, 2009. The ERC approved, with modification, the application filed by SURNECO for approval of OATA. Total Revenue Requirement approved is PhP90,934,926.00 which is equivalent to an OATA of PhP0.1913/kWh. Lifeline discount for Residential customers with consumption of 10 kWh and below is 50%, and 5% for 11-15 kWh. Subsidy from non-lifeline customers is PhP0.0917/kWh and Reinvestment Fund which shall form part of the contribution from the member-consumers is PhP0.2608/kWh.
102	2009-002 RM	In the Matter of the Petition for the Amendment of Resolution No. 16, Series of 2008 entitled a Resolution Adopting Policies to Govern the Transition Supply Contracts which have been assigned and transferred to the National power Corporation (NPC) Successor Generating Companies	Masinloc Power Partners Co., Ltd. (MPPCL)	Decision dated May 18, 2009. The ERC partially granted the Petition to Initiate rule making filed by MPPCL. Section 10 of Resolution No. 16, Series of 2008 on the issue of the Mandated Rate Reduction (MRR) was amended as provided in the Decision.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
103	2009-003 MC	In the Matter of the Application for Approval of Major Electric Distribution Capital Projects for CY 2009 within Franchise Area, with Prayer for Provisional Authority	Bohol Light Company, Inc. (BLCI)	Decision dated May 25, 2009. The ERC approved the application filed by BLCI for approval of the following major electrical distribution capital projects for CY 2009: 1) Installation of 69 kV protection equipment for the second 10 MVA Substation; 2) Extension of distribution lines and acquisition of 13.8 kV distribution line; and 3) Upgrading and joggling of existing distribution transformers and installation of protective devices, with total project cost of PhP8,842,606.00. The projects aim to improve power quality, reliability, efficiency and safe operation of the distribution system, reduce systems loss and meet forecasted demand. Accordingly, BLCI was directed to remit to ERC the amount of PhP66,319.55 as permit fee.
104	2009-005 MC	In the Matter of the Petition for the Approval of Direct Connection to the National Power Corporation (NPC) through the National Transmission Corporation (TRANSCO), in Accordance with ERC Resolution No. 48, Series of 2006, with Prayer for Provisional Authority	Gallintina Industria Corporacion (GIC)	Decision dated November 3, 2009. The ERC approved the petition filed by GIC to directly connect with the NPC through TRANSCO (now the National Grid Corporation of the Philippines [NGCP]). During the hearings of the case and based on submitted documents, the ERC established that Camarines Sur II Electric Cooperative, Inc. (CASURECO II) is not capable of supplying the power requirements of GIC. The Decision, however, was conditioned on the following: 1) that the constructed assets be transferred to CASURECO II, if qualified, and if not, to TRANSCO, to be treated as Contribution in Aid of Construction (CIAC) and will not form part of its Regulatory Asset Base (RAB); and 2) that GIC shall pay the applicable operating & maintenance expenses, applicable charges for services availed from CASURECO II and other non-bypassable charges authorized by law.
105	2009-006 RC	In the Matter of the Application for Approval of the Translation into Distribution Rates of Different Customer Classes for the First Regulatory Year of the ERC-Approved Annual Revenue Requirement (ARR) for Cotabato Light and Power Company, Inc. (CLPC) under the Performance Based Regulation (PBR) for the Regulatory Period 2009-2013	Cotabato Light and Power Company, Inc. (CLPC)	Decision dated March 30, 2009. The ERC approved, with modification, the application filed by CLPC for approval of the translation into distribution rates of its different customer classes for the first regulatory year of the ERC-approved ARR under the PBR for the regulatory period 2009-2013. CLPC was directed to implement, starting May 1, 2009, its approved Distribution, Supply and Metering Charges, with an average total rate of PhP1.3189/kWh. CLPC was further directed to implement the new lifeline structure, where Residential consumers consuming 0-20 kWh per month will enjoy a 100% discount in their rates, while those consuming between 21kWh - 80kWh will enjoy discounts ranging from 50% to 5%. Subsidy rate to non-lifeline customers was set by ERC at PhP0.0741/kWh.
106	2009-007 MC	In the Matter of the Application for the Approval of Emergency Capital Projects - Re: Emergency Construction of 10 MVA Power Substation at Balam-ban, Cebu, and the Construction of 69 kV Subtransmission Line and 13.2 Double Circuit	Cebu III Electric Cooperative, Inc. (CEBECO III)	Decision dated June 15, 2009. The ERC approved the application filed by CEBECO III for approval of their emergency capital projects, mainly the: 1) Eemergency construction of 10 MVA power substation at Balam-ban, Cebu and the construction of 69 kV subtransmission line and 13.2 kV double circuit distribution lines; and 2) Acquisition of logistical support equipment, with total project cost of PhP40,872,153.00. The projects aim to provide adequate

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		Distribution Lines and Acquisition of Logistical Support Equipment		substation capacity for the increasing energy requirement of the system, increase operational efficiency and replace antiquated tools and equipment. Accordingly, CEBECO III was directed to remit to ERC the amount of Php306,541.15 as permit fee.
107	2009-007 RC	In the Matter of the Application for Approval of the Ancillary Services Procurement Agreement (ASPA) Between the National Transmission Corporation (TRANSCO) and SN Aboitiz Power-Magat, Inc. (SN ABOITIZ), with Prayer for Provisional Authority	National Transmission Corporation (TRANSCO) [now National Grid Corporation of the Philippines (NGCP)] and SN Aboitiz Power-Magat, Inc. (SN Aboitiz)	Decision dated October 12, 2009. The ERC approved, with modifications and conditions, the application filed by TRANSCO, now the NGCP, and SN Aboitiz for approval of the ASPA. The Decision provides for the applicable rate which includes the contingency, dispatchable and regulating reserve, and black start reserve. Moreover, the ERC provides that the rate to be paid by NGCP as ancillary service cost should be passed on to its customers in accordance with the approved Ancillary Services-Cost Recovery Mechanism (AS-CRM). As to NGCP's prayer that it be allowed to separately recover its expenses in procuring ancillary service, it was denied by the ERC as these are to be borne by the Service Provider pursuant to Section 9 of the subject ASPA.
108	2009-008 MC	In the Matter of the Application for Approval of Capital Projects in Accordance with the Provisions of R.A. No. 9136 and the Guidelines to Govern the Submission, Evaluation and Approval of Electric Capital Projects, with Prayer for Issuance of Provisional Authority	Surigao Del Norte Electric Cooperative, Inc. (SURNECO)	Decision dated September 29, 2009. The ERC approved the application filed by SURNECO for approval of capital projects except for the proposed acquisition of TRANSCO's 69 kV lines from Anislagan to Pacific Cement Co. (PACEMCO) because it is subject to the ERC's approval with the Guidelines to the Sale and Transfer of TRANSCO's Subtransmission Assets and Franchising of Qualified Consortiums. The capital projects are as follows: 1) Acquisition and installation of 20 MVA Substation; 2) Construction and Acquisition of 69 kV Subtransmission Lines; 3) Construction of Double Circuit Line to 20 MVA Substation; 4) Construction of 3 Phase Line; 5) Acquisition of a Lot, Instruments and Equipment and Relocation of Trinidad 10 MVA Substation to Tubod; 6) Construction of 15 km 69 kV Line; 7) Conversion from Single Phase to 3 Phase Lines; 8) Relocation of Trinidad 5 MVA Substation to Claver and Acquisition of a Lot, Instruments and Equipment; and 9) Repair of Mapaso 5 MVA Substation and Acquisition of a Lot, Instruments and Equipment, with total project cost of Php113,660,420.00. The projects aim to address load growth, provide safe, efficient and reliable electric service, address substation overloading and large load requirements of mining industries, and accommodate future load. Accordingly, SURNECO was directed to remit to ERC the amount of Php852,453.15 as permit fee.
109	2009-008 RC	In the Matter of the Application for Approval of the Translation into Distribution Rates of Different Customer Classes for the First Regulatory Year of the ERC-Approved Annual Revenue Requirement (ARR)	Mactan Electric Company, Inc. (MECO)	Decision dated March 30, 2009. The ERC approved, with modification, the application filed by MECO for the translation into distribution rates of its different customer classes for the first regulatory year of the ERC-approved ARR under the PBR for the regulatory period 2009-2013. MECO was directed to implement, starting May 1, 2009, its approved Distribution, Supply and Metering Charges, with

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		for Mactan Electric Company, Incorporated (MECO) under the Performance Based Regulation (PBR) for the Regulatory Period 2009-2013		an average total rate of PhP0.999/kWh. MECO was further directed to implement the new lifeline structure, where Residential consumers consuming 0-20 kWh per month will enjoy a 100% discount in their rates, while those consuming between 21kWh - 65kWh will enjoy discounts ranging from 50% to 5%. Subsidy rate to non-lifeline customers was set by ERC at PhP0.0963/kWh.
110	2009-009 MC	In the Matter of the Application for Approval of Capital Projects in Accordance with the Provisions of R.A. No. 9136 and the Guidelines to Govern the Submission, Evaluation and Approval of Electric Capital Projects, with Prayer for Issuance of Provisional Authority	Siargao Island Electric Cooperative, Inc. (SIARELCO)	Decision dated September 9, 2009. The ERC approved, except for the 2011 projects the application filed by SIARELCO for the following capital projects: 1) System Inter-looping and Procurement of Power Circuit Breaker; 2) Line Upgrading; 3) Replacement of Rotten Poles; and 4) Replacement of Inefficient Transformers, with a total cost of PhP19,314,868.15. The projects aim to improve power reliability and line loading, reduce systems loss and improve transformer load management, prevent power interruptions, maximize distribution capacity, and promote safety to personnel. Accordingly, SIARELCO was directed to remit to ERC the amount of PhP144,861.00 as permit fee.
111	2009-009 RC	In the Matter of the Application for Approval of the Translation into Distribution Rates of Different Customer Classes for the First Regulatory Year of the ERC-Approved Annual Revenue Requirement (ARR) for Iligan Light and Power, Inc. (ILPI) under the Performance Based Regulation (PBR) for the Regulatory Period 2010-2013	Iligan Light and Power, Inc. (ILPI)	Decision dated March 30, 2009. The ERC approved, with modification, the application filed by ILPI for approval of the translation into distribution rates of its different customer classes for the first regulatory year of the ERC-approved ARR under the PBR for the Regulatory Period 2010-2013. ILPI was directed to implement, starting May 1, 2009, its approved Distribution, Supply and Metering Charges, with an average total rate of PhP0.9729/kWh. ILPI was further directed to implement the new lifeline structure, where Residential consumers consuming 0-20 kWh per month will enjoy a 100% discount in their rates, while those consuming between 21kWh - 100kWh will enjoy discounts ranging from 50% to 5%. Subsidy rate to non-lifeline customers was set by ERC at PhP0.0878/kWh.
112	2009-010 MC	In the Matter of the Application for Approval of Capital Projects in Accordance with the Provisions of R.A. No. 9136 and the Guidelines to Govern the Submission, Evaluation and Approval of Electric Capital Projects, with Prayer for Issuance of Provisional Authority	Dinagat Island Electric Cooperative, Inc. (DIELCO)	Decision dated September 9, 2009. The ERC approved, except for the 2011 projects, the application filed by DIELCO for the following capital projects: 1) Replacement of rotten poles, cross arms, inefficient transformers, cut-out and arresters with load breaker at the distribution transformer; and 2) Procurement of sectionalizer and recloser, with a total cost of PhP5,509,904.00. The projects aim to improve service efficiency and power reliability, reduce system loss and improve transformer load management, prevent power interruption, improve System Average Interruption Frequency Index (SAIFI) and System Average Interruption Duration Index (SAIDI), and improve system reliability. Accordingly, DIELCO was directed to remit to ERC the amount of PhP41,324.00 as permit fee, in six (6) equal monthly instalments.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
113	2009-010 RC	In the Matter of the Petition for Approval of the Agreement on the Interim Rate Between Cebu III Electric Cooperative, Incorporated (CEBECO III) and Toledo Power Company (TPC), with Prayer for Provisional Authority	Cebu III Electric Cooperative, Incorporated (CEBECO III) and Toledo Power Company (TPC)	Decision dated August 10, 2009. The ERC approved, with modification, the joint petition filed by CEBECO III and TPC with the following approved interim rates (in PhP/kWh): 1) Capacity Fee - 0.3832; 2) Fixed O&M Fee - 0.4546; 3) Variable O&M Fee - 0.1652; and 4) Fuel Cost - pass through of fuel costs. The interim rates shall be effective on August 26, 2009 and shall be valid until CEBECO III and TPC files for a new independent tariff rate for their Electric Power Purchase Agreement (EPPA) dated August 9, 2002. Moreover, the ERC provided in the Decision that the actual fuel cost shall be passed-through subject to a fuel consumption rate of 1.00kg/kHz, or actual, whichever is lower, and that the fuel procurement process shall undergo bidding. TPC was also authorized to collect the difference between the approved interim rate and the EPPA rate for the period of February 2008 to August 25, 2009.
114	2009-013 MC	In the Matter of the Application for Authority to Implement a Contingency Capital Expenditure Project Consisting of Pole and Line Relocation Affected by Road Widening	Bohol I Electric Cooperative, Inc. (BOHECO I)	Decision dated July 20, 2009. The ERC approved the application filed by BOHECO I for authority to implement its contingency capital expenditure project consisting of relocation or replacement of poles and reconductoring of line in preparation for the 69 kV transmission line, with a total project cost of PhP2,715,684.79. The project aims to comply with the request made by the Department of Public Works and Highways (DPWH) and promote reliability and stability of the distribution system. Accordingly, BOHECO I was directed to remit to ERC the amount of PhP20,367.64 as permit fee.
115	2009-013 RC	In the Matter of the Urgent Request for Approval of the Agreement on the Interim Rate Between Visayan Electric Company, Inc. and Toledo Power Company, with Prayer for Provisional Authority	Visayan Electric Company, Inc. (VECO) and Toledo Power Company (TPC)	Decision dated August 10, 2009. The ERC approved, with modification, the joint petition filed by VECO and TPC with the following approved interim rates (in PhP/kWh): 1) Capacity Fee - 0.3832; 2) Fixed O&M Fee - 0.4546; 3) Variable O&M Fee - 0.1652; and 4) Fuel Cost - pass through of fuel costs. The interim rates shall be effective on August 26, 2009 and shall be valid until VECO and TPC files for a new independent tariff rate. Moreover, the ERC provided in the Decision that the actual fuel cost shall be passed-through subject to a fuel consumption rate of 1.00kg/kHz, or actual, whichever is lower, and that the fuel procurement process shall undergo bidding. TPC was also authorized to collect the difference between the approved interim rate and the Electric Power Purchase Agreement (EPPA) rate for the period of February 2008 to August 25, 2009.
116	2009-015 RC	In the Matter of the Application for Approval of the Pricing and Cost Recovery Methodology and the Structure and Level of Administration of Fees, with Prayer for Issuance of Provisional Authority for the Visayas Supply Augmentation Auction (VSAA)	Department of Energy (DOE) through the Philippine Electricity Market Corporation (PEMC)	Decision dated August 24, 2009. The ERC approved the VSAA with the following modifications: 1) The participants shall be the grid generators and customers directly connected to the Visayas grid and the settlement prices shall be equivalent to the resulting marginal clearing prices; 2) A similar de-loading scheme approved for VECO shall be allowed to be adopted for DUs located within the Visayas region, the participants being the interruptible load customers and embedded generators within their respective

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				franchise areas; 3) The administration prices should be correspondingly reduced as a result of the modifications in the said scheme and the same to be shouldered by the NPC, including the supply augmentation costs or settlement amounts under the VSAA; and 4) The effectivity of the approved VSAA shall be one year and PEMC shall conduct a review on the necessity of continuing the VSAA which would be dependent on the existing demand-supply condition during said period of time.
117	2009-018 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's (ERC) Order on Purchased Power Adjustment (PPA)</i>	Cabanatuan Electric Corporation (CELCOR)	Decision dated June 22, 2009. The ERC reprimanded CELCOR for its failure to implement ERC's Order on PPA and warned that a similar offense in the future shall be dealt with more severely. It was verified in the submitted March 2009 consumer bill that CELCOR already implemented the refund in their PPA Order.
118	2009-022 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Aklan Electric Cooperative, Inc. (AKELCO)	Decision dated May 29, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of AKELCO of the total amount of impossible penalty for implementing capital projects without ERC approval, with an equivalent amount of PhP248,000.00. AKELCO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
119	2009-022 RC	In the Matter of the Application for Approval of: 1) Sound Value Appraisal of Applicant's Assets as of 31 December 2006 Including Additions and Retirements for the Years 2007 and 2008 and 2) Revision of Rates to Achieve the Proposed Revenue Requirement in Accordance with the Provisions of R.A. 9136, with Prayer for Provisional Authority	Tarlac Electric, Incorporated (TEI)	Decision dated August 24, 2009. The ERC approved, with modification, the application filed by TEI for sound value appraisal and revision of rates. Accordingly, TEI was granted a Total Revenue Requirement (TRR) of PhP260,511,122.00 equivalent to an OATA of PhP0.1893/kWh, an Appraisal of Property with a Reproduction Cost New of PhP966,760,800.00, and an adjusted Sound Value of PhP658,407,400.00. TEI was also authorized by ERC to implement the schedule of rates provided in the Decision and lifeline levels and corresponding discounts and subsidy effective its next billing cycle. Lifeline discount for 20 kWh and below consumption is now 100%, for 21-25 kWh is 50%, 26-30 kWh is 45%, for 31-35 kWh is 40%, for 36-40 kWh is 35% discount, and 41-45 kWh is 30% discount, with subsidy to non-lifeline costumers at PhP0.0933/kWh.
120	2009-023 CC	California Gardens Resort, Inc. represented by Teresita T. Canlas vs. Manila Electric Company (MERALCO)	California Gardens Resort, Inc. represented by Teresita T. Canlas	Decision dated August 17, 2009. The ERC directed MERALCO to refund the amount paid by complainant California Gardens Resort which it erroneously collected. The complainant should not be made liable to pay the unpaid bills under other accounts name. Only when there is proof of collusion on the part of the previous occupants and the new one can the latter be compelled to shoulder any unpaid bills. Meralco failed to prove that the former and new occupants conspired to defraud it.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
121	2009-023 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement On Time the Final Rate Reduction Due to Loan Condonation</i>	Benguet Electric Cooperative, Inc. (BENECO)	Decision dated July 15, 2009. The ERC reprimanded BENECO for its failure to implement on time the ERC's directive on the final rate reduction due to loan condonation and warned that a similar offense in the future shall be dealt with more severely. BENECO manifested that it lacked the logistics to immediately adjust its rates to comply with the Decision and eventually implemented in January 2007.
122	2009-023 RC	In the Matter of the Application for the Approval of the Transition Supply Contracts (TSCs) Entered into with Distribution Utilities in the Mindanao Grid, with Prayer for the Issuance of Provisional Authority	National Power Corporation (NPC)	Decision dated August 3, 2009. The ERC approved the TSCs entered by NPC with the DUs located in Mindanao Grid, except for Cotabato Electric Cooperative, Inc. - PPALMA Area (COTELCO-PPALMA Area). To date, PPALMA is still part of the franchise area of Maguindanao Electric Cooperative, Inc. (MAGELCO), whose franchise area covers 25 municipalities in Maguindanao and 6 municipalities in Cotabato, including PPALMA. The TSCs were found to have adopted the Commission-approved template as embodied in Resolution No. 8 Series of 2005 and Resolution No. 15, Series of 2005.
123	2009-024 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Final Rate Reduction Due to Loan Condonation</i>	Nueva Ecija II -Area 1 Electric Cooperative, Inc. (NEECO II-Area 1)	Decision dated June 26, 2009. The ERC reprimanded NEECO II - Area 1 for the late implementation of the final rate reduction due to loan condonation and warned that a similar offense in the future shall be dealt with more severely. NEECO II - Area 1 explained that they belatedly implemented the final rate reduction due to loan condonation in May 2009 instead of August 2005.
124	2009-024 RC	In the Matter of the Application for Approval of the Revised Rate Schedule and Appraisal of Properties, With Prayer for Provisional Authority	Visayan Electric Company, Inc. (VECO)	Decision dated August 10, 2009. The ERC approved, with modification, the application filed by VECO for sound value appraisal and revision of rates. Accordingly, VECO was granted a Total Revenue Requirement (TRR) of PhP1,915,985,083.00 equivalent to an OATA of PhP0.2267/kWh, an Appraisal of Property with a Reproduction Cost New of PhP6,081,540,908.00 and an adjusted Sound Value of PhP5,884,453,055.00. VECO was also authorized by ERC to implement the schedule of rates provided in the Decision and lifeline levels and corresponding discounts and subsidy effective its next billing cycle. Lifeline discount for 0-20 kWh consumption is now 100%, for 21-25 kWh is 50%, 26-30 kWh is 40%, for 31-35 kWh is 35%, for 36-40 kWh is 30% discount, 41-45 kWh is 25% discount, 46-50 kWh is 20% discount, and 51-55 kWh is 15% discount, with subsidy to non-lifeline costumers at PhP0.0746/kWh.
125	2009-025 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement On Time the Final Rate Reduction Due to Loan Condonation</i>	Pampanga III Electric Cooperative, Inc. (PELCO III)	Decision dated July 14, 2009. The ERC reprimanded PELCO III for its late implementation of the ERC's directive on the final rate reduction due to loan condonation and warned that a similar offense in the future shall be dealt with more severely. PELCO III implemented the reduction in July 2006 instead of June 2006.

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126	2009-025 RC	In Re: Petition for Approval of the Power Supply Agreement (PSA) and the New Power Provider-True Cost Generation Rate (NPP-TCGR), with Prayer for Provisional Authority	Palawan Electric Cooperative, Inc. (PALECO) and Delta P, Inc. (DELTA P)	Decision dated November 9, 2009. The ERC approved the joint petition filed by PALECO and DELTA P for the PSA and NPP-TCGR subject to the condition that the base rate shall be Php10.4154, of which capacity fee is not subject to indexation and cumulative energy delivered exceeding 55million kWh will not be charged the Fixed Fee and O&M Fee. Moreover, the Decision provides that Fuel Cost can be passed on but only limited to a set fuel efficiency rate. The NPP-TCGR approved shall retroact on April 3, 2009. DELTA P was allowed to recover the subsidy from the ERC-approved Universal Charge-Missionary Electrification based on the petition of NPC-SPUG. The ERC finds that the approval and implementation of the PSA will be beneficial to the member-consumers of PALECO by way of reliable, continuous and sufficient supply of power within its franchise area at reasonable costs.
127	2009-026 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement On Time the Final Rate Reduction Due to Loan Condonation</i>	Zambales II Electric Cooperative, Inc. (ZAMECO II)	Decision dated March 26, 2009. The ERC reprimanded ZAMECO II for its failure to implement the rate reduction due to loan condonation on time and warned that a similar offense in the future shall be dealt with more severely. ZAMECO II, after the ERC issued a Show Cause Order on February 17, 2009 directing them to explain such violation, filed a Manifestation stating that it did not implement due to financial constraint, and it eventually implemented in April 2008.
128	2009-026 RC	In the Matter of the Application for Approval of the Power Sales Contract (PSC) between Mactan Electric Company, Inc. (MECO) and KEPCO-SPC Power Corporation (KSPC)	Mactan Electric Company, Inc. (MECO) and KEPCO-SPC Power Corporation (KSPC)	Decision dated August 10, 2009. The ERC approved the application filed by MECO and KSPC its PSC, subject to the following base rate (in Php/kWh): 1) Capacity Fee - 2.2958; 2) Foreign O & M Fee - 0.2782; 3) Local O & M Fee - 0.3809; and 4) Fuel Fee - 1.2962, with a total KSPC Price of 4.2511. MECO was directed to submit, in its Automatic Generation Rate Adjustment (AGRA) confirmation, the derivation of the Fuel Fee and the heat rate utilized for the applicable billing period with supporting documents.
129	2009-027 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementation of 5% Surcharge on Unpaid Bills without Prior Approval from the Commission</i>	Leyte V Electric Cooperative, Inc. (LEYECO V)	Decision dated November 12, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of LEYECO V of the total amount of impossible penalty for implementing a 5% surcharge on unpaid bills without prior ERC approval, with an equivalent amount of Php50,000.00. LEYECO V was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
130	2009-028 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Comply with Article No. 16 of the Magna Carta for Residential Customers: Right to a Transparent Billing</i>	Leyte V Electric Cooperative, Inc. (LEYECO V)	Decision dated July 15, 2009. The ERC exonerated LEYECO V from any administrative liability and from the alleged violation for failure to comply with Article No. 16 of the Magna Carta for residential customers. LEYECO V submitted its explanation stating that :1) The Read and Bill Program was used for the purpose of providing advance copy of its bill to the consumer; 2) A more comprehensive

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				approved format will be generated and served to the consumer at a later date; and 3) The generated bills by the Read and Bill was reformatted to be consistent with the format prescribed by the ERC.
131	2009-030 MC	In the Matter of the Application for the Approval of Major Capital Project for the Construction of One (1) 5 MVA Substation at Aliaga, Nueva Ecija, with Prayer for Provisional Authority	Nueva Ecija II Electric Cooperative, Inc. - Area 1 (NEECO II - Area 1)	Decision dated November 3, 2009. The ERC approved the application filed by NEECO II - Area 1 for the construction of one (1) 5 MVA substation at Aliaga, Nueva Ecija, with total project cost of PhP11,294,467.62, except for the additional cost of equipment. The project aims to improve power reliability and address load growth. Accordingly, NEECO II - Area 1 was directed to remit to ERC the amount of PhP84,709.00 as permit fee.
132	2009-031 MC	In the Matter of the Application for Approval of Contingency Capital Projects in Accordance with the Provisions of R.A. No. 9136 and the Rules for the Approval of Regulated Entities' Capital Expenditure Projects, with Prayer for the Issuance of Provisional Authority	Pampanga I Electric Cooperative, Inc. (PELCO I)	Decision dated August 3, 2009. The ERC approved the application filed by PELCO I for approval of its contingency capital projects, specifically the relocation of poles, with total project cost of PhP2,301,728.43. The project aims to comply with the request made by the Department of Public Works and Highways (DPWH) and promote system reliability and stability. Accordingly, PELCO I was directed to remit to ERC the amount of PhP17,262.96 as permit fee.
133	2009-039 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Inclusion of Energy Conversion Agreement Cost in the Retail Rates without Prior Approval from the Commission</i>	Occidental Mindoro Electric Cooperative, Inc. (OMEKO)	Decision dated October 5, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of OMEKO of the total amount of impossible penalty for including the Energy Conversion Agreement Cost in its retail rates without ERC approval, with an equivalent amount of PhP86,450.00. OMEKO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
134	2009-039 RC	In the Matter of the Application for Approval of Over-All Tariff Adjustment (OATA), with Prayer for Issuance of Provisional Authority	Oriental Mindoro Electric Cooperative, Inc. (ORMECO)	Decision dated August 17, 2009. The ERC approved, with modification, the application filed by ORMECO for approval of OATA. Total Revenue Requirement (TRR) approved is PhP175,006,856.00 which is equivalent to an OATA of PhP0.3512/kWh. Lifeline discount for Residential customers with consumption of 15 kWh and below is 50%, 15% for 16-20 kWh and 5% for 21-25 kWh. Subsidy from non-lifeline customers is PhP0.0951/kWh and Reinvestment Fund which shall form part of the contribution from the member-consumers is PhP0.4404/kWh.
135	2009-046 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Collection of kWh Meter Deposits to Consumers</i>	Isabela II Electric Cooperative, Inc. (ISELCO II)	Decision dated June 26, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ISELCO II of the total amount of impossible penalty for collecting kWh meter deposits from consumers, with an equivalent amount of PhP50,000.00. ISELCO II was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
136	2009-047 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Inclusion of Power</i>	Bohol I Electric Cooperative, Inc. (BOHECO I)	Decision dated July 23, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of BOHECO I of the total amount of impossible

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		<i>Supply Contract Cost in the Retail Rates where the Power Supplier has not yet Obtained a Certificate of Compliance (COC)</i>		penalty for including Power Supply Contract Cost in the retail rates where the power supplier has no COC, with an equivalent amount of Php63,050.00. BOHECO I was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
137	2009-048 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Operating a Generation Facility without a Certificate of Compliance (COC)</i>	Bohol I Sevilla Mini Hydro Corporation (BSMHC)	Decision dated July 23, 2009. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of BSMHC of the total amount of impossible penalty for operating a generation facility without COC, with an equivalent amount of Php63,050.00. BSMHC was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
138	2009-048 RC	In the Matter of the Application for Approval of Over-All Tariff Adjustment (OATA), with Prayer for Issuance of Provisional Authority	Occidental Mindoro Electric Cooperative, Inc. (OMECCO)	Decision dated November 3, 2009. The ERC approved with modification the application filed by OMECCO for approval of OATA. Total Revenue Requirement (TRR) approved is Php90,182,533.00 which is equivalent to an OATA of Php0.3030/kWh. Lifeline discount for Residential customers with consumption of 10 kWh and below is 50%, 15% for 11-15 kWh and 5% for 16-20 kWh Subsidy for non-lifeline customers is Php0.0918/kWh and Reinvestment Fund which shall form part of the contribution from the member-consumers is Php0.4258/kWh.
139	2009-049 MC	In the Matter of the Petition for Dispute Resolution, with Prayer for the Issuance of Restraining Order	SKK Steel Corporation (SKK) versus National Grid Corporation of the Philippines (NGCP)	Decision dated December 7, 2009. The ERC confirmed that the transmission billing for SKK Steel Corporation should be calculated on the basis of the Coincident Peak Demand of the Luzon system peak. Accordingly, the National Grid Corporation of the Philippines (NGCP) and the National Transmission Corporation (TRANSCO) are directed to : 1) Calculate SKK's Ancillary Service charge based on its actual demand coincident with the system peak demand; and 2) Refund the total amount they collected from SKK representing its over payment of Ancillary Service Charges.
140	2009-050 MC	In the Matter of the Application for Approval of the Regulated Entities' Capital Expenditure Projects (CAPEX) for the Years 2009 to 2011, with Prayer for Authority to Secure Loan from a Financial Institution to fund the Cost of CAPEX 2009-002, 2009-003 and 2009-005	Pangasinan I Electric Cooperative, Inc. (PANELCO I)	Decision dated December 7, 2009. The ERC approved the application filed by PANELCO I for the following 2009-2011 CAPEX: 1) Acquisition and installation of Sulphur Hexafluoride (SF6) Circuit Breakers; 2) Acquisition of a 69 kV sub-transmission Line; 3) Construction and Installation of a 10 MVA Power Transformer and Equipment including a 69 kV Sub-transmission Line; 4) Acquisition and Installation of Vacuum Circuit Breakers; and 5) Replacement of an existing Distribution Transformer by a new Transformer-Phase 1, with a total project cost of Php127,108,437.48. The projects aim to improve reliability, address load growth and higher power voltage demands, reduce interruption frequency, and reduce system loss. Accordingly, PANELCO I was directed to remit to ERC the amount of Php953,313.28 as permit fee, in three equal yearly instalments.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				<p>PANELCO's loan application for the funding of some of the above-mentioned projects was withdrawn because of their decision to file a separate application for its approval.</p>
141	2009-054 MC	<p>In the Matter of the Application for the Approval of Emergency Capital Project, Re: Repair and Restoration of 5 MVA Transformer at Salbu Substation</p>	<p>Maguindanao Electric Cooperative, Inc. (MAGELCO)</p>	<p>Decision dated November 3, 2009. The ERC approved, with modification, the application filed by MAGELCO for the repair and restoration of 5 MVA Transformer at Salbu Substation, with a modified total project cost of PhP7,328,332.00. The project aims to restore electric power in the 11 municipalities affected, and provide safe efficient and reliable electric service. Accordingly, MAGELCO was directed to remit to ERC the amount of PhP54,962.00 as permit fee.</p>
142	2009-057 RC	<p>In the Matter of the Application for Approval of: A) Maximum Average Price (MAP) for the Regulatory Year 2010 (RY 2010) and b) Translation of the MAP for RY 2010 into a Distribution Rate Structure for its Various Customer Classes, with Prayer for Issuance of Provisional Authority</p>	<p>Manila Electric Company (MERALCO)</p>	<p>Decision dated December 14, 2009. The ERC approved, with modification, the application of MERALCO MAP for RY 2010 and its translation into a Distribution Rate Structure for Various Customer Classes. The ERC directed MERALCO to adopt a revised X-factor of -4.75% and a smoothed MAP for the 2nd Regulatory Period as provided in the Decision. Moreover, MERALCO was directed to adopt the MAP2010 of PhP1.4917/kWh, limited by the Side Constraints and S Factor of PhP0.0089/kWh, and implement its approved Distribution, Supply and Metering Charges detailed in the Decision, effective January 2010.</p>
143	2009-063 RC	<p>In the Matter of the Application for Prior Verification of Other Generation Rates Adjustments Under Section 3, Article IV of the Guidelines for the Automatic Adjustment of Generation Rates and System Loss Rates by Distribution Utilities, with Prayer for Provisional Authority</p>	<p>Panay Electric Company, Inc. (PECO) and Panay Power Corporation (PPC)</p>	<p>Decision dated November 16, 2009. The ERC approved, with modification, the application filed by PECO and PPC for the approval of the generation charge billed by PPC to PECO. The generation cost approved amounts to PhP9,140,488,193.32 covering the period May 1999 to July 2005 instead of the applied amount of PhP9,907,693,517.71.</p>