

Summary of the 178 Cases Decided In 2010

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
1	2001-634 (2000-45)	Maria Lourdes Paloyo -versus- Manila Electric Company	Maria Lourdes Paloyo	Decision dated July 19, 2010. The ERC found Maria Lourdes Paloyo to have violated the pertinent provisions of R.A. 7832, specifically by having two (2) line permanent jumpers by utilizing the adjacent tampered meter. Accordingly, she is liable to pay the computed differential billing for the two (2) service meters' unregistered consumptions for the period April 7, 1999 to November 11, 1999 in the amount of PhP66,468.97 plus a 25% surcharge of her current bill. Considering, however, that on November 12, 1999, Ms. Paloyo paid a total initial amount of PhP74,276.55 out of the computed differential billing for reconnection, thus she is entitled to a refund from MERALCO in the amount of PhP7,807.58. MERALCO was directed to credit or deduct from Ms. Paloyo's current billing the refundable amount.
2	2001-793 MC (ERB Case No. 2001-09)	In the Matter of the Application for the Issuance and/or Extension of Certificate of Public Convenience and Necessity (CPCN) to Operate the Electric Light, Heat and Power System in the Municipality of Floridablanca (excluding Barangays Basa I and II Resettlement) and Barangays Talang and Ligaya, Municipality of Guagua, all in the Province of Pampanga, Predicated on the Franchise Granted by the National Electrification Commission (NEC), with Prayer for Provisional Authority (PA)	Mansons Corporation (now San Fernando Electric Power and Light Company, Inc. [SFELAPCO])	Decision dated June 7, 2010. The ERC approved the application filed by Mansons Corporation (now SFELAPCO) for the issuance and/or extension of its CPCN to operate in the municipality of Floridablanca (excluding Barangays Basa I and II Resettlement) and Barangays Talang and Ligaya, Municipality of Guagua, all in the Province of Pampanga, valid until February 6, 2035. It was established that SFELAPCO has the expertise and resources to adequately and reliably serve the present and future electrical power needs of its customers.
3	2003-502	Walfredo Camba -versus- Manila Electric Company (MERALCO)	Walfredo Camba	Decision dated July 19, 2010. The ERC found Walfredo Camba to have not illegally consumed electricity. The ERC ruled that the differential billing of PhP197,182.80 being imposed by MERALCO was without basis. The ERC found no sufficient evidence to hold that Mr. Camba had an illegal electric service connection through a "jumper" wire and that he benefitted from such illegal service connection.
4	2004-447	In the Matter of the Application for the Approval of Applicant's: (1) Business Separation and Unbundling Plan (BSUP); and (2) Accounting and Cost Allocation Manual (ACAM) in Accordance with the Provisions of Section 36 of Republic Act No. 9136 and Rule 10 of	Visayan Electric Company, Inc. (VECO)	Decision dated November 8, 2010. The ERC approved the application filed by VECO for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. VECO is composed of five business segments: (1) Distribution Services; (2) Distribution Connection Services; (3) Regulated Retail Services; (4) Non-Regulated Retail Services; and (5) Related Businesses. The ERC, however, directed VECO to modify specific items in their ACAM, as specified in the

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		its Implementing Rules and Regulations (IRR)		Decision. In addition to that, the ERC directed VECO to submit the following: (1) Accounting Separation Statements; (2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; (5) Compliance Report; and (6) Consolidated copy of its relevant ACAM, where the ACAM has been amended. Moreover, in the event that VECO will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.
5	2004-484	In the Matter of the Application for the Approval of Applicant's: (1) Business Separation and Unbundling Plan (BSUP); and (2) Accounting and Cost Allocation Manual (ACAM) in Accordance with the Provisions of Section 36 of Republic Act No. 9136 and Rule 10 of its Implementing Rules and Regulations (IRR)	Angeles Electric, Corporation (AEC)	Decision dated October 18, 2010. The ERC approved the application filed by AEC for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. AEC is composed of five business segments: (1) Distribution Services; (2) Distribution Connection Services; (3) Regulated Retail Services; (4) Non-Regulated Retail Services; and (5) Related Businesses. The ERC, however, directed AEC to modify specific items in their ACAM, as specified in the Decision. In addition to that, the ERC directed AEC to submit the following: (1) Accounting Separation Statements; (2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; (5) Compliance Report; and (6) Consolidated copy of its relevant ACAM, where the ACAM has been amended. Moreover, in the event that AEC will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.
6	2004-486	In the Matter of the Application for the Approval of Applicant's: (1) Business Separation and Unbundling Plan (BSUP); and (2) Accounting and Cost Allocation Manual (ACAM) in Accordance with the Provisions of Section 36 of Republic Act No. 9136 and Rule 10 of its Implementing Rules and Regulations (IRR)	Dagupan Electric, Corporation (DECORP)	Decision dated October 18, 2010. The ERC approved the application filed by DECORP for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. DECORP is composed of five business segments: (1) Distribution Services; (2) Distribution Connection Services; (3) Regulated Retail Services; (4) Non-Regulated Retail Services; and (5) Related Businesses. The ERC, however, directed DECORP to modify specific items in their ACAM, as specified in the Decision. In addition to that, the ERC directed DECORP to submit the following: (1) Accounting Separation Statements; (2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; (5) Compliance Report; and (6) Consolidated copy of its relevant ACAM, where the ACAM has been amended. Moreover, in the event that DECORP will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.

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7	2004-487	In the Matter of the Application for the Approval of Applicant's: (1) Business Separation and Unbundling Plan (BSUP); and (2) Accounting and Cost Allocation Manual (ACAM) in Accordance with the Provisions of Section 36 of Republic Act No. 9136 and Rule 10 of its Implementing Rules and Regulations (IRR)	La Union Electric Company, Inc. (LUECO)	Decision dated October 18, 2010. The ERC approved the application filed by LUECO for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. LUECO is composed of five business segments: (1) Distribution Services; (2) Distribution Connection Services; (3) Regulated Retail Services; (4) Non-Regulated Retails Services; and (5) Related Businesses. The ERC, however, directed LUECO to modify specific items in their ACAM, as specified in the Decision. In addition to that, the ERC directed LUECO to submit the following: (1) Accounting Separation Statements; (2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; (5) Compliance Report; and (6) Consolidated copy of its relevant ACAM, where the ACAM has been amended. Moreover, in the event that LUECO will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.
8	2004-488	In the Matter of the Application for the Approval of Applicant's: (1) Business Separation and Unbundling Plan (BSUP); and (2) Accounting and Cost Allocation Manual (ACAM) in Accordance with the Provisions of Section 36 of Republic Act No. 9136 and Rule 10 of its Implementing Rules and Regulations (IRR)	Tarlac Electric Incorporated (TEI)	Decision dated August 23, 2010. The ERC approved the application filed by TEI for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. TEI is composed of five business segments: (1) Distribution Services; (2) Distribution Connection Services; (3) Regulated Retail Services; (4) Non-Regulated Retails Services; and (5) Related Businesses. The ERC, however, directed TEI to modify specific items in their ACAM, as specified in the Decision. In addition to that, the ERC directed TEI to submit the following: (1) Accounting Separation Statements; (2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; (5) Compliance Report; and (6) Consolidated copy of its relevant ACAM, where the ACAM has been amended. Moreover, in the event that TEI will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.
9	2005-019 MC	In the Matter of Dispute Resolution: Violation of Franchise Area of Misamis Oriental I Rural Electric Service Cooperative, Inc. (MORESCO I) by Cagayan Electric Power and Light Company, Inc. (CEPALCO)	Misamis Oriental I Rural Electric Service Cooperative, Inc. (MORESCO I), represented by Pedrito H. Baculio, Board President vs. Cagayan Electric Power and Light Company, Inc. (CEPALCO) represented by Consuelo	Decision dated February 8, 2010. The ERC dismissed the violation case filed by MORESCO I against CEPALCO in view of the National Electrification Commission (NEC) Decision dated January 27, 2000 in NEC Case No. 97-15, Republic Act No. 9284 and "Ocular Inspection Annex 1", as submitted by MORESCO I and CEPALCO. It was found out that the disputed area is beyond the boundary of Barangay Canito-an but instead located in Barangay Carmen which is not part of MORESCO I's franchise area. In this regard, MORESCO I and CEPALCO were advised to strictly comply with the terms and conditions set forth in the NEC Decision

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			G. Tion, President and Chief Operating Officer (COO)	and Republic Act No. 9284. Accordingly, the status quo order dated May 26, 2008 was lifted.
10	2005-044 CC	Joaquin P. Bulacan -versus-Manila Electric Company (MERALCO)	Joaquin P. Bulacan	Decision dated April 19, 2010. The ERC finds merit in the complaint filed by Joaquin P. Bulacan against MERALCO. The Metering Facilities Inspection Report (MFIR) and Inspection Supplementary Report (ISR) presented by MERALCO disclosed that there was no jumper found in Mr. Bulacan's premises. The tampered metering installation indicated in the MFIR was found by ERC to be MERALCO's fault and not of the complainant. Had MERALCO installed the appropriate meter, which is a two-wire meter, any grounding at the load side end of the meter, whether intentional or accidental, will not affect its registration. Accordingly, MERALCO was enjoined from collecting the amount of Php302,077.25 and was directed to reconnect the electric service of complainant.
11	2005-179 MC	In the Matter of the Application for Approval of the Business Separation and Unbundling Plan (BSUP) and Accounting and Cost Allocation Manual (ACAM) pursuant to Section 36 of R.A. 9136 and Rule 10 of the Implementing Rules and Regulations (IRR)	Panay Electric Company, Inc. (PECO)	Decision dated October 18, 2010. The ERC approved the application filed by PECO for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. PECO shall separate into five business segments: (1) Distribution Services; (2) Distribution Connection Services; (3) Regulated Retail Services; (4) Non-Regulated Retail Services; and (5) Related Businesses. The ERC, however, directed PECO to modify specific items in their ACAM, as specified in the Decision. In addition to that, the ERC directed PECO to submit the following: (1) Accounting Separation Statements; (2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; (5) Compliance Report; and (6) a consolidated copy of its relevant ACAM, where the ACAM has been amended. Moreover, in the event that PECO will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.
12	2005-271 MC	In the Matter of the Application for Approval of the Business Separation and Unbundling Plan (BSUP) and Accounting and Cost Allocation Manual (ACAM) Pursuant to Section 36 of R.A. 9136 and Rule 10 of the Implementing Rules and Regulations (IRR)	Bohol Light Company, Inc. (BLCI)	Decision dated October 18, 2010. The ERC approved the application filed by BLCI for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. BLCI is composed of five business segments: (1) Distribution Services; (2) Distribution Connection Services; (3) Regulated Retail Services; (4) Non-Regulated Retail Services; and (5) Related Businesses. The ERC, however, directed BLCI to modify specific items in their ACAM, as specified in the Decision. In addition to that, the ERC directed BLCI to submit the following: (1) Accounting Separation Statements;

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				(2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; (5) Compliance Report; and (6) Consolidated copy of its relevant ACAM, where the ACAM has been amended. Moreover, in the event that BLCI will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.
13	2005-380 CC 2005-381 CC 2006-575 CC	Quintin Canaya -versus- Manila Electric Company, et al.; Quintin Canaya and Justino Tanedo -versus- Manila Electric Company, et al.; Consumers Affair Legal, Inc., Quintin Canaya, et al., -versus- Manila Electric Company (MERALCO), et al.	Quintin Canaya, Justino Tanedo, Consumers Affair Legal, Inc.	Decision dated December 1, 2009. The ERC ruled that the relocation or installation by MERALCO of complainants' electric service meters to the Elevated Metering Centers (EMCs) is legitimate and that the contested high billings or over billings resulted from inaccurate meter readings by the MERALCO's meter readers and not due to the relocation or installation of the service meters to the EMC. MERALCO was directed to immediately refund the expense borne by some of the complainants for the service drop wires and installations, including all necessary protective accessories upon presentation of valid proof of purchase. All similarly situated registered customers of Pabahay 2000 and MERALCO were directed to enter into a installment agreement with terms mutually agreeable to both parties.
14	2006-020 MC	in the Matter of Violation of ERC Orders, Rules and Regulations - Incorporating/ Lumping the "PhP/Customer/ Month" Charge under the Approved Rate Reduction due to Loan Condonation Order in the Supply Charge	Misamis Oriental Rural Electric Service II Cooperative, Inc. (MORESCO II)	Decision dated June 10, 2010. The ERC reprimanded MORESCO II for the delay in reflecting the PhP/customer/ month in the Supply Charge as a separate item in the bill and warned that a similar offense in the future shall be dealt with more severely. MORESCO II, after receiving the Show Cause Order issued by ERC on January 18, 2006, submitted an explanation stating that it indeed incorporated/ lumped the PhP/customer/month in the Supply Charge and it subsequently reflected the same as a separate item in the bill consistent with the directive of the ERC in its April 2006 billing.
15	2006-112 MC 2006-115 MC 2007-252 MC 2007-296 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - Non-Inclusion of Pilferage Recovery on Purchased Power Adjustment (PPA) Computation; Failure to Implement the PPA using the Power Cost at "Net of Discounts"; Failure to Implement ERC's Order on PPA; and Failure to Implement ERB's Order on PPA	Pangasinan III Electric Cooperative, Inc. (PANELCO III)	Decision dated January 21, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of PANELCO III of the total imposable penalty for: (a) non-inclusion of pilferage recovery on PPA computation; (b) failure to implement PPA using the Power Cost at "Net of Discounts"; (c) failure to implement ERC's Order on PPA; and (d) failure to implement ERB's Order on PPA, with an equivalent amount of PhP522,500.00. PANELCO III was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
16	2007-005 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - Failure to submit the 2005 Annual Report	La Union Electric Company, Inc. (LUECO)	Decision dated February 3, 2010. The ERC reprimanded LUECO for the delay in the submission of its 2005 Annual Report and warned that a similar offense in the future shall be dealt with more severely. LUECO, after receiving the Show Cause Order issued by ERC on January 3, 2007, submitted its 2005 Annual Report on June 14, 2007.

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17	2007-006 RC	In the Matter of the Application for Approval/Review of the Electricity Sales Agreement (ESA) and the Composite Rate Structure between Iloilo I Electric Cooperative, Inc. (ILECO I) and Philippine National Oil Company- Energy Development Corporation (PNOC-EDC), with Prayer for Provisional Authority (PA)	Iloilo I Electric Cooperative, Inc. (ILECO I) and Philippine National Oil Company - Energy Development Corporation (PNOC-EDC)	Decision dated February 8, 2010. The ERC approved the joint application filed by ILECO I and PNOC-EDC for approval/review of the ESA and Composite Rate Structure, subject to the following conditions: (a) Beginning on the Commercial Operation Date up to February 25, 2009, the electricity rate shall be equivalent to the prevailing NPC average effective grid rate for Visayas, inclusive Base rate, Franchise Tax Benefits to LGUs, Incremental Currency Exchange Rate Adjustment (ICERA), Generation Rate Adjustment Mechanism (GRAM) and other rate adjustments approved by the ERC; and (b) Beginning February 26, 2009 up to the end of Contract Period, the Base Electricity Price shall be PhP4.88/kWh as of the Base Month (February 2006), subject to a monthly escalation formula.
18	2007-037 RC	In the Matter of the Application for Authority to Recover Transmission Cost Under-Recoveries, Including the Carrying Cost, with Prayer for Provisional Authority (PA)	Zamboanga City Electric Cooperative, Inc. (ZAMCELCO)	Decision dated February 15, 2010. The ERC approved, with modification, the application filed by ZAMCELCO for the recovery of the transmission-related revenues. Accordingly, ZAMCELCO was authorized to recover the amount of PhP29,738,770.53 equivalent to an average rate adjustment of PhP0.0446/kWh, for a period of 22 months or until such time that the full amount has been fully recovered. Said amount represents ZAMCELCO's under-recovery in the implementation of transmission cost for the period July 2004 to April 2006.
19	2007-111 RC	In the Matter of the Application for Approval of the Proposed Time-Of-Use (TOU) Retail Rates to End-Users, with Prayer for Provisional Authority (PA)	Manila Electric Company (MERALCO)	Decision dated December 14, 2009. The ERC approved, with modification, the application filed by MERALCO for approval of the TOU Retail Rates to end users, and provided MERALCO the Rate Schedules for its TOU customers, including the incremental supply and metering charges. MERALCO was directed to lower the threshold level for qualified TOU customers for industrial/ commercial to at least 5 kW and for residential to at least 500 kWh. Moreover, MERALCO was directed to adopt the Generation Charges formula detailed in the Decision in computing generation rates for TOU and Non-TOU customers. Furthermore, MERALCO was directed to submit a list of requirements, together with the AGRA requirements, and to separately account all additional investments/asset acquisitions and operating costs incidental to serving TOU customers. Such cost shall not form part of its rate base and revenue requirements.
20	2007-127 RC	In the Matter of the Application for Approval of Major Capital Projects for Calendar Year 2007, with Prayer for Provisional Authority (PA)	Aklan Electric Cooperative, Inc. (AKELCO)	Decision dated March 8, 2010. The ERC approved the application filed by AKELCO for its major capital projects for calendar year 2007, specifically the (1) construction of a 30 MVA Substation, (2) construction of the 69 kV Overhead Transmission Line and Tapping Point Switchyard, (3) construction of the new 13.2 kV Distribution Line, and (4) acquisition of a 69 kV Submarine Cable, with a total project cost of PhP190,744,762.00. The projects aims to address the increasing demand in the Municipality of Malay, Aklan and Boracay Island, reduction of system loss and improvement of

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				voltage variation, and to address the insufficient line capacity of the existing submarine cable. Relatively, AKELCO was directed to remit to ERC the amount of PhP1,430,586.00 as permit fee.
21	2007-249 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Benguet Electric Cooperative, Inc. (BENECO)	Decision dated August 4, 2010. The ERC reprimanded BENECO for its failure to implement on time the PPA Refund and warned that a similar offense in the future shall be dealt with more severely. BENECO submitted an explanation, after it has received the Show Cause Order issued by ERC on May 2, 2007, stating that it deferred the implementation of the PPA Refund pending resolution of its Motion for Reconsideration. BENECO eventually implemented the directed refund in its July 2010 billing. Available records with the ERC confirm this.
22	2007-251 MC	In the Matter of the Violation of the ERC Orders, Rules and Regulations - <i>Failure to implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	La Union Electric Cooperative, Inc. (LUELCO)	Decision dated February 11, 2010. The ERC reprimanded LUELCO for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. LUELCO, after receiving the Show Cause Order issued by ERC on May 2, 2007, submitted an explanation stating that it deferred the implementation of the PPA refund due to the pending resolution of its motion with the Court of Appeals and it does not have financial capability to implement the same. LUELCO eventually implemented the directed refund in its May 2009 billing. Available records with the ERC confirm this.
23	2007-254 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Isabela I Electric Cooperative, Inc. (ISELCO I)	Decision dated June 23, 2010. The ERC reprimanded ISELCO I for its late implementation of PPA Refund and warned that a similar offense in the future shall be dealt with more severely. ISELCO I submitted its explanation on October 26, 2007, after it has received the Show Cause Order issued by ERC on May 2, 2007, stating that it deferred the implementation of PPA Refund pending resolution of its Motion for Reconsideration. ISELCO I eventually implemented the directed refund in its March 2010 billing. Available records with the ERC confirm this.
24	2007-262 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the ERC's Order on Purchased Power Adjustment (PPA)</i>	Pampanga Rural Electric Service Cooperative, Inc. (PRESCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of PRESCO of the total imposable penalty for failure to implement the ERC's Order on PPA, with an equivalent amount of PhP153,350.00. PRESCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
25	2007-266 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>	Quezon II Electric Cooperative, Inc. (QUEZELCO II)	Decision dated March 10, 2010. The ERC reprimanded QUEZELCO II for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. QUEZELCO II, after receiving the Show Cause Order issued by ERC on May 2, 2007, submitted an explanation stating that it deferred the implementation of the PPA refund due to its extreme financial burden brought

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				about by calamities within the area. QUEZELCO II eventually implemented the directed refund in its February 2010 billing.
26	2007-267 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the ERC's Order on Purchased Power Adjustment (PPA)</i>	Camarines Norte Electric Cooperative, Inc. (CANORECO)	Decision dated January 27, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CANORECO for the total imposable penalty for failure to implement the ERC's Order on PPA, with an equivalent amount of PhP151,200.00. CANORECO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
27	2007-281 MC	In the Matter of Violation of the ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Negros Oriental I Electric Cooperative, Inc. (NORECO I)	Decision dated April 12, 2010. The ERC reprimanded NORECO I for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. NORECO I, after receiving the Show Cause Order issued by ERC on May 2, 2007, submitted an explanation with Motion for Reconsideration and Manifestation stating that it deferred the implementation of the PPA refund due to the pending resolution of its previously filed motion and request for re-computation of the PPA refund. NORECO I eventually implemented the directed refund in its February 2010 billing. Available records with the ERC confirm this.
28	2007-286 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Basilan Electric Cooperative, Inc. (BASELCO)	Decision dated February 5, 2010. The ERC reprimanded BASELCO for the delay in its implementation of ERC PPA refund Order and warned that a similar offense in the future shall be dealt with more severely. BASELCO, after receiving the Show Cause Order issued by ERC on May 2, 2007, filed an explanation stating that it cannot implement the PPA refund Order pending resolution of its second Motion for Reconsideration filed with the ERC. In December 2009, the ERC was informed by BASELCO that it started to implement the directed refund in its January 2010 billing. Available records with the ERC confirm this.
29	2007-300 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>	Eastern Samar Electric Cooperative, Inc. (ESAMELCO)	Decision dated June 9, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ESAMELCO of the total amount of imposable penalty for failure to implement the ERB's Order on PPA, with an equivalent amount of PhP212,000.00. ESAMELCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
30	2007-304 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the ERB's Order on Purchased Power Adjustment (PPA)</i>	Dinagat Island Electric Cooperative, Inc. (DIELCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of DIELCO of the total imposable penalty for failure to implement the ERB's Order on PPA, with an equivalent amount of PhP184,850.00. DIELCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.

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31	2007-328 MC 2007-397 MC 2007-289 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement PPA using the Power Cost at "Net" of Discounts; Non-Inclusion of Pilferage Recovery in PPA Computation; and Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Misamis Oriental Rural Electric Service I Cooperative, Inc. (MORESCO I)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of MORESCO I of the total amount of impossible penalty for the following cases: (a) Failure to implement PPA using the Power Cost at "Net" of Discounts; (b) Non-inclusion of pilferage recovery in PPA computation; and (c) Failure to implement the ERC's Order on PPA, with an equivalent amount of Php293,900.00. MORESCO I was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
32	2007-335 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-inclusion of Pilferage Recovery in PPA Computation</i>	Mountain Province Electric Cooperative, Inc. (MOPRECO)	Decision dated April 6, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of MOPRECO of the total amount of impossible penalty for the non-inclusion of pilferage recovery in PPA computation, with an equivalent amount of Php138,650.00. MOPRECO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
33	2007-338 MC 2007-311 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recovery in PPA Computation and Failure to Implement PPA using Power Cost at "Net" of Discounts</i>	Isabela I Electric Cooperative, Inc. (ISELCO I)	Decision dated June 17, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ISELCO I of the total amount of impossible penalty for the non-inclusion of pilferage recovery in PPA computation and failure to implement PPA using power cost at "net" of discounts, with an equivalent amount of Php295,350.00. ISELCO I was directed to remit the above-mentioned amount within 15 days from receipt of the Decision.
34	2007-349 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recoveries in PPA Computation</i>	Peninsula Electric Cooperative, Inc. (PENELCO)	Decision dated January 22, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of PENELCO of the total impossible penalty for the non-inclusion of pilferage recoveries in PPA computation, with an equivalent amount of Php315,200.00. PENELCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
35	2007-356 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recovery in PPA Computation</i>	Marinduque Electric Cooperative, Inc. (MARELCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of MARELCO of the total impossible penalty for the non-inclusion of pilferage recovery in PPA computation, with an equivalent amount of Php133,450.00. MARELCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
36	2007-358 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recovery in PPA Computation</i>	Palawan Electric Cooperative, Inc. (PALECO)	Decision dated December 6, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of PALECO of the total impossible penalty for the non-inclusion of pilferage recovery in PPA computation, with an equivalent amount of Php179,150.00. PALECO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
37	2007-367 MC 2007-272 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recovery in PPA Computation; and Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Aklan Electric Cooperative, Inc. (AKELCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of AKELCO of the total imposable penalty for the non-inclusion of pilferage recovery in PPA computation and failure to implement the ERC's Order on PPA, with an equivalent amount of PhP227,150.00. AKELCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
38	2007-381 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>	Eastern Samar Electric Cooperative, Inc. (ESAMELCO)	Decision dated June 9, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ESAMELCO of the total amount of imposable penalty for the non-inclusion of pilferage recovery in PPA computation, with an equivalent amount of PhP84,850.00. ESAMELCO was directed to remit the above-mentioned amount within 15 days from receipt of the Decision.
39	2007-399 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Inclusion of Pilferage Recovery in PPA Computation</i>	Siargao Electric Cooperative, Inc. (SIARELCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of SIARELCO of the total imposable penalty for the non-inclusion of pilferage recovery in PPA computation, with an equivalent amount of PhP269,900.00. SIARELCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
40	2007-409 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Submit the Compliance Plan (CP) to the Philippine Grid Code (PGC) and Philippine Distribution Code(PDC)</i>	Nueva Ecija II - Area 1 Electric Cooperative, Inc. (NEECO II - AREA 1)	Decision dated October 13, 2010. The ERC reprimanded NEECO II - Area 1 for its late submission of CP to the PGC and the PDC and warned that a similar offense in the future shall be dealt with more severely. NEECO II - Area 1, after receiving the Show Cause Order issued by ERC on May 2, 2007, filed an application for approval of its Statement of Compliance and Compliance Plan to the PGC and PDC. Available records with the ERC confirm this.
41	2007-432 MC	In the Matter of the Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collections</i>	Misamis Occidental I Electric Cooperative, Inc. (MOELCI I)	Decision dated January 22, 2010. The ERC reprimanded MOELCI I for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. MOELCI I, after receiving the Show Cause Order issued by ERC on July 4, 2007, submitted on March 31, 2008 its explanation alleging that it faithfully remitted all its UC collection to the PSALM. On April 7, 2009, PSALM submitted a letter to the ERC, stating that MOELCI I already remitted its collection on UC for the period January to April 2006; July to November 2006; January to February 2007; and April 2007.
42	2007-439 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collection</i>	Bauan Electric Light System (BELS) / First Bay Power Corporation (FBPC)	Decision dated March 10, 2010. The ERC reprimanded BELS/FBPC for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. FBPC, after receiving the Show Cause Order issued by ERC on July 4, 2007, informed the ERC that it already remitted the UC collection to the Power Sector Assets and Liabilities Management Corporation (PSALM). Available records with the ERC confirm this.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
43	2007-440 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collections</i>	Public Utilities Department - City of Olongapo (PUD - Olongapo)	Decision dated June 1, 2010. The ERC reprimanded PUD-Olongapo for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. PUD-Olongapo, after receiving the Show Cause Order issued by ERC on July 4, 2007, submitted a letter on January 22, 2010 informing the Commission that it has already remitted the UC collections to the Power Sector Assets and Liabilities Management Corporation (PSALM). Available records with the ERC confirm this.
44	2007-441 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collection</i>	Basilan Electric Cooperative, Inc. (BASELCO)	Decision dated February 24, 2010. The ERC reprimanded BASELCO for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. BASELCO, after receiving the Show Cause Order issued by ERC on July 4, 2007, submitted an explanation stating that it has already remitted all UC collection due to the PSALM, Available records with the ERC confirm this.
45	2007-442 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collections</i>	Central Pangasinan Electric Cooperative, Inc. (CENPELCO)	Decision dated February 11, 2010. The ERC reprimanded CENPELCO for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. CENPELCO, after receiving the Show Cause Order issued by ERC on July 4, 2007, submitted its justification/explanation stating that its collection of UC from the customers are not sufficient to pay its obligation to the PSALM. On January 28 and February 4, 2010, CENPELCO informed the ERC that it has already remitted all UC collections due to PSALM. Available records with the ERC confirm this.
46	2007-444 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collections</i>	Don Orestes Electric Cooperative, Inc. (DORELCO)	Decision dated February 11, 2010. The ERC reprimanded DORELCO for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. DORELCO, after receiving the Show Cause Order issued by ERC on July 4, 2007, submitted a letter explaining that there has been delay in the remittance of UC for Missionary Electrification due to programming difficulties in the determination of actual remittances. A summary of UC collection was also submitted to show that DORELCO has complied and remitted the said collection for the years 2007 to 2008. Available records with the ERC confirm this.
47	2007-445 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collections</i>	Eastern Samar Electric Cooperative, Inc. (ESAMELCO)	Decision dated January 25, 2010. The ERC reprimanded ESAMELCO for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. ESAMELCO, after receiving the Show Cause Order issued by ERC on July 4, 2007, submitted an explanation stating the following: (a) it was hit several times by typhoons starting from Mileny and subsequent typhoons causing damage on its electric system; (b) that despite the rehabilitation of the cooperative distribution system, the same cannot immediately remit amount for the UC since it gave priority to the payment of power bills to NPC and TRANSCO; and (c) that despite the difficulty in the collection

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				of electric bills from its consumers, subsequent payments were made to PSALM, although a bit delayed. Available records of the ERC confirm this.
48	2007-447 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Late Remittance of Universal Charge (UC) Collection</i>	Kalinga - Apayao Electric Cooperative, Inc. (KAELCO)	Decision dated January 25, 2010. The ERC reprimanded KAELCO for its late remittance of UC collections and warned that a similar offense in the future shall be dealt with more severely. KAELCO, after receiving the Show Cause Order issued by ERC on July 4, 2007, submitted its explanation stating that it has already remitted all UC collection due to the PSALM. This was attested by the photocopies of remittances receipts for the period covering January to June 2007.
49	2007-455 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 October 14, 2010. The ERC reprimanded PELCO I for the delayed filing of its application for approval of capital projects and warned that a similar offense in the near future shall be dealt with more severely. PELCO I, after receiving the Show Cause Order issued by ERC on July 25, 2007, submitted its explanation stating among others, that: (a) it filed an application for approval of various capital projects for implementation within its franchise area under ERC Case No. 2006-124 MC; and (b) with the filing and inclusion in the rate base of the subject capital projects, PELCO I was exempted in submitting major capital projects for the ERC's approval within 3 months from the effectivity of Resolution No. 13, Series of 2006 dated March 6, 2006. The ERC notes, however, that PELCO I filed its CAPEX application only on September 6, 2006 or one month after the lapse of the 3-month transition period on August 6, 2006. Thus, the exemption cited by PELCO I is without merit.
50	2007-463 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Remittance of Proportionate Share in the Distribution Management Committee (DMC)</i>	Leyte I Electric Cooperative, Inc. (LEYECO I)	Decision dated February 1, 2010. The ERC reprimanded LEYECO I for the late remittance of its proportionate share in the DMC and warned that a similar offense in the future shall be dealt with more severely. LEYECO I, after receiving the Show Cause Order issued by ERC on July 18, 2007, submitted a letter stating that it had already remitted its proportionate share to DMC on December 27, 2007. Available records with the ERC confirm this.
51	2007-465 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Remittance of Proportionate Share in the Distribution Management Committee, Inc. (DMC)</i>	Public Utilities Department - Olongapo (PUD - Olongapo)	Decision dated June 1, 2010. The ERC reprimanded PUD-Olongapo for the delay in the remittance of its proportionate share in the DMC budget for the period 2005 to 2009 and warned that a similar offense in the future shall be dealt with more severely. PUD-Olongapo sent a letter on January 22, 2010, after it has received the Show Cause Order issued by ERC on July 18, 2007, stating that as a government agency, it is bound to follow certain rules in the disbursement of its allowable budget. Given this, PUD-Olongapo remitted its proportionate share to DMC budget covering the period 2005 to 2009. Available records with the ERC confirm this.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
52	2007-466 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Non-Remittance of Proportionate Share in the Distribution Management Committee, Inc. (DMC)</i>	Samar I Electric Cooperative, Inc. (SAMELCO I)	Decision dated February 1, 2010. The ERC reprimanded SAMELCO I for its late remittance of proportionate share in the DMC and warned that a similar offense in the future shall be dealt with more severely. SAMELCO I, after receiving the Show Cause Order issued by ERC on July 18, 2007, submitted a certification stating that it has paid its proportionate shares of the ERC approved budget of the DMC for the years 2005 to 2009. Available records with the ERC confirm this.
53	2007-468 MC	In the Matter of the Violation of the ERC Orders, Rules and Regulations - <i>Non-Remittance of Proportionate Share in the Distribution Management Committee, Inc.(DMC)</i>	South Cotabato II Electric Cooperative, Inc. (SOCOTECO II)	Decision dated April 20, 2010. The ERC reprimanded SOCOTECO II for the delay in the remittance of its proportionate share in the DMC and warned that a similar offense in the future shall be dealt with more severely. SOCOTECO II, after receiving the Show Cause Order issued by ERC on July 18, 2007, submitted an explanation stating that (a) the check payable to DMC dated July 25, 2007 was inadvertently not forwarded to the ERC; (b) its new cashier thought that this payee might be one of its suppliers, hence the check will be claimed anytime; and (c) the check payable to DMC was remitted later through the Office of the Executive Director of the ERC and the same was forwarded to the DMC. Records available at the ERC confirm this.
54	2007-470 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement On Time the Unbundled Rates</i>	Samar I Electric Cooperative, Inc. (SAMELCO I)	Decision dated February 1, 2010. The ERC reprimanded SAMELCO I for the delay in its implementation of unbundled rates and warned that a similar offense in the future shall be dealt with more severely. SAMELCO I, after receiving the Show Cause Order issued by ERC on August 22, 2007, submitted its certification stating that it implemented its approved unbundled rates on December 2004 (November consumption and December billing). Available records with the ERC confirm this.
55	2007-492 MC	In the Matter of the Application for Approval of the Sale of Various Subtransmission Lines/ Assets within the Franchise Areas of Visayan Electric Company, Inc. (VECO) and Cebu I Electric Cooperative, Inc. (CEBECO I)	National Transmission Corporation (TRANSCO)	Decision dated September 6, 2010. The ERC approved the application filed by TRANSCO for the sale of the following subtransmission lines/assets to CEBECO I-VECO consortium: (1) Naga-Sibonga-Dumanjug 69kV Line; and (2) Sibonga-Alcoy 69kV Line. The sale was covered by a Contract to Sell, with agreed purchase price of PhP50,446,849.58. CEBECO I - VECO Consortium was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission assets and the ERC concluded that the purchase price was fair and reasonable.
56	2007-493 MC	In the Matter of the Application for the Approval of the Sale of Various Subtransmission Lines/Assets within the Franchise Area of Davao Oriental Electric Cooperative, Inc. (DORECO)	National Transmission Corporation (TRANSCO)	Decision dated February 15, 2010. The ERC approved the application filed by TRANSCO for the sale of the following subtransmission lines/assets to DORECO: (1) Makiling-San Isidro 69kV Single Circuit Line; (2) Pintatagan-Mati 69kV Single Circuit Line; and (3) Pintatagan Switching Facility. Said sale was covered by a Lease Purchase Agreement (LPA), with agreed purchase price of PhP53,410,672.30. DORECO

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				was found to be qualified to take over the responsibility for operating, maintaining, upgrading and expanding the said assets and the ERC concluded that the purchase price was just and reasonable. However, TRANSCO and DORECO were directed to amend their LPA, particularly the pertinent provisions of the terms and conditions on down payment, to protect the interest of DORECO's consumers and to conform with Resolution No. 1, Series of 2009.
57	2007-523 MC 2007-525 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - Failure to Implement Approved Distribution Charge and Approved Metering Retail Customer Charge	Samar II Electric Cooperative, Inc. (SAMELCO II)	Decision dated July 7, 2010. The ERC reprimanded SAMELCO II for the delay in its implementation of approved Distribution and Metering Retail Customer Charge and warned that a similar offense in the future shall be dealt with more severely. On December 21, 2007, SAMELCO II submitted its " <i>Explanation and Justification with Motion for Reconsideration</i> ", after it has received the Show Cause Order issued by the ERC on November 23, 2007, stating that the said violations are due to the delay in reformatting the cooperative's billing system. SAMELCO II implemented the approved rates on January 2009. Available records with the ERC confirm this.
58	2007-530 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects Without Prior Approval from the Commission</i>	Batangas II Electric Cooperative, Inc. (BATELEC II)	Decision dated March 25, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of BATELEC II of the total imposable penalty for implementing capital projects without prior approval from the ERC, with an equivalent amount of PhP74,050.00. BATELEC II was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
59	2008-004 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects Without Prior Approval from the Commission</i>	Cagayan II Electric Cooperative, Inc. (CAGELCO II)	Decision dated February 19, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CAGELCO II of the total imposable penalty for implementing capital projects without prior approval from the ERC, with an equivalent amount of PhP59,800.00. CAGELCO II was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
60	2008-005 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects without Prior Approval from the Commission</i>	Panay Electric Company, Inc. (PECO)	Decision dated March 9, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of PECO of the total amount of imposable penalty for implementing capital projects without prior approval from the ERC, with an equivalent amount of PhP76,350. PECO was directed to remit to ERC the above-mentioned amount within 15 days from receipt of the Order.
61	2008-009 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects Without Prior Approval from the Commission</i>	Zamboanga City Electric Cooperative, Inc. (ZAMCELCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ZAMCELCO of the total imposable penalty for implementing capital projects without prior approval from the ERC, with an equivalent amount of PhP129,900.00. ZAMCELCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
62	2008-015 MC	In the Matter of Violation of the ERC Orders, Rules and Regulations - <i>Failure to implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	VMC-Rural Electric Service Cooperative, Inc. (VRESKO)	Decision dated March 24, 2010. The ERC reprimanded VRESKO for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. VRESKO, after receiving the Show Cause Order issued by ERC on January 17, 2008, submitted its justification and Motion for Reconsideration stating that it deferred the implementation of the PPA refund due to the pending resolution of its motion with the Court of Appeals. VRESKO eventually implemented the directed refund in its March 2010 billing. Records available at the ERC confirm this.
63	2008-016 MC	In the Matter of Violation of the ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Central Negros Electric Cooperative, Inc. (CENECO)	Decision dated March 24, 2010. The ERC reprimanded CENECO for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. CENECO, after receiving the Show Cause Order issued by ERC on January 17, 2008, submitted its manifestation and Motion for Reconsideration attesting that it has implemented the directed refund starting the billing period of June 2007. Records available at the ERC confirm this.
64	2008-018 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Zamboanga City Electric Cooperative, Inc. (ZAMCELCO)	Decision dated February 3, 2010. The ERC reprimanded ZAMCELCO for the delay in its implementation of ERC PPA Refund Order and warned that a similar offense in the future shall be dealt with more severely. ZAMCELCO, after receiving the Show Cause Order issued by ERC on January 17, 2008, submitted its compliance stating the following: (a) that it needs to be clarified on how the amount of PhP12,545,086.00 PPA over-recovery was computed; (b) that a Motion for Reconsideration was filed regarding this matter; and (c) that during the conference held on June 23, 2008, the amount was reduced to less than PhP2 million and ZAMCELCO was just waiting for a modified Order from the Commission to effect the refund. On February 4, 2010, ZAMCELCO provided the ERC an update attesting that it implemented the refund starting the billing period of November 2008. Records available at the ERC confirm this.
65	2008-020 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>	Davao del Sur Electric Cooperative, Inc. (DASURECO)	Decision dated December 1, 2010. The ERC reprimanded DASURECO for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. DASURECO, after receiving the Show Cause Order issued by ERC on January 17, 2008, submitted a "Statement of Compliance" stating that on September 11, 2010, its Board unanimously approved to implement the aforesaid PPA refund, which they eventually implemented in its October 2010 billing. Available records with the ERC confirm this.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
66	2008-029 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects Without Prior Approval from the Commission</i>	Davao Del Norte Electric Cooperative, Inc. (DANECO)	Decision dated April 6, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of DANECO of the total amount of imposable penalty for implementing capital projects without prior approval from the ERC, with an equivalent amount of PhP249,300.00. DANECO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
67	2008-030 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects Without Prior Approval from the Commission</i>	Iligan Light and Power, Inc. (ILPI)	Decision dated May 4, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ILPI of the total amount of imposable penalty for implementing capital projects without prior approval from the ERC, with an equivalent amount of PhP230,000.00. ILPI was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
68	2008-043 RC	In the Matter of the Application for the Recovery of the Incremental Costs on Foreign Currency Exchange Rate Fluctuations under the 9th Incremental Currency Exchange Rate Adjustment (ICERA), with Prayer for Provisional Authority (PA)	National Power Corporation (NPC)	Decision dated November 15, 2010. The ERC approved the application filed by NPC and PSALM for the recovery of ICERA for Luzon, Visayas and Mindanao Grids effective November 26, 2010 to December 25, 2010 billing period until such time that the full amount have been refunded/ recovered or until the next applications for the recovery of Incremental Fuel Costs are approved by the ERC. This Decision covers the 9th to 14th ICERA application of NPC and PSALM. The ERC used in the calculation of the ICERA Deferred Accounting Adjustment (DAA) the test period January 2007 to June 2008. Moreover, for the calculation of DAA for OPEX, the ERC used the Base Exchange FOREX Rates of US Dollar to Peso rate at PhP51.6236/US\$1 while the Yen to Peso Rate was at PhP0.4128/JPY1, whereas for the calculation of DAA for Debt Service, the ERC used the Base Exchange FOREX Rates at January 2007 to June 2009 levels where the US Dollar to Peso Rate was at PhP44.0494/US\$1 while the Yen to Peso rate was at PhP0.4096/JPY1. The ERC computed ICERA DAA as of June 2009 for Luzon at negative PhP6,579,049,134.76, for Visayas at PhP800,513,196.51 and for Mindanao at negative PhP1,709,708,310.28. The Decision also provided for the computed applicable ICERA DAAs per NPC's privatized generation assets. Based on these factors, the ERC computed the DAA, to wit: (1) A refund of PhP0.3444/kWh for 9 months in Luzon; (2) A collection of PhP0.0865/kWh for 20 months in Visayas; and (3) A refund of PhP0.2557/kWh for 9 months in Mindanao.
69	2008-044 RC	In the Matter of the Application for Approval of Power Supply Agreement (PSA) Between Cagayan Electric Power and Light Co., Inc. (CEPALCO) and FG Bukidnon Power Corporation (FGBPC)	Cagayan Electric Power and Light Co., Inc. (CEPALCO) and FG Bukidnon Power Corporation (FGBPC)	Decision dated November 16, 2009. The ERC approved with modification the application filed CEPALCO and FGBPC for the approval of their PSA. The ERC approved a Capital Recovery Fee of PhP1.2697/kWh which will be fixed for the duration of the cooperation period and an O & M Fee of PhP1.7010/kWh which will be subject to adjustment based on the NEDA's Consumer Price Index. Total Base Energy

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				<p>Fee approved was PhP2.9707/kWh. Lastly, the ERC decided that the Curtailment Charges incurred arising from failure or inability of CEPALCO to take full Available Energy shall be solely for CEPALCO's own account and should not be passed-on to its consumers.</p>
70	2008-052 RC	<p>In the Matter of the Application for Approval of the Power Sales Agreement (PSA) Between Cagayan Electric Power and Light Co., Inc. (CEPALCO) and Mindanao Energy System, Inc. (MINERGY), with Prayer for Provisional Authority (PA)</p>	<p>Cagayan Electric Power and Light Co., Inc. (CEPALCO) and Mindanao Energy Systems, Inc. (MINERGY)</p>	<p>Decision dated May 17, 2010. The ERC approved with modifications the application filed by CEPALCO and MINERGY for the approval of their PSA. For the Diesel Power Plants, the ERC approved a Capacity Fee of PhP577.559/kWh as Base Rate and PhP/608.151/kWh as of March 2010. Such Capacity Fee will be indexed from December 2008 until the commercial operation of the diesel power plant. After such time, Capacity Fee at commercial operation shall not exceed PhP691.282/kWh. Moreover, the ERC approved an O&M Fee of PhP0.5125/kWh as Base Rate and PhP0.5315/kWh as of March 2010, which shall be subject to adjustment in CPI for all items with October 2008 baseline. The Energy Fee will be a pass through cost limited to the guaranteed fuel efficiency rate or actual, whichever is lower. For the Cabulig Hydro-electric Plant, however, the ERC approved a Capital Recovery Fee of PhP3.5706/kWh as Base Rate and PhP3.7030/kWh as of March 2010. Such Capital Recovery Fee shall be indexed from October 2008 until the commercial operation of the hydro plant. After such time, Capital Recovery Fee shall not be subject to indexation for the duration of the contract. In addition to that, the ERC approved an O&M Fee of PhP0.5994/kWh as Base Rate and PhP0.6175/kWh as of March 2010, which shall be subject to adjustment for any changes in the CPI for all items with October 2008 base index. Total base rate, therefore, approved by the ERC is PhP4.1700/kWh and rate as of March 2010 is PhP4.3205/kWh. However, the ERC decided that the Decision does not cover the additional 3MW capacity which will be taken either from a co-generation facility or from the excess capacity of MINERGY's existing 18.9 MW Diesel-fired power plants. Lastly, the ERC decided that the Curtailment Charges incurred by CEPALCO due to its failure or inability to receive the energy output of MINERGY's Power Plants shall be solely for its own account and should not be passed-on to its consumers.</p>
71	2008-054 RC	<p>In the Matter of the Application for the Recovery of the Incremental Costs on Foreign Currency Exchange Rate</p>	<p>National Power Corporation (NPC) and Power Sector Assets and Liabilities</p>	<p>Decision dated November 15, 2010. The ERC approved the application filed by NPC and PSALM for the recovery of ICERA for Luzon, Visayas and Mindanao Grids effective November 26, 2010 to December 25, 2010 billing period until</p>
		<p>Fluctuations under the 10th Incremental Currency Exchange Rate Adjustment (ICERA), with Prayer for Provisional Authority (PA)</p>	<p>Management Corporation (PSALM)</p>	<p>such time that the full amount have been refunded/ recovered or until the next applications for the recovery of Incremental Fuel Costs are approved by the ERC. This Decision covers the 9th to 14th ICERA application of NPC and PSALM. The ERC used in the calculation of the ICERA Deferred Accounting Adjustment (DAA) the test period January 2007 to June 2008. Moreover, for the calculation of DAA for OPEX, the</p>

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				<p>ERC used the Base Exchange FOREX Rates of US Dollar to Peso rate at PhP51.6236/US\$1 while the Yen to Peso Rate was at PhP0.4128/JPY1, whereas for the calculation of DAA for Debt Service, the ERC used the Base Exchange FOREX Rates at January 2007 to June 2009 levels where the US Dollar to Peso Rate was at PhP44.0494/US\$1 while the Yen to Peso rate was at PhP0.4096/JPY1. The ERC computed ICERA DAA as of June 2009 for Luzon at negative PhP6,579,049,134.76, for Visayas at PhP800,513,196.51 and for Mindanao at negative PhP1,709,708,310.28. The Decision also provided for the computed applicable ICERA DAAs per NPC's privatized generation assets. Based on these factors, the ERC computed the DAA, to wit: (1) A refund of PhP0.3444/kWh for 9 months in Luzon; (2) A collection of PhP0.0865/kWh for 20 months in Visayas; and (3) A refund of PhP0.2557/kWh for 9 months in Mindanao.</p>
72	2008-057 RC	<p>In the Matter of the Application for Approval of the Power Supply Agreement (PSA) Between V-M-C Rural Electric Services Cooperative, Incorporated (VRESCO) and San Carlos Bioenergy, Incorporated, (SCBI) with Prayer for Provisional Authority (PA)</p>	<p>V-M-C Rural Electric Services Cooperative, Incorporated (VRESCO) and San Carlos Bioenergy, Incorporated (SCBI)</p>	<p>Decision dated November 23, 2009. The ERC approved with modifications and conditions the joint application filed by VRESCO and SCBI for the approval of their PSA. The ERC approved a Capacity Recovery Fee of PhP1.3232/kWh which will be fixed for the duration of the cooperation period and an O & M Fee of PhP1.5396/kWh which will be subject to adjustment based on the Consumer Price Index. Total Base Energy Fee approved was PhP2.8628/kWh. Lastly, the ERC decided that the Testing and Commissioning Fee shall be the NPC-TOU rate or the approved Base Energy Fee, whichever is lower.</p>
73	2008-064 RC	<p>In the Matter of the 11th 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 (PA)</p>	<p>National Power Corporation (NPC) and Power Sector Assets and Liabilities Management Corporation (PSALM)</p>	<p>Decision dated November 15, 2010. The ERC approved the application filed by NPC and PSALM for the recovery of ICERA for Luzon, Visayas and Mindanao Grids effective November 26, 2010 to December 25, 2010 billing period until such time that the full amount have been refunded/ recovered or until the next applications for the recovery of Incremental Fuel Costs are approved by the ERC. This Decision covers the 9th to 14th ICERA application of NPC and PSALM. The ERC used in the calculation of the ICERA Deferred Accounting Adjustment (DAA) the test period January 2007 to June 2008. Moreover, for the calculation of DAA for OPEX, the ERC used the Base Exchange FOREX Rates of US Dollar to Peso rate at PhP51.6236/US\$1 while the Yen to Peso Rate was at PhP0.4128/JPY1, whereas for the calculation of DAA for Debt Service, the ERC used the Base Exchange FOREX Rates at January 2007 to June 2009 levels where the US Dollar to Peso Rate was at PhP44.0494/US\$1 while the Yen to Peso rate was at PhP0.4096/JPY1. The ERC computed ICERA DAA as of June 2009 for Luzon at negative PhP6,579,049,134.76, for Visayas at PhP800,513,196.51 and for Mindanao at negative PhP1,709,708,310.28. The Decision also provided for the computed applicable ICERA DAAs per NPC's privatized generation assets. Based on</p>

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				these factors, the ERC computed the DAA, to wit: (1) A refund of PhP0.3444/kWh for 9 months in Luzon; (2) A collection of PhP0.0865/kWh for 20 months in Visayas; and (3) A refund of PhP0.2557/kWh for 9 months in Mindanao.
74	2008-065 RC	In the Matter of the Application for Authority to Operate as a Qualified Third Party (QTP) and Approval of the QTP Contract, with Urgent Prayer for Provisional Authority (PA)	Powersource Philippines, Incorporated (PSPI)	Decision dated April 19, 2010. The ERC made permanent the provisional authority granted to PSPI on March 2, 2009, subject to the Full Cost Recovery Rate (FCRR) of PhP24.4449/kWh, of which PhP3.3657/kWh is fixed and PhP21.0792/kWh will be subjected to indexation, and the Subsidized and Approved Retail Rate (SARR) of PhP8.50/kWh which is the approved retail rate of Palawan Electric Cooperative, Inc. (PALECO). The difference between the FCRR and the SARR shall be collected from the Universal Charge-Missionary Electrification (UCME), and any over/under recoveries incurred from the implementation of the Qualified Third Party Service Contract (QSC) shall be subject to refund/ collection, as the case may be. PSPI was also directed to submit its actual project cost for the biomass plant, within three (3) months from commercial operations of said plant.
75	2008-080 MC	In the Matter of the Application for Authority to Donate the Ownership of Power Generation Sets of the Twelve (12) Energized Islands, All Within the Coverage Area of Bohol I Electric Cooperative, Inc. (BOHECO I), to the Small Power Utilities Group (SPUG) of the National Power Corporation (NPC) with Prayer for Provisional Authority (PA)	Bohol I Electric Cooperative, Inc. (BOHECO I)	Decision dated December 14, 2009. The ERC approved the application filed by BOHECO I for authority to donate the power generation sets of the twelve (12) energized islands, all within the coverage area of BOHECO I, to NPC-SPUG. BOHECO I averred that it can no longer provide reliable and efficient electricity in the said areas due to the increasing prices of fuel as well as the operating and maintenance costs brought about by the frequent breakdown of its generating sets. It requested NPC to operate/take-over the plants due to the difficulty in subsidizing the operation and maintenance of the plants. The take-over by NPC-SPUG of the power plant will provide reliable and efficient supply of electricity to BOHECO I consumers. The economic benefit shall be the savings due to the reduction of the generation charge.
76	2008-083 MC	In Re: Petition for Dispute Resolution	Manila Electric Company (MERALCO) vs. Philippine Electricity Market Corporation (PEMC), National Transmission Corporation (TRANSCO), National Power Corporation (NPC) and Power Sector Assets and Liabilities Management Corporation (PSALM)	Decision dated March 10, 2010. The ERC rendered as moot the prayer of MERALCO for the adoption of the NPC-TOU Rate or the new price determined through a price substitution methodology during the TRANSCO congestion period, and the segregation of line rental amounts associated with bilateral contracts from the Wholesale Electricity Spot Market (WESM) energy trading amount. The ERC, likewise, found double charging in transmission line cost for Transitions Supply Contract (TSC) quantities for the preceding months up to the start of the WESM Luzon commercial operation on June 26, 2006. In this regard, PEMC was directed to provide NPC and PSALM the segregated line rental amounts for TSC quantities including embedded line losses, and upon receipt of NPC of such, file its refund/collect scheme before ERC. Moreover, NPC, PSALM, MER-

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				ALCO and other direct WESM members with TSCs were directed to implement the adjustment mechanism under Section 6.1 of the TSC. Prospectively, billing of line rental amounts by PEMC to NPC for TSC quantities shall be pursuant to Section 6.1 of the TSC with MERALCO and other direct WESM members. TRANSCO's accountability, however, on the charges of negligence alleged by MERALCO will be addressed by ERC in ERC Case No. 2010-003 MC.
77	2008-092 CC	In the Matter of the Petition for Refund of Overcharge Distribution Rates for Residential Consumers in the Amount of PhP39.0 Billion for the Years 2004-2007	Mr. Genaro C. Lualhati	Decision dated August 23, 2010. The ERC denied, for lack of merit, the petition filed by Mr. Genaro C. Lualhati praying that: 1) the amount of PhP39 Billion be refunded to the residential customers of MERALCO as overcharges for the period 2004-2007; 2) the current discriminatory residential monthly billings be immediately replaced with rates that do not exceed PhP0.9077/kWh for all residential consumers, or at most, PhP1.0830/kWh as approved by the ERC in the Final Determination of ERC Case No. 2006-045 RC; and 3) the financial books of MERALCO be audited by the Commission on Audit (COA).
78	2008-099 MC	In the Matter of the Application for Approval of Emergency Capital Projects and Authority to Secure Loans from the National Electrification Administration (NEA) in Accordance with the Provisions of Republic Act No. 9136 and the Guidelines to Govern the Submission, Evaluation and Approval of Electric Capital Projects, with Prayer for Provisional Authority (PA)	Romblon Electric Cooperative, Inc. (ROMELCO)	Decision dated February 15, 2010. The ERC approved the application filed by ROMELCO for the approval of the Emergency Capital Projects, specifically the rehabilitation and restoration of damaged distribution lines, with a total project cost of PhP6,656,726.77. The project aims to provide adequate, safe, efficient and reliable electric service. Also, the ERC approved the authority to secure loans of ROMELCO from NEA, amounting to PhP7,155,982.00, in accordance with the provisions of R.A. 9136 and the "Guidelines to Govern the Submission, Evaluation, and Approval of Electric Capital Projects". Accordingly, ROMELCO was directed to remit to ERC the amount of PhP49,925.00 as permit fee.
79	2008-100 MC	In the Matter of the Application for Approval of Capital Projects and Authority to Secure Loans from the National Electrification Administration (NEA) in Accordance with the Provisions of Republic Act No. 9136 and the Guidelines to Govern the Submission, Evaluation and Approval of Electric Capital	Romblon Electric Cooperative, Inc. (ROMELCO)	Decision dated February 15, 2010. The ERC approved the application filed by ROMELCO for the approval of the following capital projects: (1) Expansion and extension of primary lines; (2) Rehabilitation and upgrading of distribution lines; (3) Installation of service drop wires and kilowatt-hour (kWh) meters; (4) Procurement of logistical support equipment; and (5) Construction of main and sub-offices, with a total project cost of PhP74,010,000.00. The projects aim to extend electric services to existing and potential consumers, reduce primary line losses and voltage drop, improve
		Projects, with Prayer for Provisional Authority (PA)		feeder load balancing, promote reliability, efficiency and better customer service. The ERC also approved the authority of ROMELCO to secure loans from the NEA to source its total project cost of PhP74.01 Million in accordance with the provisions of R.A. 9136 and the "Guidelines to Govern the Submission, Evaluation, and Approval of Electric Capital Projects". Accordingly, ROMELCO was directed to remit to ERC the amount of PhP555,075.00 as permit fee.

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80	2008-102 CC	Regalado Torres, Jr. -versus-Manila Electric Company (MERALCO)	Regalado Torres, Jr.	Decision dated August 9, 2010. The ERC dismissed, for lack of merit, the case filed by Mr. Torres against MERALCO for denying him the right to transfer the electric service in his name. Article 6 of the Magna Carta for Residential Electricity Consumers provides that while it is the right the a consumer to be connected, a consumer who is not the owner of the property to be energized is required to submit an undertaking from the owner. As such, MERALCO was correct in denying complainant's application to transfer the electric service in his name. Accordingly, the status quo ante Order dated August 5, 2008 was withdrawn.
81	2008-103 MC	In the Matter of the Application for the Approval of the Sale of Various Subtransmission Lines/Assets by the National Transmission Corporation (TRANSCO) to the Batangas I Electric Cooperative, Inc. (BATELEC I), as covered by a Lease Purchase Agreement	National Transmission Corporation (TRANSCO) and Batangas I Electric Cooperative, Inc. (BATELEC I)	Decision dated June 28, 2010. The ERC approved the application filed by TRANSCO and BATELEC I for the sale of the following subtransmission lines/assets: (1) Calaca-Taal 69kV line; (2) Calaca-Nasugbu-Calatagan 69kV line; and (3) Taal 5 MVA Substation. Said sale was covered by an LPA, with agreed purchase price of PhP51,708,711.06. BATELEC I was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission assets and the ERC concluded that the purchase price was just and reasonable.
82	2008-107 MC	In the Matter of the Petition for Dispute Resolution	Northwind Power Development Corporation (NORTHWIND) vs. Ilocos Norte Electric Cooperative, Inc. (INEC)	Decision dated August 16, 2010. The ERC resolved the petition for dispute resolution filed by NORTHWIND against Ilocos Norte Electric Cooperative, Inc. (INEC). The ERC granted the following prayers of NORTHWIND: (1) obligate INEC to pay the disputed amounts from the time the dispute arose until receipt hereof; (2) entitle INEC to Prompt Payment Discount (PPD) only whenever there are no overdue accounts; and (3) include the connection charge in the computation of its effective rate to INEC. Moreover, the ERC granted, with modification, the following prayers of NORTHWIND: (1) determination, on a monthly basis, of the excess energy, but reckoning from the period of dispute. Henceforth, the excess energy shall be computed on a per hour basis to conform with the TOU rates and WESM pricing scheme; and (2) approval of joint manifestation with INEC on whether or not Transco billings for the Burgos Substation should be paid in full by INEC, except item 2. Finally, the ERC denied the following prayers: (1) exclusion of the PAR from the computation of the effective rate of NORTHWIND to INEC; and (2) issuance of Order to INEC to indicate in its monthly bills to consumers the economic benefit being enjoyed from the delivery of electricity from NORTHWIND.
83	2009-005MC	In the Matter of the Application for the Approval of the Business Separation and Unbundling Plan (BSUP) and Accounting and Cost Allocation Manual (ACAM)	Masinloc Power Partners Co, Ltd. (MPPCL)	Decision dated June 15, 2010. The ERC approved the application filed by MPPCL for the approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. MPPCL, a subsidiary of AES Corporation, owns and operates the Masinloc Coal Fired Power Plant and also organized a retail

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				supply business. In fact, the ERC issued MPPCL a RES license on August 11, 2008. MPPCL was directed to submit within 5 months at the end of financial year, the: 1) Accounting Separation Statements, 2) Management Responsibility Statement, 3) Auditors report pertaining thereto, 4) General Information Sheet, and 5) Compliance Report. Moreover, in the event that the MPPCL would alter the approved ACAM, it must submit to the ERC the following: 1) The precise details of the proposed changes, 2) The reasons and justifications for the changes, and 3) The effect of such in the Accounting Separation Statements.
84	2009-006 MC	In the Matter of the Application for Approval of the Sale of Various Subtransmission Lines/Assets of the National Transmission Corporation (TRANSCO) to Cebu II Electric Cooperative, Incorporated (CEBECO II), as covered by a Lease Purchase Agreement (LPA)	National Transmission Corporation (TRANSCO) and Cebu II Electric Cooperative, Incorporated (CEBECO II)	Decision dated February 8, 2010. The ERC approved the application filed by TRANSCO and CEBECO II for the sale of the following subtransmission lines/assets: (1) Compostela-Danao 69kV Line; (2) Danao-Lugo 69kV Line; and (3) Lugo-Medellin 69kV Line. The sale was covered by an LPA, with agreed price of PhP42,490,653.00. CEBECO II was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission assets and the ERC concluded that the purchase price was fair and reasonable. However, TRANSCO and CEBECO II were directed to reconsider and amend their LPA, particularly the pertinent provisions of the terms and conditions on down payment, to protect the interest of CEBECO II's consumers and to conform with Resolution No. 1, Series of 2009.
85	2009-011 MC	In the Matter of the Application for Approval of the Sale of Various Subtransmission Lines/Assets of the National Transmission Corporation (TRANSCO) to the Sorsogon I Electric Cooperative, Inc. (SORECO I), as Covered by a Lease Purchase Agreement (LPA)	National Transmission Corporation (TRANSCO) and Sorsogon I Electric Cooperative, Inc. (SORECO I)	Decision dated September 6, 2010. The ERC approved the application filed by TRANSCO and SORECO I for the sale of the Abuyog-Irosin portion of the Sorsogon-Abuyog-Irosin 69kV Line, with agreed purchase price of PhP23,788,208.68, but without the 20% down payment since it is inconsistent with the concessional financing. It, however, denied the sale of the Sorsogon-Abuyog portion of the Sorsogon-Abuyog-Irosin 69kV Line to avoid potential operational problems since SORECO II is also connected to it, as well as the Abuyog-Gubat 69kV subtransmission line since it is geographically located within the franchise area of SORECO II. SORECO I was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission asset and the ERC concluded that the purchase price was fair and reasonable.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
86	2009-011 RC	In the Matter of the Application for the Approval of the Amendment/ Supplement to the Agreement for the Sales of Electric Energy (ASEE), Transmission Service Agreement (TSA) and Supplemental Memorandum of Agreement (MOA) to the National Power Corporation (NPC)- Manila Electric Company (MERALCO) Power Supply Contract (PSC) for the Power Requirements of Sunpower Philippines Manufacturing Limited (SUNPOWER) and the Supplemental Agreement (SA) Between Sun Power and MERALCO, with Prayer for Provisional Authority (PA)	Manila Electric Company (MERALCO)	Decision dated December 14, 2009. The ERC approved the application filed by MERALCO for the approval of the amendment/ supplement to the ASEE, TSA and MOA to the NPC-MERALCO PSC for the power requirements of SUNPOWER and the Supplemental Agreement. SUNPOWER decided to expand its operations and other related activities to other sites outside Laguna Technopark, Inc. (LTI) to maximize its manufacturing activities. However, considering that the approved original contracts do not extend to SUNPOWER's operations outside the LTI facilities, it entered into amendments/supplemental agreements on its MOA with MERALCO, NPC and TRANSCO to include operations outside its facilities in LTI. The amendments/ supplemental agreements provide that: (1) The power shall be solely generated and supplied by NPC; (2) The power rate per kilowatt-hour in US\$ from 2007 to 2019; (3) The system loss rate of 1.5% shall be adjusted for the difference between the standard system loss rate of the respective locations and the LTI standard system loss rate. Accordingly, any losses that may be incurred therefrom by MERALCO, NPC and TRANSCO should not give rise to any form of cross subsidy and that any under-recoveries as a result thereof should not form part of their respective allowable revenues.
87	2009-013 RM	In the Matter of the Petition for the Amendment of ERC Resolution No. 16, Series of 2009 Entitled "A Resolution Adopting the Rules Governing the Automatic Cost Adjustment and True-up Mechanisms and Corresponding Confirmation Process for Distribution Utilities"	Manila Electric Company (MERALCO)	Decision dated October 18, 2010. The ERC denied the petition filed by MERALCO for the amendment of ERC Resolution No. 16, Series of 2009, specifically formula 9 which is the calculation of the over or under recoveries of the DUs' system loss rate to account for the true cost of annual system loss based on the monthly system loss figures and the actual monthly per unit cost of purchased power. The ERC did not agree with the formula proposed by MERALCO because it does not provide a gross-up factor. Relatively, the ERC shall issue a Resolution adopting a new formula that will address the issue raised by MERALCO.
88	2009-014 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - Operating an Electricity Distribution System Without a Certification of Public Convenience and Necessity (CPCN)	Iligan Light and Power, Inc. (ILPI)	Decision dated August 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of ILPI of the total amount of imposable penalty for operating an electricity distribution system without a CPCN, with an equivalent amount of PhP957,250.00. ILPI was directed to remit the above-mentioned amount within 15 days from receipt of the Decision.

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89	2009-016 MC	In the Matter of the Application for the Approval of the Sale of Various Subtransmission Lines/Assets of the National Transmission Corporation (TRANSCO) to Cagayan Electric Power and Light Company, Inc. (CEPALCO), as Covered by a Contract to Sell	National Transmission Corporation (TRANSCO) and Cagayan Electric Power and Light Company, Inc. (CEPALCO)	Decision dated February 22, 2010. The ERC approved the application filed by TRANSCO and CEPALCO for the sale of the following subtransmission lines/assets: (1) Aplaya S/S Equipment 54AP4; (2) Tagoloan S/S/ Equipment 51TG4; and (3) Aplaya-Philippine Sinter Corporation 138kV line. The sale was covered by a Lease Purchase Agreement (LPA), with agreed price of Php30,245,971.94. CEPALCO was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission assets and the ERC concluded that the purchase price was just and reasonable.
90	2009-017 RC	In the Matter of the Application for Approval of: a) The Revised X-Factor; b) The SMAP for the 2nd Regulatory Period (SMAP 2008); and c) the Maximum Average Price (MAP) for the 3rd Regulatory Year of the 2nd Regulatory Period (MAP 2010) and its Translation into a Distribution Charges for each Customer Class	Cagayan Electric Power and Light Company (CEPALCO)	Decision dated Mach 24, 2010. The ERC made permanent the Provisional Authority issued on June 1, 2009 to CEPALCO for the approval of its a) Revised X-Factor b) SMAP for the 2nd Regulatory Period (SMAP 2008) and c) MAP for the 3rd Regulatory Year of the 2nd Regulatory Period (MAP 2010) and its Translation into a Distribution Charges for each Customer Class. The ERC directed CEPALCO to adopt a revised X-factor of -2.38% and adopt a SMAP for the 2nd Regulatory Period as provided in the Decision. Moreover, CEPALCO was directed to adopt the MAP2010 of Php1.4482/kWh, limited by the Side Constraints and S Factor of Php0.0295/kWh, and implement its approved Distribution, Supply and Metering Charges detailed in the Decision effective July 1, 2009. Lastly, CEPALCO was directed to revise its lifeline level and corresponding discounts and subsidy., as detailed in the Decision.
91	2009-018 RC	In the Matter of the Application for Approval of a) the Revised X-Factor for the Second regulatory Period, b) The Revised Smoothened Maximum Average Price for the Second Regulatory Period, and c) The Translation into Distribution Rates of Different Customer Classes for the Third Regulatory Year of the ERC-Approved Annual Revenue Requirement (ARR) for DECORP Under the Performance Based Regulation (PBR) for the Regulatory Period 2007-2011	Dagupan Electric Corporation (DECORP)	Decision dated March 24, 2010. The ERC made permanent the provisional authority granted to DECORP on June 1, 2009 : a) the Revised X-factor for the Second Regulatory Period, b) the Revised Smoothened Maximum Average Price (SMAP) for the Second Regulatory Period; and c) the Translation into distribution rates of different customer classes for the Third Regulatory Year of the ERC-approved ARR under the PBR for the Regulatory Period 2007-2011, subject to the following modifications: 1) Revised X-factor of -8.33%, 2) SMAP for the second regulatory period as provided in the Decision, 3) MAP2010 of Php1.5460 limited by the Side Constraints including S factor of Php0.0330/kWh; and 4) the revised distribution rate structure for the Regulatory Year 2010 effective July 1, 2009 as provided in the Decision. DECORP 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, and those consuming between 21kWh - 30kWh will enjoy 50%, while those consuming 21kWh - 30kWh and 41kWh - 50kWh will enjoy 20% and 5% discount, respectively. Subsidy rate to non-lifeline customers was set by ERC at Php0.0890/kWh.

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92	2009-019 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>	Batangas I Electric Cooperative, Inc. (BATELEC I)	Decision dated November 11, 2010. The ERC reprimanded BATELEC I for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. BATELEC I, after receiving the Show Cause Order issued by ERC on February 18, 2009, submitted a sworn statement stating that it started implementing the PPA refund Order effective June 2010 billing. Available records with the ERC confirm this.
93	2009-019 RC	In the Matter of the Application for the Suspension of the Implementation of Table "B" Base Rates in the Order dated July 5, 2006 in ERC Case No. 2005-043 RC, with Prayer for Provisional Authority (PA)	Panay Electric Company, Inc. (PECO) and Panay Power Corporation (PPC)	Decision dated April 19, 2010. The ERC approved the application filed by PECO and PPC for the suspension of the implementation of Table "B" Base Rates in its Order dated July 5, 2006 in ERC Case No. 2005-043 RC. PECO and PPC are authorized to reinstate the approved amended PPA base rates effective January 16, 2009 of PhP1.3937/kWh or US\$0.0206/kWh (up to MGEQ) and PhP0.2000/kWh or US\$0.0142/kWh (in excess of MGEQ) . Lastly, PECO and PPC were directed to submit the amount of the under-recoveries and the proposed billing/collection scheme for the recovery of the said under-recoveries, in order to mitigate the impact of retroactive adjustment in PECO's rates.
94	2009-021 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>For Erroneously Implementing the PPA Refund Order of the Commission dated May 25, 2005</i>	Ilocos Norte Electric Cooperative, Inc. (INEC)	Decision dated January 11, 2010. The ERC has declared INEC to have committed the violation of erroneously implementing the PPA Refund Order of the ERC dated May 25, 2005 and meted an initial fine in the amount of PhP281,200.00. INEC was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
95	2009-028 RC	In the Matter of the Petition for the Availment from the Universal Charges (UC) of the Share for Missionary Electrification for the Period 2009-2013	National Power Corporation Small Power Utilities Group (NPC-SPUG)	Decision dated August 16, 2010. The ERC made permanent the provisional authority granted on August 17, 2009 to the NPC-SPUG for the availment from the UC of the share for Missionary Electrification for the period 2009-2013, with modification. PSALM was authorized to release the amount of PhP2,763,016,662.00 per year to NPC-SPUG to fund its operation for CYs 2010 to 2013, subject to the True-up Mechanism Adjustment. Consequently, the National Grid Corporation of the Philippines (NGCP) and all DUs were authorized to collect UCME charge from consumers in the amount of PhP0.0454/kWh starting August 2010 billing. However, NPC-SPUG's proposed flexibility in the utilization of the UCME funds and recovery of debt services was denied by the ERC. NPC-SPUG was directed to implement its proposed missionary electrification projects in accordance with the DOE's MEDP.
96	2009-029 RC	In the Matter of the Application for Approval of Ancillary Services Procurement Agreement (ASPA) between the National Transmission Corporation (now National Grid Corporation of the Philippines or NGCP) and	National Grid Corporation of the Philippines (NGCP)	Decision dated March 2, 2010. The ERC approved, with modification, the application filed by NGCP for approval of the ASPA between NGCP and NPC. The Decision provides for the applicable rate which includes the contingency (CR), dispatchable (DR) and regulating reserves (RR). The following are the NPC Ancillary Service rates (Grid): (1) RR, CR and DR, PhP/kW per hour - (Luzon) 1.1805, (Visayas)

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		the National Power Corporation (NPC), with Prayer for Provisional Authority (PA)		1.7368, (Mindanao) 1.3044; (2) Reactive Power Support, PhP/mVar/hour - (Luzon) 0.0533, (Visayas) 0.0241, (Mindanao) 0.0295. 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).
97	2009-031 RC	In the Matter of the 12th 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 (PA)	National Power Corporation (NPC) and Power Sector Assets and Liabilities Management Corporation (PSALM)	Decision dated November 15, 2010. The ERC approved the application filed by NPC and PSALM for the recovery of ICERA for Luzon, Visayas and Mindanao Grids effective November 26, 2010 to December 25, 2010 billing period until such time that the full amount have been refunded/ recovered or until the next applications for the recovery of Incremental Fuel Costs are approved by the ERC. This Decision covers the 9th to 14th ICERA application of NPC and PSALM. The ERC used in the calculation of the ICERA Deferred Accounting Adjustment (DAA) the test period January 2007 to June 2008. Moreover, for the calculation of DAA for OPEX, the ERC used the Base Exchange FOREX Rates of US Dollar to Peso rate at PhP51.6236/US\$1 while the Yen to Peso Rate was at PhP0.4128/JPY1, whereas for the calculation of DAA for Debt Service, the ERC used the Base Exchange FOREX Rates at January 2007 to June 2009 levels where the US Dollar to Peso Rate was at PhP44.0494/US\$1 while the Yen to Peso rate was at PhP0.4096/JPY1. The ERC computed ICERA DAA as of June 2009 for Luzon at negative PhP6,579,049,134.76, for Visayas at PhP800,513,196.51 and for Mindanao at negative PhP1,709,708,310.28. The Decision also provided for the computed applicable ICERA DAAs per NPC's privatized generation assets. Based on these factors, the ERC computed the DAA, to wit: (1) A refund of PhP0.3444/kWh for 9 months in Luzon; (2) A collection of PhP0.0865/kWh for 20 months in Visayas; and (3) A refund of PhP0.2557/kWh for 9 months in Mindanao.
98	2009-038 MC	In the Matter of the Application for the Approval of Major Capital Project - Re: Construction of a 10 MVA San Jose Substation and Authority to Secure Loan Amounting to Twenty-Four Million One Hundred Twenty-Six Thousand Eight Hundred Fifty Pesos (PhP24,126,850.00) from the National Electrification Administration (NEA), with Prayer for Provisional Authority (PA)	Zamboanga del Sur I Electric Cooperative, Inc. (ZAMSURECO I)	Decision dated November 16, 2009. The ERC approved the application filed by ZAMSURECO I for the construction of a new 10 MVA San Jose substation, with a total project cost of PhP23,030,850.00. The project intends to accommodate the increasing demand for electricity service, particularly for large commercial/industrial customers that have already established commercial operations at Area II in Pagadian City, and to provide reliable, efficient, quality and sufficient supply of electric service in its fast growing customer base. However, the ERC modified the amount of loan ZAMSURECO I will secure from NEA in the amount of PhP23,030,850.00 because that was the total amount submitted to the ERC. Accordingly, ZAMSURECO I was directed to remit to ERC the amount of PhP172,731.38 as permit fee.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
99	2009-40 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Projects Without Prior Approval from the Commission</i>	Davao Light and Power Co., Inc. (DLPC)	Decision dated December 18, 2009. The ERC reprimanded DLPC for implementing capital projects without prior approval for the ERC and warned that a similar offense in the future shall be dealt with more severely. DLPC, after receiving the Show Cause Order issued by ERC on May 5, 2009, submitted its compliance stating that: (a) the projects were initially classified as minor projects, thus, they do not require application for approval by the ERC; (b) the ERC reclassified them as major capital projects on June 23, 2008 and DLPC was advised to file formal application for approval of the ERC; (c) the re-classified major capital projects were included in the 2008 major capital projects in ERC Case No. 2008-115 MC; and (d) the subject capital projects were eventually approved by the ERC on May 4, 2009.
100	2009-040 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)	Visayan Electric and Engineering Corporation (VECO)	Decision dated March 8, 2010. 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 July 1, 2010 and terminating on June 30, 2014 in accordance with the provisions of the RDWR. Vanilla WACC (nominal) is: Low-13.43%, Mid-14.51% , and High-15.53%. WACC set at 75th Percentile of the suggested range is 15.01%. The Total Operating and Maintenance Expenditure (OPEX) Forecast (nominal values) from 2010 to 2014 is PhP4,332,686. The approved CAPEX from 2010 to 2014 which are to be used in the Regulatory Asset Base (RAB) amounts to PhP2,183,302 (Nominal Values, including CWIP factor). The ARR, with an x-factor of -3.93% is P2,445,200 for 2011; P2,565,800 for 2012; P2,262,600 for 2013 and P2,753,300 for 2014.
101	2009-041 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)	Davao Light and Power Company, Inc. (DLPC)	Decision dated March 8, 2010. The ERC approved the application filed by TEI for the approval of its Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) in accordance with the provisions of the RDWR. Vanilla WACC (nominal) is: Low-13.43%, Mid-14.51% , and High-15.53%. WACC set at 75th Percentile of the suggested range is 15.01%. The Total Operating and Maintenance Expenditure (OPEX) Forecast (nominal values) from 2010 to 2014 is PhP3,216,035. The approved CAPEX from 2010 to 2014 which are to be used in the Regulatory Asset Base (RAB) amounts to PhP2,183,302 (Nominal Values, including CWIP factor). The ARR, with an x-factor of -3.36% is P2,113,400 for 2011; P2,180,900 for 2012; P2,264,900 for 2013 and P2,368,800 for 2014.
102	2009-042 RC	In the Matter of the Application for Approval of the Annual Revenue Requirement (ARR) and Performance Incentive Scheme (PIS) in Accordance	Tarlac Electric, Inc. (TEI)	Decision dated March 8, 2010. The ERC approved the application filed by TEI for the approval of its ARR and PIS for the Second Regulatory Period commencing on July 1, 2010 and terminating on June 30, 2014 in accordance with the provisions of the RDWR. Vanilla WACC (nominal) is:

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		with the Provisions of the Rules for Setting Distribution Wheeling Rates (RDWR)		Low-13.43%, Mid-14.51% , and High-15.53%. WACC set at 75th Percentile of the suggested range is 15.01%. The Total Operating and Maintenance Expenditure (OPEX) Forecast (nominal values) from 2010 to 2014 is PhP714,585,000. The approved CAPEX from 2010 to 2014 which are to be used in the Regulatory Asset Base (RAB) amounts to PhP343,731,000 (Nominal Values, including CWIP factor). The ARR after the approved regulatory intervention, with an x-factor of 13.63% is P346,975,316 for 2011; P364,892,771 for 2012; P387,067,414 for 2013 and P388,353,430 for 2014.
103	2009-043 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)	Cabanatuan Electric Corporation (CELCOR)	Decision dated March 8, 2010. 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 July 1, 2010 and terminating on June 30, 2014 in accordance with the provisions of the RDWR. Vanilla WACC (nominal) is: Low-13.43%, Mid-14.51% , and High-15.53%. WACC set at 75th Percentile of the suggested range is 15.01%. The Total Operating and Maintenance Expenditure (OPEX) Forecast (nominal values) from 2010 to 2014 is PhP515,188.00. The approved CAPEX from 2010 to 2014 which are to be used in the Regulatory Asset Base (RAB) amounts to PhP230,851,000 (Nominal Values, including CWIP factor). The ARR after the approved regulatory intervention, with an x-factor of -7.95% is P256,081,221 for 2011; 261,993,573 for 2012; 271,133,648 for 2013 and 279,552,022 for 2014.
104	2009-044 MC	In the Matter of the Application for Authority to Implement 2009 and 2010 Major Capital Projects, with Prayer for Provisional Authority (PA)	Cabanatuan Electric Corporation (CELCOR)	Decision dated March 8, 2010. The ERC approved the application filed by CELCOR for authority to implement the 2009 and 2010 major capital projects, specifically the Rehabilitation and Extension of Primary and Secondary Lines and Installation of One (1) Recloser, with a total project cost of PhP18,455,153.91. The project aims the improvement of the feeder backbone of its distribution network and power quality and reliability. Accordingly, CELCOR was directed to remit to ERC the amount of PhP138,414.00 as permit fee.
105	2009-044 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)	La Union Electric Company, Inc. (LUECO)	Decision dated March 8, 2010. 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 July 1, 2010 and terminating on June 30, 2014 in accordance with the provisions of the RDWR. Vanilla WACC (nominal) is: Low-13.43%, Mid-14.51% , and High-15.53%. WACC set at 75th Percentile of the suggested range is 15.01%. The Total Operating and Maintenance Expenditure (OPEX) Forecast (nominal values) from 2010 to 2014 is PhP397,760,000.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				The approved CAPEX from 2010 to 2014 which are to be used in the Regulatory Asset Base (RAB) amounts to PhP129,978,000 (Nominal Values, including CWIP factor). The ARR, with an x-factor of -10.80% is PhP177,400,000 for 2011; P187,100,000 for 2012; P197,400,000 for 2013 and P203,900,000 for 2014.
106	2009-045 MC	In the Matter of the Violation of ERC Orders, Rules and Regulations - <i>Unauthorized Imposition of Sub-transmission Charges</i>	Negros Oriental I Electric Cooperative, Inc. (NORECO I)	Decision dated January 7, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of NORECO I for the total impossible penalty for the unauthorized imposition of sub-transmission charges, with an equivalent amount of PhP85,150.00. NORECO I was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
107	2009-045 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)	Ibaan Electric and Engineering Corporation (IEEC)	Decision dated March 8, 2010. 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 July 1, 2010 and terminating on June 30, 2014 in accordance with the provisions of the RDWR. Vanilla WACC (nominal) is: Low-13.43%, Mid-14.51% , and High-15.53%. WACC set at 75th Percentile of the suggested range is 15.01%. The Total Operating and Maintenance Expenditure (OPEX) Forecast (nominal values) from 2010 to 2014 is PhP54,517,000. The approved CAPEX from 2010 to 2014 which are to be used in the Regulatory Asset Base (RAB) amounts to PhP9,114,000 (Nominal Values, including CWIP factor). The ARR, with an x-factor of 12.37% is P31,104,000 for 2011; P31,411,000 for 2012; P31,918,000 for 2013 and P32,218,000 for 2014.
108	2009-051 MC	In the Matter of the Application for the Approval of the Sale of Various Subtransmission Lines/Assets within the Franchise of Aklan Electric Cooperative, Inc. (AKELCO)	National Transmission Corporation (TRANSCO) and Aklan Electric Cooperative, Inc. (AKELCO)	Decision dated March 2, 2010. The ERC approved the application filed by TRANSCO and AKELCO for the sale of the 69kV line submarine cable from Caticlan CTS to Boracay CTS including all components of existing connection facilities. It, however, denied the sale of the Nabas-Caticlan 69kV line which will remain as a Transmission Asset pursuant to Section 2(a) Article III of the <i>"Guidelines to the Sale and Transfer of the TRANSCO's Subtransmission Assets and the Franchising of Qualified Consortiums."</i> The approved sale was covered by a Lease Purchase Agreement (LPA), with agreed price of PhP163,113,490.04. AKELCO was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission assets and the ERC concluded that the purchase price was just and reasonable.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
109	2009-055 RC	In the Matter of the 13th 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 (PA)	National Power Corporation (NPC) and Power Sector Assets and Liabilities Management Corporation (PSALM)	Decision dated November 15, 2010. The ERC approved the application filed by NPC and PSALM for the recovery of ICERA for Luzon, Visayas and Mindanao Grids effective November 26, 2010 to December 25, 2010 billing period until such time that the full amount have been refunded/ recovered or until the next applications for the recovery of Incremental Fuel Costs are approved by the ERC. This Decision covers the 9th to 14th ICERA application of NPC and PSALM. The ERC used in the calculation of the ICERA Deferred Accounting Adjustment (DAA) the test period January 2007 to June 2008. Moreover, for the calculation of DAA for OPEX, the ERC used the Base Exchange FOREX Rates of US Dollar to Peso rate at PhP51.6236/US\$1 while the Yen to Peso Rate was at PhP0.4128/JPY1, whereas for the calculation of DAA for Debt Service, the ERC used the Base Exchange FOREX Rates at January 2007 to June 2009 levels where the US Dollar to Peso Rate was at PhP44.0494/US\$1 while the Yen to Peso rate was at PhP0.4096/JPY1. The ERC computed ICERA DAA as of June 2009 for Luzon at negative PhP6,579,049,134.76, for Visayas at PhP800,513,196.51 and for Mindanao at negative PhP1,709,708,310.28. The Decision also provided for the computed applicable ICERA DAAs per NPC's privatized generation assets. Based on these factors, the ERC computed the DAA, to wit: (1) A refund of PhP0.3444/kWh for 9 months in Luzon; (2) A collection of PhP0.0865/kWh for 20 months in Visayas; and (3) A refund of PhP0.2557/kWh for 9 months in Mindanao.
110	2009-060 MC	In the Matter of the Application for Authority to Construct and Install a 10 MVA Substation in Lourdes, Panglao, Bohol, including the 69 kV Sub-transmission and Distribution Feeder Lines	Bohol I Electric Cooperative, Inc. (BOHECO I)	Decision dated August 9, 2010. The ERC approved the application of BOHECO I for the following capital projects: (1) Construction and installation of 10 MVA substation; (2) Construction of 69 kV Transmission Line and installation of receiving steel structure; (3) Procurement of #336.4 Aluminum Conductor Steel Reinforced (ACSR) cable; (4) Procurement and installation of concrete poles; (5) Procurement and installation of Three 13.2/7.62 kV Distribution Line Feeders; (6) Procurement of 4/0 Aluminum Conductor Steel Reinforced (ACSR) cable; (7) Acquisition of lot with right-of-way; and (8) Contingency-handling, with a total project cost of PhP54,773,484.09. The projects aim to address load growth and improve reliability, and provide flexibility in distribution system operation. Accordingly, BOHECO I was directed to remit to ERC the amount of PhP410,800.00 as permit fee.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
111	2009-061 RC	In the Matter of the Application for Approval of Sound Value Appraisal of Applicant's Assets as of December 31, 2008 and Revision of Rates to Achieve the Proposed Revenue Requirement in Accordance with the Provision of R.A. 9136, with Prayer for Provisional Authority (PA)	San Fernando Electric Light and Power Company, Inc. (SFELAPCO)	Decision dated March 29, 2010. The ERC approved, with modification, the application filed by SFELAPCO for approval of the sound value appraisal of its assets as of December 31, 2008 and revision of its rates to achieve the proposed revenue requirement. Accordingly, SFELAPCO was granted a total revenue requirement of PhP468,641,426.00 equivalent to an average rate adjustment of PhP0.2297/kWh and an Appraisal of Property with a Reproduction Cost New of PhP2,288,799,500.00. Relatively, SFELAPCO was authorized to implement the schedule of rates detailed in the Decision and revised lifeline levels and corresponding discounts and subsidy effective in its next billing cycle. Lifeline discount for 20 kWh and below consumption is now 100%, for 21-50 kWh is 50%, 51-60 kWh is 45%, and for 61-70 kWh is 35%, with subsidy charge to non-lifeline costumers at PhP0.0780/kWh.
112	2009-062 MC	In the Matter of the Application for the Approval of the Sale of Various Subtransmission Lines/Assets within the Franchise Area of Bohol Light Company, Inc. (BLCI), as covered by a Contract to Sell	National Transmission Corporation (TRANSCO) and Bohol Light Company, Inc. (BLCI)	Decision dated February 15, 2010. The ERC approved the application filed by TRANSCO and BLCI for the sale of the Bohol Diesel Power Plant- Provincial Utilities Department 13.8kV Single Circuit Line, as covered by a Contract to Sell, with agreed price of PhP1,168,399.00. BLCI was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission asset and the ERC concluded that the amount specified in the Contract to Sell was just and reasonable.
113	2009-062 RC	In the Matter of the Application for Approval of (1) Depreciated Replacement Cost of Applicant's Properties as of December 31, 2008 and (2) Revised Rate Schedules to Achieve the Proposed Revenue Requirement in Accordance with the Provisions of R.A. 9136, with Prayer for Provisional Authority (PA)	Panay Electric Company, Inc. (PECO)	Decision dated April 12, 2010. The ERC approved, with modification, the application filed by PECO for approval of the Depreciated Replacement Cost of its properties as of December 31, 2008, and revised rate schedules to achieve the proposed revenue requirement. Accordingly, PECO was granted a total revenue requirement of PhP318,329,256.00 equivalent to an average rate adjustment of PhP0.0241/kWh, an Appraisal of Property with a Reproduction Cost New of PhP1,513,198,900.00, and an Adjusted Sound Value of PhP892,279,560.00. Likewise, the ERC approved a lifeline discount of 100% of below 20kWh consumption, 50% for 21-50 kWh consumption, 45% for 51-60 kWh consumption, 35% for 61-70 kWh consumption, 20% for 71-80 kWh consumption and 10% for 81-95 kWh consumption, with subsidy to Non-Lifeline Customers of PhPPhP0.1025/kWh. In this regard, PECO was authorized to implement the schedule of rates as detailed in the Decision effective the next billing cycle.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
114	2009-064 MC	In the Matter of the Application for Authority to Retire the Balagtas Substation Located at Balagtas, Province of Bulacan, and the Marilao Substation Located at Marilao, Province of Bulacan and to Withdraw from the Service Certain Equipment and Machinery Installed in Both Substation, with Prayer for Provisional Authority (PA)	Manila Electric Company (MERALCO)	Decision dated March 8, 2010. The ERC approved the application filed by MERALCO for authority to retire the Balagtas and Marilao Substations located at the Municipalities of Balagtas and Marilao, Bulacan and the withdrawal from the service of the equipment and machineries installed therein since it is in accordance with the Conversion Program and will redound to the benefit of MERALCO's customers in terms of continuous, reliable and efficient power supply. Furthermore, the total cost of the retired assets amounting to PhP1,019,303.51 shall be subject to adjustment and optimization during reset process for the 3rd Regulatory Period in Accordance with the Rules for Setting Distribution Wheeling Rates (RDWR) and other pertinent issuances of the ERC.
115	2009-064 RC	In the Matter of the Application for Approval of Over-All Tariff Adjustment (OATA), with Prayer for Issuance of Provisional Authority (PA)	Bantayan Island Electric Cooperative, Inc. (BANELCO)	Decision dated February 1, 2010. The ERC approved, with modification, the application filed by BANELCO for approval of its OATA. BANELCO was granted a Total Revenue Requirement (TRR) of PhP25,719,547.00 which is equivalent to an OATA of PhP0.6685/kWh. Rate schedule per customer class is detailed in the Decision. Moreover, the ERC directed BANELCO to implement a 20% lifeline discount to customers consuming 15 kWh and below, and a 15% discount for customers consuming 16-20 kWh, with corresponding subsidy from non-lifeline customers of PhP0.0751/kWh.
116	2009-066 MC	In the Matter of the Application for Authority to Implement 2009 Major Capital Projects, with Prayer for Provisional Authority (PA)	Tarlac Electric Incorporated (TEI)	Decision dated February 8, 2010. The ERC approved the application filed by TEI for authority to implement the following 2009 major capital expenditure projects: (1) Rehabilitation and extension of 69 kV line; (2) Installation of two 69 kV feeder breakers; and (3) Construction of a new 13.8 kV primary line feeder, with a total project cost of PhP15,441,823.79. The projects aim to improve the overall system reliability, voltage regulation and reduction of system loss, comply with the provisions of the Philippine Grid Code (PGC) and to address load growth. Accordingly, TEI was directed to remit to ERC the amount of PhP115,813.68 as permit fee.
117	2009-067 RC	In the Matter of the Application for Authority to Unbundle Rates and Approval of the Revised Rate Schedule in Accordance with Section 36 of Republic Act 9136, With Prayer for Provisional Authority (PA)	Clark Electric Distribution Corporation (CEDC)	Decision dated May 24, 2010. The ERC approved, with modification, the application filed by CEDC for authority to unbundle its rates and approval of its revised rates schedule in accordance with Section 36 of Republic Act 9136. Accordingly, CEDC was granted the a Total Revenue Requirement (TRR) of PhP135,967,843.00 equivalent to an average rate reduction of PhP0.1787/kWh. CEDC was authorized to implement the schedule of rates effective its next billing cycle as contained in the Decision. Moreover, CEDC's proposed customer reclassification was denied without prejudice to the submission of a proposed new customer reclassification upon filing of an application for the rate translation of its Maximum Average Price (MAP) into distribution tariffs under the Performance-Based Regulation (PBR) and after removal of the inter-class cross subsidy.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
118	2009-068 MC	In the Matter of the Application for Authority to Implement the Following Electric Capital Projects: (1) Replacement of Power Transformer Bank No. 1 at Sta. Mesa Substation; (2) Replacement of Power Transformer Bank No. 5 at Balintawak Substation; (3) Uprating of Power Transformer Bank No. 1 at Sta. Rosa Substation; (4) Expansion of the First Philippine Industrial Park (FPIP) 115 kV - 34.5 kV Substation; and (5) Construction of Laguna International Industrial Park-ROHM Electronics Philippines, Inc. (LIIP-ROHM) 115 kV Line, with Prayer for Provisional Authority (PA)	Manila Electric Company (MERALCO)	Decision dated April 19, 2010. The ERC approved the application filed by MERALCO for authority to implement the following capital expenditure projects: (1) Replacement of Power Transformer Bank No. 1 at Sta. Mesa Substation; (2) Replacement of Power Transformer Bank No. 5 at Balintawak Substation; (3) Uprating of Power Transformer Bank No. 1 at Sta. Rosa Substation; (4) Expansion of the First Philippine Industrial Park (FPIP) 115 kV - 34.5 kV Substation; and (5) Construction of Laguna International Industrial Park-ROHM Electronics Philippines, Inc. (LIIP-ROHM) 115 kV Line, with a total project cost of PhP465,630,000.00 The said projects were approved subject to the condition that it will be subject to further adjustment and optimization during the reset process for the 3rd Regulatory Period following the procedures stated in the Rules on Wheeling Distribution Rates (RWDR) and other relevant issuances of the ERC. The completion of the projects will prevent widespread power interruption, accommodate increasing load and improve reliability. Accordingly, MERALCO was directed to remit to ERC the amount of PhP3,492,225.00 as permit fee.
119	2009-070 MC	In the Matter of the Application for Approval of Capital Expenditure Program for the Year 2009 to 2013, with Prayer for Provisional Authority (PA)	South Cotabato I Electric Cooperative, Inc. (SOCOTECO I)	Decision dated October 18, 2010. The ERC approved, with modification, the application filed by SOCOTECO I for approval of its various capital expenditure projects for the years 2009 to 2013, with a total project cost of PhP422,014,101.00. The projects aim to improve its service to the member-consumers of SOCOTECO I. Accordingly, SOCOTECO I was directed to remit to ERC the amount of PhP3,165,105.00 as permit fee on a staggered basis, schedule of which is detailed in the Decision.
120	2009-072 MC	In the Matter of the Application for Authority to Rehabilitate and Restore the Distribution Lines Damaged by Cyclone Emong, with Prayer for Provisional Authority (PA)	Pangasinan I Electric Cooperative, Inc. (PANELCO I)	Decision dated February 8, 2010. The ERC approved the application filed by PANELCO I for authority to rehabilitate and restore its distribution facilities damaged by Typhoon Emong, with a total project cost of PhP51,319,684.78. The rehabilitation and restoration aim to provide adequate, safe, efficient and reliable electric service. Accordingly, PANELCO I was directed to remit to ERC the amount of PhP384,897.63 as permit fee.
121	2009-073 MC	In the Matter of the Application for the Issuance of Certificate of Public Convenience and Necessity (CPCN)	Cebu I Electric Cooperative, Inc. (CEBECO I) and Visayan Electric Company, Inc. (VECO)	Decision dated September 6, 2010. The ERC approved the application filed by CEBECO I and VECO for franchise and CPCN for a period of twenty-five (25) years to commence from the date of approval. The evaluation of the records showed that the approval of the application will redound to the benefit of their respective consumers in terms of continuous, reliable and efficient electric service. CEBECO I and VECO were directed to revise its proposed tariff to conform with Section 6, Article V of ERC Resolution No. 1, Series of 2009, entitled "A Resolution Adopting the Amendments to the Guidelines to the Sale and Transfer of TRANSCO's Subtransmission Assets and the Franchising of Qualified Consortiums."

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
122	2009-074 RC	In the Matter of the Application for Approval of the New Unbundled Rate, with Prayer for Provisional Authority (PA)	Marinduque Electric Cooperative, Inc. (MARELCO)	Decision dated March 29, 2010. The ERC approved, with modification, the application filed by MARELCO for the approval of Overall Average Rate Adjustment (OATA) in the amount of PhP1.4442/kWh. MARELCO was granted a Total Revenue Requirement of PhP45,723,913.00, equivalent to an OATA of PhP0.1795/kWh on its total Distribution, Supply and Metering Charges. Rate schedule per customer class is detailed in the Decision. Moreover, the ERC directed MARELCO to implement a 25% lifeline discount to customers consuming 10kWh and below and 5% discount to customers consuming 11-20kWh, with corresponding subsidy from non-lifeline customers of PhP0.1004/kWh.
123	2009-075 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Inclusion of Power Supply Contract Cost in the Retail Rates Without Approval from the Commission</i>	VMC-Rural Electric Service Cooperative, Inc. (VRESCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of VRESCO of the total imposable penalty for the inclusion of Power Supply Contract Cost in the Retail Rates without approval from the ERC, with an equivalent amount of PhP75,000.00. VRESCO was directed to remit the above-mentioned amount within 15 days from receipt of decision.
124	2009-075 RC	In the Matter for the Application for Approval of the Electric Power Purchase Agreement (EPPA) between Visayan Electric Company, Inc. (VECO) and Cebu Energy Development Corporation (CEDC), with Prayer for Provisional Authority (PA)	Visayan Electric Company, Inc. (VECO) and Cebu Energy Development Corporation (CEDC)	Decision dated February 8, 2010. The ERC approved the application filed by VECO and CEDC for approval of the EPPA subject to base rates indicated in the Decision, which includes the Capacity Recovery Fee, Peso O&M Fee, Dollar O&M Fee and Fuel Cost.
125	2009-077 MC	In the Matter of the Violation of ERC Orders, Rules and Regulations - <i>Inclusion of Power Supply Contract Cost in the Retail Rates Without Approval from the Commission</i>	First Bukidnon Electric Cooperative, Inc. (FIBECO)	Decision dated March 5, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of FIBECO of the total imposable penalty for the inclusion of Power Supply Contract Cost in the Retail Rates without approval from the ERC, with an equivalent amount of PhP92,800.00. FIBECO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
126	2009-079 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - Operating as a Generation Company without a Certificate of Compliance (COC)	Crystal Sugar Milling Company, Inc.	Decision dated February 3, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of Crystal Sugar Milling Company, Inc. of the total imposable penalty for operating as a Generation Facility without a COC, with an equivalent amount of PhP92,800.00. Crystal Sugar Milling Company, Inc. was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
127	2009-081 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Wrong Implementation of Rate Reduction due to Loan Condonation</i>	Benguet Electric Cooperative, Inc. (BENECO)	Decision dated January 12, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of BENECO for the total imposable penalty for the wrong implementation of rate reduction due to Loan Condonation, with an equivalent amount of PhP71,400.00. BENECO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
128	2009-082 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Approved Rate Reduction due to Loan Condonation</i>	Isabela I Electric Cooperative, Inc. (ISELCO I)	Decision dated January 22, 2010. The ERC reprimanded ISELCO I for its late implementation of rate reduction due to loan condonation and warned that a similar offense in the future shall be dealt with more severely. ISELCO I, after receiving the Show Cause Order issued by ERC on September 10, 2009, submitted a letter stating that it implemented the rate reduction due to loan condonation in September 2009. Available records with the ERC confirm this.
129	2009-086 MC	In the Matter of Violation of the ERC Orders, Rules and Regulations - <i>Modifying the Contents of the Bill without Prior Approval from the Commission</i>	Iloilo I Electric Cooperative, Inc. (ILECO I)	Decision dated November 19, 2010. The ERC reprimanded ILECO I for modifying the contents of the bill without prior approval from the ERC and warned that a similar offense in the future shall be dealt with more severely. ILECO I, after receiving the Show Cause Order issued by ERC on September 24, 2009, submitted its comments/explanation stating that prior to the unbundling of rates, its Board of Directors established a Corporate Social Responsibility (CSR) program in the form of a "Micro-Finance" to help its member-consumers in need of financial assistance through the grant of loans with low interest rate. In order to reduce administrative costs and to facilitate collection, the payment of the consumers who availed the Micro-Finance program were reflected in the monthly electrical bills. On October 4, 2010, ILECO I informed the ERC that it stopped incorporating the amortization payment of the CSR program in its August 2010 billing period. Available records with the ERC confirm this.
130	2009-092MC	In the Matter of the Application for the Approval of the Applicant's 1) Business Separation and Unbundling Plan (BSUP); and 2) Accounting and Cost Allocation Manual (ACAM) in Accordance with the Provisions of Section 36 of R.A. 9136 and Rule 10 of its Implementing Rules and Regulations (IRR)	First Cabanatuan Ventures Corporation (FCVC)	Decision dated March 29, 2010. The ERC approved the application filed by the FCVC for the approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. FCVC is a generation company serving the power requirements of Cabanatuan, Nueva Ecija, and was awarded a Wholesale Aggregator Certificate by ERC on January 10, 2006. FCVC was directed to submit within 5 months at the end of financial year, the: 1) Accounting Separation Statements, 2) Management Responsibility Statement, 3) Auditors report pertaining thereto, 4) General Information Sheet, and 5) Compliance Report. Moreover, in the event that the FCVC would alter the approved ACAM, it must submit to the ERC the following: 1) The precise details of the proposed changes, 2) The reasons and justifications for the changes, and 3) The effect of such in the Accounting Separation Statements.
131	2009-093 MC	In the Matter of the Application for Authority to Secure Loan from the National Electrification Administration (NEA), with Prayer for Issuance of Provisional Authority (PA)	Siargao Island Electric Cooperative, Inc. (SIARELCO)	Decision dated August 16, 2010. The ERC approved the application filed by SIARELCO for authority to secure PhP24,244,033.30 loan with the NEA to finance the implementation of its major capital projects for the years 2009 to 2011. It was resolved that if the major capital projects will not be implemented, SIARELCO's net loss is likely to increase for the years to come and it may experience low returns on assets and equities. With the implementation of the projects, improved and better services will be achieved.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
132	2009-095 MC	In the Matter of the Application for the Approval of the Sale of Various Subtransmission Lines/Assets of the National Transmission Corporation (TRANSCO) to V-M-C Rural Electric Service Cooperative, Inc. (VRESCO), as Covered by a Lease Purchase Agreement (LPA)	National Transmission Corporation (TRANSCO) and V-M-C Rural Electric Cooperative, Inc. (VRESCO)	Decision dated October 18, 2010. The ERC approved the application filed by TRANSCO and VRESCO for the sale of the Cadiz-San Carlos 69kV subtransmission line, with agreed purchase price of Php53,331,725.98, but without the 20% down payment since it is inconsistent with the concessional financing. VRESCO was found to be qualified to take over the responsibility of operating, maintaining, upgrading and expanding said subtransmission asset and the ERC concluded that the purchase price was fair and reasonable.
133	2009-097 MC	In the Matter of the Application for Authority to Secure a Two Billion Peso (Php2,000,000,000.00) Loan with SB Capital Investment Corporation and/or First Metro Investment Corporation (FMIC), with Prayer for the Issuance of Provisional Authority (PA)	Visayan Electric Company, Inc. (VECO)	Decision dated June 15, 2010. The ERC approved VECO's application for authority to secure a Php2,000,000,000.00 loan with SB Capital Investment Corporation and/or FMIC subject to conditions specified in the Order. The loan shall be used to implement VECO's major expenditure capital projects until 2011. VECO was directed to submit a sworn statement indicating the breakdown of the actual amount of the drawdown received from the lender, including the date/s of receipt thereof and the amortization schedule showing the principal and interest payment of the loan and exchange rate at the time of payment.
134	2009-101MC	In the Matter of the Application for the Approval of the Applicant's 1) Business Separation and Unbundling Plan (BSUP); and 2) Accounting and Cost Allocation Manual (ACAM) in Accordance with the Provisions of Section 36 of R.A. 9136 and Rule 10 of its Implementing Rules and Regulations (IRR)	Team (Philippines) Energy Corporation (TPEC)	Decision dated March 29, 2010. The ERC approved the application filed by the TPEC for the approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines (BSG), as amended. TPEC, a wholly-owned subsidiary of Team Energy Corporation, owns and operates the Sual and Pagbilao Power Stations, and markets/sells electricity supplied by these plants to DUs, ecozones and large industrial customers. The ERC issued TPEC a Certificate of Registration as a Wholesale Aggregator on November 7, 2007 and a Retail Electricity Suppliers' license on December 2, 2008. TPEC was directed to submit t within 5 months at the end of financial year, the: 1) Accounting Separation Statements, 2) Management Responsibility Statement, 3) Auditors report pertaining thereto, 4) General Information Sheet, and 5) Compliance Report. Moreover, in the event that the MPPL would alter the approved ACAM, it must submit to the ERC the following: 1) The precise details of the proposed changes, 2) The reasons and justifications for the changes, and 3) The effect of such in the Accounting Separation Statements.
135	2009-102 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Project Without Prior Approval from the Commission</i>	Nueva Ecija II - Area 1 Electric Cooperative, Inc. (NEECO II - AREA 1)	Decision dated February 1, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of NEECO II - Area 1 of the total imposable penalty for implementing project without prior approval from the ERC, with an equivalent amount of Php58,000.00. NEECO II - Area 1 was directed to remit the above-mentioned amount within 15 days from receipt of Decision.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
136	2009-104 MC	In the Matter of the Application for Approval of Proposed Electric Capital Projects for the Year 2009 - Re: Acquisition and Installation of Primary Circuit Breakers and Upgrading of Existing 13.2 kV Circuit Breakers at Banadero Substation, Ozamis City and Dimalooc Substation, Tangub City, with Prayer for Issuance of Provisional Authority (PA)	Misamis Occidental II Electric Cooperative, Inc. (MOELCI II)	Decision dated November 15, 2010. The ERC approved the application filed by MOELCI II for the (1) Acquisition and installation of 1 unit of Primary Circuit Breaker (CB), 3 units of Secondary CBs and upgrading of monitoring equipment; (2) Construction of Civil Works (Banadero Substation); (3) Acquisition and installation of 1 unit of Primary CB, 4 units of Secondary CBs and upgrading of monitoring equipment; and (4) Construction of Civil Works (Dimalooc Substation), with a total project cost of Php18,743,678.54. The projects aim to address load growth, promote safety, reliability and efficient distribution of the distribution system. Accordingly, MOELCI II was directed to remit to ERC the amount of Php140,578.00 as permit fee.
137	2009-107 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Inclusion of Cost Incurred from an Expired Power Supply Contract Cost in the Retail Rates</i>	Tarlac Electric Incorporated (TEI)	Decision dated July 19, 2010. The ERC exonerated TEI from any administrative liability for the inclusion of cost incurred from an expired power supply contract cost in its retail rates. TEI submitted a manifestation stating that: (a) TEI filed its Electricity Power Purchase Agreement (EPPA) with TPC for approval on June 14, 2007, seven (7) months before its expiration on December 31, 2007; (b) The "Motion for Leave to File Amended Application for EPPA" is no longer applicable due to sudden increase in the cost of fuel and lube oil; (c) Pending approval of its amended EPPA, TEI and TPC informed the ERC of its intention to temporarily use its previous PPA charges; and (d) The extension of previous PPA is essential due to existing transformer constraint at the National Grid Corporation of the Philippines' (NGCP's) Concepcion Substation.
138	2009-108 MC	In the Matter of the Violation of ERC Orders, Rules and Regulations - Implementing a Different Power Supply Contract Cost in its Retail Rates Without Approval from the Commission	Panay Electric Company, Inc. (PECO)	Decision dated March 2, 2010. The ERC found and declared that PECO have committed the violation of implementing a different Power Supply Contract Cost in its Retail Rates without approval from the Commission. Accordingly, PECO was directed by ERC to pay the corresponding penalty in the amount of Php412,000.00.
139	2009-109 MC	In the Matter of the Application for Approval of Capital Expenditure 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 Provisional Authority (PA)	Agusan del Sur Electric Cooperative, Inc. (ASELCO)	Decision dated August 31, 2010. The ERC approved, with modification, the application of ASELCO for the following capital expenditure projects for 2009 to 2012, to wit: (1) Installation of a new 10 MVA substation and construction of 27 km 69 kV line; (2) Upgrading of Trento substation from 5 MVA to 10 MVA; (3) Conversion of V-phase line to 3 phase line and construction of additional 7 km single phase line including the installation of capacitor banks; (4) Rehabilitation and replacement of wooden to concrete poles; (5) Installation of feeder meters; (6) Procurement of logistics equipment and engineering software; (7) Installation and replacement of kilowatt-hour (kWhr) meters and service drop wires; and (8) Procurement, upgrading and replacement of

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				overloaded distribution transformers, with a total project cost of PhP149,330,348.00. ASELCO will source PhP126.81 million of the project cost from NEA loan while the balance will be sourced from its reinvestment fund. The projects aim to address load growth, improve system reliability and efficiency, reduce system loss and improve transformer load management. Accordingly, ASELCO was directed to remit to ERC the amount of PhP1,119,978.00 as permit fee on a staggered basis, schedule of which is detailed in the Decision.
140	2009-114 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Inclusion of Power Supply Contract Cost in the Retail Rates Without Approval from the Commission</i>	Cagayan Electric Power and Light Company, Inc. (CEPALCO)	Decision dated March 24, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CEPALCO of the total imposable penalty for the inclusion of Power Supply Contract Cost in the Retail Rates without approval from the ERC, with an equivalent amount of PhP172,600.00. CEPALCO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
141	2009-115 MC	In the Matter of the Application for the (a) Approval of the Increase in Capital Stocks from Fifty Million (PhP50,000,000.00) to Two Hundred Million Pesos (PhP200,000,000.00) and (b) Authority to Issue the Corresponding Stock Certificates Representing the Increase in Capital Stocks	Tarlac Electric, Inc. (TEI)	Decision dated June 21, 2010. The ERC approved the application filed by TEI for the approval of the increase in capital stocks from PhP50,000,000.00 to PhP200,000,000.00 and the authority to issue the corresponding stock certificates. Accordingly, TEI was directed to remit to ERC the amount of PhP1,125,00.00 as permit fee. In addition to that, TEI was directed to submit a schedule of disbursements actually incurred and drawn from the proceeds of the increase in its authorized capital stock.
142	2009-157 CC	Saint Joseph Institute of Technology (SJIT) represented by its President and CEO, Dr. Leticia C. Salas -versus- Agusan del Norte Electric Cooperative, Inc. (ANECO)	Saint Joseph Institute of Technology (SJIT) represented by its President and CEO, Dr. Leticia C. Salas	Decision dated June 28, 2010. The ERC found that SJIT should not be held liable for the payment of the under billings claimed by ANECO. The record of the case clearly showed that billing errors were present in the monthly bills of SJIT due to the use of a wrong multiplier. ANECO cannot claim that the application of the wrong multiplier was an innocent mistake. The ERC decided that SJIT should only be liable to pay the undercharged billing equivalent to a period of three (3) months prior to the date of discovery, amounting to PhP479,816.90, and not the initial computation of ANECO amounting to PhP8,156,887.36, which covers the period from November 2004 to February 2009.
143	2009-175 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	Mactan Electric Company, Inc. (MECO)	Decision dated February 15, 2010. The ERC approved 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 April

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
		Revenue Requirement (ARR) for Mactan Electric Company, Incorporated (MECO) under the Performance Based Regulation (PBR) for the Regulatory Period 2009-2013		2010 its approved Distribution, Supply and Metering Charges, with an average total rate of PhP01.0149/kWh.
144	2009-177 RC	In the Matter of the Application for Approval of Emergency Capital Projects in Accordance with the Provisions of Republic Act No. 9136 and the Guidelines to Govern the Submission, Evaluation and Approval of Electric Capital Projects, with Prayer for Provisional Authority (PA)	Isabela II Electric Cooperative, Inc. (ISELCO II)	Decision dated June 21, 2010. The ERC approved the application filed by ISELCO II for the approval of the Emergency Capital Project, specifically the replacement and installation of 10 MVA Power Transformer, with a total project cost of PhP20,400,000.00. The project is aimed to attain distribution system reliability and capacity for the existing energy requirement. Accordingly, ISELCO II was directed to remit to ERC the amount of PhP153,000.00 as permit fee.
145	2009-178 RC	In the Matter of the Application for Approval of: a) The Revised X-Factor, Smoothened MAP and PIS for the Second Regulatory Period, b) The Recalculated MAP for the Regulatory Year 2011; and c) The Translation into Distribution Rate Structure for Various Customer Classes for the 2nd SMAP, Smoothened MAP for the 2nd Regulatory Year of the ERC-approved Annual Revenue Requirement for Cotabato Light and Power Company, Inc. (CLPC) under the Performance Based Regulation (PBR) for the Regulatory Period 2009-2013, with Prayer for Provisional Authority (PA)	Cotabato Light and Power Company, Inc. (CLPC)	Decision dated February 22, 2010. The ERC approved, with modification, the application of CLPC for MAP for RY 2010 and its translation into a Distribution Rate Structure for Various Customer Classes. The ERC directed CLPC to adopt a smoothed MAP for the 2nd Regulatory Period as provided in the Decision. Moreover, CLPC was directed to adopt the MAP2011 of PhP1.5056/kWh, limited by the Side Constraints and S Factor of PhP0.0325/kWh, and implement its approved Distribution, Supply and Metering Charges detailed in the Decision, effective April 2010.
146	2009-179 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 2009-2013	Iligan Light and Power, Inc. (ILPI)	Decision dated March 8, 2010. 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 2009-2013. ILPI was directed to implement, starting April 2010, its approved Distribution, Supply and Metering Charges, with an average total rate of PhP1.1256/kWh.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
147	2009-180 RC	In the Matter of the Application for Approval of the Maximum Allowable Revenue (MAR) for the Third Regulatory Period (2011-2015) of the National Grid Corporation of the Philippines (NGCP) During the Regulatory Reset Process for the Third Regulatory Period in Accordance with the Alternative Form of Rate Setting Methodology Under the Rules in Setting Transmission Wheeling Rates (RTWR)	National Grid Corporation of the Philippines (NGCP)	Decision dated November 22, 2010. The ERC approved the application filed by NGCP for the approval of its MAR for 2011-2015 during the regulatory reset process for the third regulatory period in accordance with the RTWR. The ERC approved NGCP's Annual Revenue Requirement (ARR) for 2011-2015, including the 2nd regulatory period carry-over, a smoothed MAR for the same period, and NGCP's capital expenditure forecasts for 2011 to 2015. Based on the Decision, the ARR (in nominal) approved (including 2nd Regulatory Period Carry-Over) are the following: PhP40,472.85 million for 2011; PhP41,649.51 million for 2012; PhP43,366.92 million for 2013; PhP44,392.92 million for 2014; and PhP44,126.75 million for 2015. Moreover, the ERC approved the Performance Incentive Scheme using the same performance measures that were used for the second regulatory period (2006-2010) as indicated in the Final Determination and with inclusion of a: 1) congestion availability indicator, 2) ancillary services availability indicator, and 3) customer satisfaction indicator. The Eric directed NGCP to file a MAR for 2011 in accordance with the Alternative Form of Rate Setting Methodology RTWR.
148	2010-001 RC	In the Matter of the Application for Rate Adjustments in Accordance with the Provisions of R.A. 9136, with Prayer for Provisional Authority (PA)	Camotes Island Electric Cooperative, Inc. (CELCO)	Decision dated April 12, 2010. The ERC approved, with modification, the application filed by CELCO for approval of its Overall Average Tariff Adjustment (OATA) in the amount of PhP1.5498/kWh. CELCO was granted a Total Revenue Requirement of PhP13,827,960.00 equivalent to an OATA of PhP0.6583/kWh on its total Distribution, Supply and Metering Charges. Moreover, the ERC approved a staggered implementation of the over-all adjustment for the Residential consumers. Rate schedule per customer class is detailed in the Decision. Moreover, the ERC directed CELCO to implement a 20% lifeline discount to customers consuming 12kWh and below, with corresponding subsidy from non-lifeline customers of PhP0.1059/kWh.
149	2010-001 RM	In the Matter of the Petition for Issuance of Market Fee Setting Rules for the Philippine Wholesale Electricity Spot Market (WESM)	Philippine Electricity Market Corporation (PEMC)	Decision dated July 19, 2010. The ERC denied the petition for the issuance of Market Fees Setting Rules for the Philippine Wholesale Electricity Spot Market (WESM). The ERC found that PEMC failed to provide sufficient arguments to justify the use of the WACC and the adoption of the output-based methodology it has proposed in setting its budgetary requirement and corresponding Market Fees. The ERC shall retain methodologies it has previously applied in determining the annual budgetary requirement until a new and appropriate methodology is approved. PEMC was directed to initiate a study to determine an appropriate mechanism which is applicable to its nature as a non-stock non-profit entity.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
150	2010-002 RC	In the Matter of the 14th 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 (PA)	National Power Corporation (NPC) and Power Sector Assets and Liabilities Management Corporation (PSALM)	Decision dated November 15, 2010. The ERC approved the application filed by NPC and PSALM for the recovery of ICERA for Luzon, Visayas and Mindanao Grids effective November 26, 2010 to December 25, 2010 billing period until such time that the full amount have been refunded/ recovered or until the next applications for the recovery of Incremental Fuel Costs are approved by the ERC. This Decision covers the 9th to 14th ICERA application of NPC and PSALM. The ERC used in the calculation of the ICERA Deferred Accounting Adjustment (DAA) the test period January 2007 to June 2008. Moreover, for the calculation of DAA for OPEX, the ERC used the Base Exchange FOREX Rates of US Dollar to Peso rate at PhP51.6236/US\$1 while the Yen to Peso Rate was at PhP0.4128/JPY1, whereas for the calculation of DAA for Debt Service, the ERC used the Base Exchange FOREX Rates at January 2007 to June 2009 levels where the US Dollar to Peso Rate was at PhP44.0494/US\$1 while the Yen to Peso rate was at PhP0.4096/JPY1. The ERC computed ICERA DAA as of June 2009 for Luzon at negative PhP6,579,049,134.76, for Visayas at PhP800,513,196.51 and for Mindanao at negative PhP1,709,708,310.28. The Decision also provided for the computed applicable ICERA DAAs per NPC's privatized generation assets. Based on these factors, the ERC computed the DAA, to wit: (1) A refund of PhP0.3444/kWh for 9 months in Luzon; (2) A collection of PhP0.0865/kWh for 20 months in Visayas; and (3) A refund of PhP0.2557/kWh for 9 months in Mindanao.
151	2010-004 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - Failure to File the Regulatory Reset Application on the Extended Deadline for Filing	National Grid Corporation of the Philippines (NGCP)	Decision dated October 4, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of NGCP for the total imposable penalty for its failure to file the Regulatory Reset application on the extended deadline for filing, with an equivalent amount of PhP50,000.00. NGCP was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
152	2010-005 MC	In the Matter of the Application for the Approval of the Business Separation and Unbundling Plan (BSUP) and Accounting Cost and Allocation Manual (ACAM)	Masinloc Power Partners Co., Ltd. (MPPCL)	Decision dated June 15, 2010. The ERC approved the application filed by MPPCL for approval of its BSUP and ACAM, subject to its full compliance with the requirements of the Business Separation Guidelines, as amended. MPPCL, a subsidiary of AES Corporation, owns and operates the Masinloc Coal Fired Thermal Power Plant, and markets/sells electricity supplied by this plant. The ERC issued MPPCL a Retail Electricity Suppliers' License on August 11, 2008. The ERC directed MPPCL to submit the following: (1) Accounting Separation Statements; (2) Management Responsibility Statement; (3) Auditor's Report; (4) General Information Sheet; and (5) Compliance Report. Moreover,

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				in the event that MPPCL will modify the approved ACAM, it must submit to the ERC the following: (1) Precise details of the proposed changes; (2) Reasons and justification for such alteration or changes; and (3) Effect of that change in the Accounting Separation Statements.
153	2010-007 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>	Ifugao Electric Cooperative, Inc. (IFELCO)	Decision dated June 1, 2010. The ERC reprimanded IFELCO for the delay in its implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. IFELCO manifested, after it has received the Show Cause Order issued by ERC on January 19, 2010, that it started to implement the PPA refund in its March 2010 billing. On May 6, 2010, IFELCO submitted its compliance attaching therewith various samples of its March 2010 billing as evidence.
154	2010-009 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	Quezon I Electric Cooperative, Inc. (QUEZELCO I)	Decision November 4, 2010. The ERC reprimanded QUEZELCO I for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. QUEZELCO I, after receiving the Show Cause Order issued by ERC on January 19, 2010, submitted a letter stating that it deferred the implementation of the PPA refund due to financial constraints brought about by high systems losses. In addition, QUEZELCO I awaits the resolution on its Motion for Reconsideration on the PPA refund with the Court of Appeals. QUEZELCO I eventually implemented the directed refund in its October 2010 billing. Available records with the ERC confirm this.
155	2010-009 RC	In the Matter of the Application for the Implementation of the Construction of the Connection Assets Associated with the 2 x 300 MW Coal Fired Power Plant of GNPowder Mariveles Coal Plant Limited Company (GNPOWER), with Prayer for Provisional Authority (PA)	National Grid Corporation of the Philippines (NGCP) and GNPowder Mariveles Coal Plant Limited (GNPOWER)	Decision dated April 12, 2010. The ERC approved the joint application of NGCP and GNPOWER for the construction of the connection assets associated with the 2 x 300 MW Coal Fired Power Plant, specifically the upgrading of Limay B substation and construction of connection assets, with total project cost of Php918,749,185.00. The projects aim to connect the said plant to the Luzon Grid. The approval, however, was subject to the following conditions: 1) The proposed Connection Charges will be subject to verification and confirmation by the ERC on the annual application of NGCP's Connection Assets and Residual Subtransmission Charges; and 2) The proposed projects will be further optimized based on the actual use during the reset process for the next Regulatory Period following the procedures stated in the RTWR and other relevant issuances of the ERC. Accordingly, NGCP was directed to remit to ERC the amount of Php6,890,618.89 as permit fee.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
156	2010-010 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>	Misamis Oriental II Electric Service Cooperative, Inc. (MORESCO II)	Decision dated September 21, 2010. The ERC reprimanded MORESCO II for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. MORESCO II, after receiving the Show Cause Order issued by ERC on January 19, 2010, submitted a letter on March 29, 2010 stating that prior to the ERC's order, it had started refunding the said PPA over recovery. However, upon verification of available records, the ERC noted that MORESCO II started the implementation of its refund on the PPA only on its February 2010 billing.
157	2010-010 RC	In the Matter of the Application for Approval of Force Majeure Project due to Typhoon Pepeng	Cagayan I Electric Cooperative, Inc. (CAGELCO I)	Decision dated April 19, 2010. The ERC approved the application filed by CAGELCO for the approval of Force Majeure Project, specifically the repair and restoration of damaged distribution facilities due to typhoon Pepeng on October 3, 2009, with a total project cost of PhP11,558,386.00. The project was immediately done in order to prevent further outages, and therefore, redound to the benefit of its member-consumers. Accordingly, CAGELCO I was directed to remit to ERC the amount of PhP86,688.00 as permit fee.
158	2010-011 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Failure to Implement the Energy Regulatory Commission's Order on Purchased Power Adjustment (PPA)</i>	South Cotabato I Electric Cooperative, Inc. (SOCOTECO I)	Decision dated April 21, 2010. The ERC reprimanded SOCOTECO I for its failure to implement on time the ERC's directive on the PPA refund and warned that a similar offense in the future shall be dealt with more severely. SOCOTECO I, after receiving the Show Cause Order issued by ERC on March 4, 2010, filed its manifestation stating that (a) it is aware and it acknowledges the authority of the ERC on the matter, however, it is likewise taking into account the pendency of a case before the Court of Appeals involving the very same subject matter; (b) without abandoning its stand on the case, it is submitting for consideration of the ERC a proposed scheme for its PPA refund, together with Board Resolution No. 5, Series of 2010; and (c) the said proposal was arrived upon after thorough and careful examination of its existing financial standing. Given this, SOCOTECO I started implementing the directed PPA refund in its January 2010 billings to customers. Available records of the ERC confirm this.
159	2010-012 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>	Lanao del Norte Electric Cooperative, Inc. (LANECO)	Decision dated September 8, 2010. The ERC reprimanded LANECO for its late implementation of PPA refund and warned that a similar offense in the future shall be dealt with more severely. LANECO, after receiving the Show Cause Order issued by ERC on January 19, 2010, submitted its manifestation on March 9, 2010 stating that it eventually implemented the directed refund in its May 2010 billing. Records available at the ERC confirm this.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
160	2010-014 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing the New Distribution, Supply and Metering Rates Ahead of the Effectivity Date of the Decision</i>	Iligan Light and Power, Inc. (ILPI)	Decision dated September 30, 2010. The ERC exonerated ILPI from any administrative liability for implementing the new distribution, supply and metering rates earlier than the prescribed date in the ERC's Decision on ERC Case No. 2009-009 RC. ILPI submitted its explanation on March 5, 2010 stating that it implemented the approved rates starting on the billing date May 1, 2009. The implementation was based on the elapsed time between two succeeding meter readings which, as a general rule for rate adjustments, are implemented on a billing cycle basis. ILPI also claimed that such practice is supported by Sections 3.5.1 and 3.5.6 of the Distribution Services and Open Access Rules (DSOAR) and Article 2(h) of the Magna Carta for Residential Electricity Consumers.
161	2010-014 RC	In the Matter of the Application for Approval of the Ancillary Services Procurement Agreement (ASPA) Between the National Grid Corporation of the Philippines and the Therna Marine, Inc., with Prayer for Provisional Authority	National Grid Corporation of the Philippines (NGCP) and Therna Marine, Inc. (TMI)	Decision dated October 4, 2010. The ERC approved, with modifications and conditions, the application filed by NGCP, and TMI for approval of the ASPA. The ERC approved the following (in PhP/kW/hour): Capacity Fee of 0.43192, Fixed O&M Fee of 0.32524, and Energy Fee of 0.14891, with total applicable fee of 0.90607. 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). The ERC, however, denied the proposed rates for the capacity dispatch beyond the contracted capacity. Instead, the charge should be equal to the rates applicable within the contracted capacity.
162	2010-015 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Violation of Section 3.2.3.4 of the Philippine Grid Code (PGC), Amendment No. 1</i>	National Grid Corporation of the Philippines (NGCP)	Decision dated July 8, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of NGCP of the total amount of imposable penalty for violation of Section 3.2.3.4 of the PGC, Amendment No. 1, with an equivalent amount of PhP50,000.00. NGCP was directed to remit the above-mentioned amount within 15 days from receipt of the Decision.
163	2010-016 RC	In the Matter of the Application for Authority to Implement 2010 Major Capital Projects, with Prayer for Provisional Authority (PA)	Angeles Electric Corporation (AEC)	Decision dated May 24, 2010. The ERC approved the application filed by AEC for authority to implement the 2010 Major Capital Project, specifically the design and construction of Electric Power Distribution System (EPDS), with a total project cost of PhP20,341,706.75. However, the ERC denied the procurement and installation of Automatic Voltage Regulators (AVRs) at the Angeles Ice Plant and Marquee Mall since it is more prudent to let NGCP address the problem of voltage imbalance in those areas. The approved project aims to provide adequate, safe, efficient and reliable electric service to new customers. Accordingly, AEC was directed to remit to ERC the amount of PhP152,563.00 as permit fee.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
164	2010-023 MC	In the Matter of Violation of ERC Orders, Rules and Regulations - <i>Implementing Capital Project Without Prior Approval from the Commission</i>	Central Negros Electric Cooperative, Inc. (CENECO)	Decision dated October 8, 2010. The ERC, after finding it just and reasonable, accepted and approved the 50% settlement offer of CENECO for the total impossible penalty for implementing capital project without prior approval from the ERC, with an equivalent amount of PhP147,950.00. CENECO was directed to remit the above-mentioned amount within 15 days from receipt of Decision.
165	2010-023 RC	In the Matter of the Application for the Recovery of the Actual Fuel and Lubricant Costs Incurred for the Period 2004-2010, and for Automatic Recovery of Fuel and Lubricant Costs, with Prayer for Provisional Authority (PA)	Cotabato Light and Power Company, Inc. (CLPC)	Decision dated July 19, 2010. The ERC approved, with modification, the application filed by CLPC for the recovery of the actual fuel and lubricant costs incurred for the period 2004-2010, and for automatic recovery of fuel and lubricant costs. CLPC was authorized to recover the amount of PhP22,181,728.02 equivalent to PhP0.0298/kWh until its full recovery. The ERC, however, denied CLPC's proposed recovery of carrying charges amounting to PhP4,403,856.41 for being filed after the lapse of unreasonable period. Moreover, the ERC denied CLPC's proposed formula for the automatic recovery of future fuel and lubricant costs to avoid confusion with the AGRA confirmation.
166	2010-024 RC	In the Matter of the Application for Approval of: A) Maximum Average Price (MAP) for the 4th Regulatory Year of the 2nd Regulatory Period (MAP 2011)	Cagayan Electric Power and Light Company (CEPALCO)	Decision dated June 7, 2010. The ERC approved, with modification, the application of CEPALCO for approval of a MAP for the 4th Regulatory Year of the 2nd Regulatory Period (MAP 2011). The ERC directed CEPALCO to adopt a revised X-factor of -4.75% and a smoothed MAP for the 2nd Regulatory Period as provided in the Decision. Moreover, CEPALCO was directed to adopt the MAP2011 of PhP1.5705/kWh, limited by the Side Constraints and S Factor of PhP0.1223/kWh, and implement its approved Distribution, Supply and Metering Charges detailed in the Decision, effective July 1 2010.
167	2010-025 RC	In the Matter of the Application for Approval of the Translation into Distribution Rates of Different Customer Classes for the Fourth Regulatory Year of the ERC-Approved Annual Revenue Requirement (ARR) for Dagupan Electric Corporation (DECORP) under the Performance Based Regulation (PBR) for the Regulatory Period 2007-2011	Dagupan Electric Corporation (DECORP)	Decision dated June 15, 2010. The ERC approved, with modification, the application filed by DECORP for approval of the translation into distribution rates of its different customer classes for the fourth regulatory year of the ERC-approved ARR under the PBR for the Regulatory Period 2007-2011. DECORP was directed to implement, starting July 1, 2010, its approved Distribution, Supply and Metering Charges as provided in the Decision.

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
168	2010-029 MC	In the Matter of the Application for the Issuance of Certificate of Public Convenience and Necessity (CPCN) Predicated on Republic Act 9967 Valid until February 6, 2035.	San Fernando Electric Light and Power Company, Inc. (SFELAPCO)	Decision dated August 31, 2010. The ERC approved the application filed by SFELAPCO for the issuance of a CPCN effective March 24, 2010 to March 23, 2035, to coincide with its approved congressional franchise. It has already been established that SFELAPCO has the expertise and resources to adequately and reliably serve the present and future electrical power needs of its customers. The evaluation of the records showed that the approval of the application will redound to the benefit of SFELAPCO's consumers in terms of continuous, reliable and efficient electric service.
169	2010-029 RC	<p>"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 Tarlac Electric, Incorporated (TEI) under the Performance Based Regulation (PBR) for the Regulatory Period 2010-2014</p> <p>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 Tarlac Electric, Incorporated (TEI) under the Performance Based Regulation (PBR) for the Regulatory Period 2011-2014"</p>	Tarlac Electric, Inc. (TEI)	Decision dated June 15, 2010. The ERC approved, with modification, the application filed by TEI 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 2010-2014. TEI was directed to implement, starting July 1, 2010, its approved Distribution, Supply and Metering Charges, with an average total rate of PhP1.2492/kWh. TEI 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, those consuming between 21kWh - 25kWh will enjoy 50% discount, those consuming between 26kWh - 30kWh will enjoy 45% discount, those consuming between 31kWh - 35kWh will enjoy 40% discount, those consuming between 36kWh - 40kWh will enjoy 35% discount and those consuming between 41kWh - 45kWh will enjoy 30% discount. Subsidy rate to non-lifeline customers was set by ERC at PhP0.0780/kWh.
170	2010-030 RC	In the Matter of the Application for Approval of the Translation into Distribution Rates of Different Customer Classes for the Maximum Average Price (MAP) for the First Year of the Second Regulatory Period of the ERC-Approved Annual Revenue Requirement (ARR) for Cabanatuan Electric Corporation (CELCOR) under the Performance Based Regulation (PBR) for the Regulatory Period 2011-2014, with Prayer for Provisional Authority	Cabanatuan Electric Corporation (CELCOR)	Decision dated June 15, 2010. The ERC approved, with modification, the application filed by CELCOR for approval of the translation into distribution rates of its different customer classes for the MAP for the First Year of the Second Regulatory Period of the ERC-Approved ARR for CELCOR under the PBR for the Regulatory Period 2011-2014. CELCOR was directed to implement, starting July 1, 2010, its approved Distribution, Supply and Metering Charges, with an average total rate of PhP1.4275/kWh. CELCOR 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, those consuming between 21kWh - 30kWh will enjoy 30% discount, those consuming between 31kWh - 40kWh will enjoy 20% discount, those consuming between 41kWh - 50kWh will enjoy 10%

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				discount, those consuming between 51kWh - 60kWh will enjoy 10% discount, those consuming between 61kWh - 75kWh will enjoy 5% discount. Subsidy rate to non-lifeline customers was set by ERC at Php0.0889/kWh.
171	2010-031 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 La Union Electric Company (LUECO) under the Performance Based Regulation (PBR) for the Regulatory Period 2010-2014	La Union Electric Company (LUECO)	Decision dated June 15, 2010. The ERC approved, with modification, the application filed by LUECO for approval of the translation into distribution rates of its different customer classes for the Maximum Average Price (MAP) for the First Year of the Second Regulatory Period of the ERC-Approved ARR under the PBR for the Regulatory Period 2011-2014. LUECO was directed to implement, starting July 1, 2010, its approved Distribution, Supply and Metering Charges, with an average total rate of Php1.2326/kWh. LUECO 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, those consuming between 21kWh - 25kWh will enjoy 50% discount, those consuming between 26kWh - 35kWh will enjoy 40% discount, those consuming between 46kWh - 55kWh will enjoy 20% discount, those consuming between 56kWh - 65kWh will enjoy 10% discount, and those consuming between 66kWh - 70kWh will enjoy 5% discount. Subsidy rate to non-lifeline customers was set by ERC at Php0.0654/kWh.
172	2010-033 MC	In the Matter of the Application for Approval of the Statement of Compliance (SoC) and Compliance Plan (CP) to the Philippine Grid Code (PGC) and the Philippine Distribution Code (PDC) Pursuant to the Provisions of R.A. 9136	Nueva Ecija II - Area 1 Electric Cooperative, Inc. (NEECO II - AREA 1)	Decision dated November 15, 2010. Six (6) out of twenty-one (21) standards of the PGC and sixteen (16) out of thirty-six (36) standards of the PDC were fully complied with by NEECO II - Area 1. All other standards which NEECO II - Area 1 failed to comply with were provided with Compliance Plans which were in accordance with the prescribed standards of the PGC and PDC, and were therefore, approved. CPs requiring Capital Expenditure estimated at Php38,047,964.60 was approved by the ERC. NEECO II - Area 1 was further directed to observe transparency in contracting and procuring its requirements, assets and services in accordance with the Guidelines to Govern the Submission, Evaluation, and Approval of Electric Capital Projects (ECPs) promulgated by the ERC on March 8, 2006.
173	2010-036 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 Davao Light and Power Company, Inc. (DLPC) under the Performance Based Regulation (PBR) for the Regulatory Period 2010-2014	Davao Light and Power Company, Inc. (DLPC)	Decision dated June 15, 2010. The ERC approved, with modification, the application filed by DLPC 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 2010-2014. DLPC was directed to implement, starting July 1, 2010, its approved Distribution, Supply and Metering Charges, with an average total rate of Php1.1633/kWh. DLPC 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, those consuming 21kWh-35kWh will enjoy 50% discount, those consuming

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				46kWh-50kWh will enjoy 35%discount, those consuming 51kWh-55kWh will enjoy 30%discount, those consuming 56kWh-60kWh will enjoy 25%discount, those consuming 61kWh-70kWh will enjoy 20%discount, those consuming 71kWh-80kWh will enjoy 15%discount, those consuming 81kWh-90kWh will enjoy 10%discount, those consuming 91kWh-100kWh will enjoy 5%discount. Subsidy rate to non-lifeline customers was set by ERC at PhP0.0752/kWh.
174	2010-040 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 (PA) and Issuance of a Temporary Mandatory Order and/or a Writ of Preliminary Injunction	North Luzon Trion Mall, Inc. (NLTMI)	Decision dated November 15, 2010. The ERC approved, with modification, the petition for direct connection filed by NLTMI with the NPC and TRANSCO. ERC found out that the existing 13.5 kV distribution line of Isabela II Electric Cooperative, Inc. (ISELCO II) is not sufficient to address the power requirements of NLTMI. NLTMI requires a minimum energy of not lower than 5MW per month on a 24-hrs/day operation, seven (7) days a week. The available 69 kV line of TRANSCO would be sufficient to serve NLTMI's power requirement from ISELCO II's existing power supplier. Also, ISELCO II was directed to negotiate with its existing power supplier or other Independent Power Producers (IPP), if necessary, for the power requirements of NLTMI.
175	2010-041 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 Ibaan Electric and Engineering Corporation (IEEC) under the Performance Based Regulation (PBR) for the Regulatory Period 2010-2014	Ibaan Electric and Engineering Corporation (IEEC)	Decision dated June 28, 2010. The ERC approved, with modification, the application for approval of the translation into distribution rates of different customer classes for the 1st Regulatory Year of the ERC-Approved ARR for IEEC under the PBR for the Regulatory Period 2010-2014. IEEC was directed to implement, starting July 1, 2010, its approved Distribution, Supply and Metering Charges, with an average total rate of PhP1.4614/kWh. IEEC 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 30% discount and those consuming between 31kWh - 50kWh will enjoy 5% discount. Subsidy rate to non-lifeline customers was set by ERC at PhP0.1396/kWh.
176	2010-042 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 Visayan Electric Company (VECO) under the Performance Based Regulation (PBR) for the Regulatory Period July 1, 2010-June 30, 2014	Visayan Electric Company (VECO)	Decision dated June 28, 2010. The ERC approved, with modification, the application filed by VECO 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 July 1, 2010-June 30, 2014. DLPC was directed to implement, starting July 1, 2010, its approved Distribution, Supply and Metering Charges, with an average total rate of PhP1.1717/kWh. VECO 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, those consuming 21kWh-30kWh will enjoy 65%discount,

No	ERC CASE NUMBER	CASE TITLE	APPLICANT	DECISION
				those consuming 31kWh-40kWh will enjoy 50%discount, those consuming 41kWh-50kWh will enjoy 40%discount, those consuming 51kWh-60kWh will enjoy 30%discount, those consuming 61Wh-70kWh will enjoy 20%discount, those consuming 71kWh-80kWh will enjoy 15%discount, those consuming 81kWh-90kWh will enjoy 10%discount, those consuming 91kWh-100kWh will enjoy 5%discount. Subsidy rate to non-lifeline customers was set by ERC at PhP0.0886/kWh.
177	2010-044 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 (PA) and Issuance of a Temporary Mandatory Order and/or a Writ of Preliminary Injunction	Wan Chiong Steel Corporation, Inc. (WCSC)	Decision dated December 15, 2010. The ERC approved, with modification, the petition of WCSC for direct connection with the NPC and TRANSCO. ERC established that Pampanga III Electric Cooperative, Inc. (PELCO III) has no 69 kV sub-transmission facilities sufficient to address the power requirement of WCSC. Any power interruption during WCSC operation would result to serious damage to its business considering the long stoppage of production and damage to its equipment. Accordingly, WCSC was authorized to utilize the existing transmission system of the TRANSCO located in the Municipality of San Simon, Pampanga. Also, PELCO III was directed to negotiate with its existing power supplier or other Independent Power Producers (IPP), if necessary, for the power requirements of WCSC.
178	2010-093 RC	In the Matter of the Application for Approval of Capital Expenditure Project to Construct a 10 MVA Substation at Carig, Tuguegarao City, with Prayer for Issuance of Provisional Authority (PA)	Cagayan I Electric Cooperative, Inc. (CAGELCO I)	Decision dated November 15, 2010. The ERC approved the application filed by CAGELCO I for the construction of the 10 MVA substation at Carig, Tuguegarao City, with a total project cost of PhP41,500,000.00. The project aims to address load growth and promote safety, reliability and efficient distribution system. Accordingly, CAGELCO I was directed to remit to ERC the amount of PhP311,250.00 as permit fee.



Chairperson Zenaida G. Cruz-Ducut, together with Director Noel J. Salvanera of the Legal Service presides over one of the Commission hearings.

