

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City



IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO DEVELOP, OWN AND/OR OPERATE DEDICATED POINT-TO-POINT LIMITED FACILITIES TO CONNECT THE 5.0MW TIBAG RIVER HYDROELECTRIC POWER PLANT PROJECT TO THE LUZON GRID, THROUGH THE EXISTING NGCP EHV 69KV (LUMBAN)-FAMY-INFANTA SUB-TRANSMISSION LINE (BIGA SWITCHYARD), VIA THE LOWER AND UPPER LABAYAT 69KV TRANSMISSION FACILITIES

ERC CASE NO. 2021-025 MC

TIBAG HYDROPOWER CORPORATION (TIBAG),
Applicant.

Promulgated:
September 17, 2021

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NOTICE OF VIRTUAL HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 01 September 2021, Tibag Hydropower Corporation (TIBAG) filed an *Application* dated 19 July 2021, seeking the Commission's approval for the authority to develop, own and/or operate dedicated point-to-point limited facilities to connect its 5.0 MW Tibag Hydroelectric Power Plant to the Luzon Grid, through the existing National Grid Corporation of the Philippines (NGCP) EHV 69kV (Lumban)-Famy-Infanta sub-transmission line (Biga Switchyard), via the Lower and Upper Labayat 69kV transmission facilities.

The pertinent allegations in the said *Application* are hereunder quoted as follows:

1. TIBAG HYDRO is a corporation¹ duly organized and existing under the laws of the Republic of the Philippines, with principal office address at 3rd Floor JTKC Centre, 2155 Don Chino Roces (sic) the 3rd Floor JTKC Centre, 2155 Don Chino Roces Ave., Makati City, Philippines; herein represented² by its President, Mr. Johnson A. Sanhi, Jr., Filipino, of legal age, and with office address at 3rd Floor JTKC Centre, 2155 Don Chino Roces Avenue, Makati City, Philippines. TIBAG HYDRO may be served with orders and other legal processes through the undersigned counsel, and/or through the registered email addresses provided in the Certificate of Registration (“COR”) ³ issued by the Commission on the Applicant’s Request for Email Registration (“RER”) ⁴, dated 8 July 2021 and 30 June 2021, respectively.

NATURE OF THE APPLICATION

2. This Application is hereby proffered, pursuant to Section 9(f) of Republic Act No. 9136 otherwise known as the Electric Power Industry Reform Act of 2001 (“EPIRA”), Rule 5, Section 5(a)(i) of the EPIRA Implementing Rules and Regulations, and Section 4.2 of Resolution No. 23 Series of 2016 or the Resolution Adopting Amended Rules on the Definition and Boundaries of Connection Assets for Customers of Transmission Providers, for approval by the Commission of the Applicant’s proposed development, ownership and/or operation of interconnection facilities which will connect the approximately 5.0MW Tibag River mini-hydroelectric power plant (Tibag MHEPP) to the Luzon Grid, through the existing NGCP EHV 69 kV (Lumban)-Famy-Infanta Sub-transmission Line (Biga Switchyard) via the Lower Labayat and Upper Labayat 69kV transmission lines and which, for purposes of this Application shall be called “Dedicated Point-to-Point Limited Transmission Facilities”.
 - 2.1. The approximately 13km 69kV Dedicated Point-to-Point Limited Transmission Facilities for the 5.0MW ⁵ Tibag MHEPP will be connected to the Luzon Grid through the Lower Labayat 69kV transmission facility then to the Upper Labayat 69kV transmission facility which, in turn, is connected to the National Grid Corporation of the Philippines (“NGCP”) Biga Switchyard.

¹ A copy each of the SEC Certificate of Registration, Articles of Incorporation and its Amendment & the By-Laws are attached hereto and made an integral part hereof as Annexes “A”, “B” to “B-1” and “C”, respectively.

² A copy of the Secretary’s Certificate dated 30 June 2021 authorizing the filing of the Application and designating the authorized representatives is attached as Annex “D”.

³ A copy of Certificate of Registration No. RE 2021-0390-3 issued by the ERC dated July 8, 2021 is hereto attached and made an integral part hereof as Annex “E”.

⁴ A copy of the Request for Email Registration (“RER”) dated June 30, 2021 is hereto attached as Annex “F”.

⁵ A copy of the DOE Certificate of Registration approving the increase in capacity, from 4.4MW to 5.0MW, is attached hereto and made an integral part hereof as Annex “G”.

STATEMENT OF FACTS

3. TIBAG HYDRO is a duly registered renewable energy developer of hydro-electric power resources, and was incorporated by its parent company, Repower Energy Development Corporation (“REDC”) as the special purpose corporation to own, develop, operate and manage the Tibag MHEPP, under Hydropower Service Contract (HSC) No. 2014-02-395⁶ granted by the Department of Energy (DOE) for the development of the Tibag MHEPP.
4. The Tibag MHEPP is one of the six (6) clustered mini-hydroelectric power plants under the name of REDC all located in the province of Quezon. In a Deed of Assignment⁷ dated 25 June 2018, the Tibag MHEPP project was transferred by REDC to TIBAG HYDRO. And on 27 May 2020, the said transfer to TIBAG HYDRO was approved by the Department of Energy (“DOE”) as evidenced by Certificate of Registration No.. 2014-02-395-A⁸ and the Amended HSC No. 2014-02-395-A⁹ issued in its name.
5. For the sole purpose of connecting its Tibag MHEPP, to be used solely for injecting power into, the Luzon Grid, TIBAG HYDRO shall develop and operate the Dedicated Point-to-Point Limited Transmission Facilities.

TECHNICAL AND FINANCIAL
CAPABILITY OF TIBAG HYDRO

6. TIBAG HYDRO seeks to connect the Tibag MHEPP to the Luzon Grid through the 69kV Dedicated Point-to-Point Limited Transmission Facilities which consists of the following components¹⁰: a) Connection Switchyard (Connection Point), and; b) approximately 13km, 69kV Transmission Line Point of Common Coupling to connect to the Lower Labayat 69kV Transmission Line.
 - 6.1. The Lower Labayat 69kV Transmission Line which is currently being constructed by BEHMC Lower Labayat is another project among the 6 clustered HEPPs originally granted under the name of REDC. In the Connection Agreement¹¹ entered into between REDC and the NGCP, particularly in the Single Line Diagram attached thereto, the Lower Labayat MHEPP is the second facility to connect to the Luzon Grid, via the Upper Labayat River MHEPP transmission facility, specifically, the approximately 4.6km 69kV line that will tap to the existing Kalayaan EHV (Lumban)-Famy-Infanta 69kV sub-transmission line of the NGCP.

⁶ HSC No. 2014-02-395 dated 24 February 2014, as Annex “H”.

⁷ Deed of Assignment dated 25 June 2018, as Annex “I”.

⁸ COR for HSC No. 2014-02-395-A, dated 27 May 2020, as Annex “J”.

⁹ Amended HSC No. 2014-02-395, dated 9 October 2020, as Annex “K”.

¹⁰ The Project Description, as Annex “L”.

¹¹ The Connection Agreement, dated 11 July 2017, as Annex “M”.

- 6.2. TIBAG HYDRO considered three options¹² in connecting to the Grid, namely, the: (i) Direct Connection to the NGCP Kalayaan EHV (Lumban) Substation; (ii) Direct Connection to the Quezelco II Capalong Substation; and (iii) Tapping along the transmission line from the Lower Labayat MHEPP to Upper Labayat MHEPP.
- 6.3.1. Option 1: Direct Connection to the NGCP Kalayaan EHV (Lumban) Substation: The transmission line will traverse through a 23km straight line distance of mountainous terrain which would require massive tree-cutting. The total length of the transmission line would be approximately more than 40 kms. to follow the contour of the land and to provide adequate right/s-of-way (ROW/s).
- 6.3.2. Option 2: Direct Connection to the QUEZELCO II Capalong Substation: The transmission line will traverse through a 18km straight line distance of mountainous terrain and residential areas. The total length of the transmission line would approximately be more than 35 kms. to follow the contour of the land, to avoid residential areas and to provide adequate ROWs/s (*sic*).
- 6.3.3. Option 3: Tapping along the transmission line from Lower Labayat MHEPP to Upper Labayat MHEPP: The transmission line will traverse through approximately 13 kms of mountainous terrain and residential areas following the contour of the land, avoiding residential areas and providing adequate ROW/s. It will connect to the transmission line from the Lower Labayat MHEPP to the Upper Labayat MHEPP which is currently being constructed by Blue Energy Holdings and Management Corp.. (*sic*) This is then connected to the existing transmission line that connects the Upper Labayat to the Biga Switchyard.
7. As outlined above, the most viable and cost-effective way to connect the Tibag MHEPP to the Luzon Grid is Option (iii), namely, tapping along the transmission line from Lower Labayat MHEPP to Upper Labayat MHEPP both of which, as per the Connection Agreement (Annex “M”) and the single line diagram attached to it are part of the 6 clustered HEPPs that will connect to the Luzon Grid, in a cascading manner or in a series in so far as feasible and practicable.
- 7.1. Since the Upper Labayat MHEPP’s Interconnection Facilities Study (FS) has been approved by the NGCP, being the system operator of the Luzon Grid, REDC was required by NGCP to only submit an abbreviated FS for the Tibag MHEPP, before the plant is allowed to connect. The abbreviated FS will only deal with the necessary Supervisory Control and Data Acquisition (SCADA) and Telecommunications equipment that will be installed at

¹² Connection Options considered for the Project, as Annex “N”.

the plant so that the SCADA/EMS System of NGCP can monitor and communicate with said plant. Further, the FS will also contain the necessary revenue metering equipment, devices and facilities, which should be compatible to the Automatic Meter Reading (AMR) equipment of NGCP, being the default Metering Service Provider (MSP), so that the Wholesale Electricity Spot Market (WESM) will be able to access the revenue meter data for their billing and settlements function.

- 7.1.1. EAGLEngineering Solutions Corporation was commissioned by REDC to conduct a Facilities Study (FS) on the necessary SCADA, telecommunications and revenue metering equipment and facilities as required by NGCP. The FS defines the SCADA, telecommunications and revenue metering requirements needed to facilitate the connection of the Power Plant to the Luzon Grid. The FS is not a detailed design of the required SCADA, telecommunications and revenue metering facilities but the conceptual or preliminary design, general technical specifications and project cost estimate of said facilities.
- 7.1.2. The coverage of this FS is limited only to the SCADA, telecommunications and revenue metering requirements of the Tibag MHEPP. The sections therein contain the general technical specifications of the major SCADA, telecommunications and revenue metering equipment and other requirements needed for a reliable and secure connection to the NGCP SCADA and telecommunications system and the AMR system, which are compatible to and conform with the standards of NGCP, the Philippine Grid Code (PGC), the Philippine Electrical Code Part I (PEC I), Open Access Transmission Service (OATS) Rules, WESM Rules, Safety Standards, good utility practices and other regulatory and legal requirements, as well as International Standards.¹³

7.1.2.1 Generating Plant: The Tibag MHEPP shall be equipped with two (2) generating units rated at 2.5 MW and with terminal voltage of 6.3 kV. The net generation output of the plant is 4.4 MW. A 7 MVA power transformer will step up the voltage to 69 kV and deliver the power of the plant to the Grid.

7.1.2.1.1. Generating Units: Each generating unit has the following specifications:

| | |
|-------------------------------|----------|
| Nominal Apparent Power Output | 3300 kVA |
| Nominal Real Power Output | 2517 kW |
| Nominal Speed | 900 rpm |

¹³ Facilities Study on Revenue Metering, SCADA and Telecommunications Interconnection, dated December prepared by EAGLEngineering Solutions Corporation, as Annex "O".

| | |
|-----------------------------|----------|
| Rated Voltage | 6300 Vac |
| Rated Current | 300A |
| Rated Frequency | 60 Hz |
| Power factor at rated power | 80% |

7.1.2.2 Plant Protection: The plant protection shall be designed, coordinated and tested to achieve the desired level of speed, sensitivity and selectivity in fault clearing and to minimize the faults on the Grid. The protection system of the Plant shall be able to remove ground faults from the system within the appropriate time for reliability and security.

7.1.2.2.1. All protective relays shall be of utility grade that meet or exceed ANSI/IEEE Standard C 37.90. All major components of the plant shall be protected at their own zone of protection and shall be provided with backup or redundant protection systems.

7.1.2.2.2. The fault clearance time of any protective relay within the plant shall not be longer than 120 ms, which shall have a setting that is compliant with the PGC.

7.1.2.2.3. In accordance with the Philippine Grid Code, the minimum protection requirements of large generators shall be:

- Overvoltage
- Undervoltage
- Overload
- Loss of Excitation (not applicable)
- Pole Slipping (not applicable)
- Circuit Breaker Fail Protection
- Phase and ground fault protection
- Open Circuit
- Phase Unbalance and reversal
- Overfrequency
- Underfrequency
- Loss of Source
- Isolated Operating Conditions
- Prevention of Dead Line reclosing

7.1.2.3 Transmission Line: A 69kV, single circuit shall be constructed on steel poles (SP-SC) transmission line, using 1 -336.4 MCM ACSR/AS conductors per phase from the Tibag MHEPP Switchyard/Substation.

- 7.2. As shown in the Overall Single Line Diagram¹⁴, the Tibag MHEPP shall be connected to the Lower Labayat MHEPP Transmission Line which in turn will be connected to the Upper Labayat MHEPP which will be connected to the Biga Switching Station of the NGCP at the Famy-Infanta Substation.
8. The estimated cost¹⁵ of the construction of the Project is around P200,051,917.00 inclusive of the cost for the construction of the connection switchyard and the 69 kV transmission line. It will be funded through project finance and private capital infused by TIBAG HYDRO and will, therefore, not result in any unregulated charges.
9. The construction of the Facility including both civil works and electromechanical works, which commenced on 20 January 2021 is targeted for completion by 25 November 2021, while testing and commissioning and commercial operations are being targeted on 1 June 2022 and 1 August 2022, respectively.¹⁶
- 9.1. The Main Switchyard which will be started on 30 August 2021 is targeted to be finished by 25 April 2022, and the Transmission Line which will be started on 1 August 2021 to be finished by 25 March 2022.¹⁷
10. The Tibag MHEPP is listed as one of the Committed Power Plants in the Luzon Generating Capacity Addition of and in line with the Transmission Development Plant (TDP) of the DOE for 2016-2040.¹⁸
- 10.1. Herein-below quoted are the power situationer, market, supply and demand data analyzed in the Comprehensive Feasibility Study (Chapter 3.0, Demand-Supply Scenario)¹⁹ prepared by Vergel3 Consult Inc. for the Tibag MHEPP, thus:

“3.5.2 Supply – Demand Profile per ECs/PIOU

QUEZELCO-II’s contract with the Trans Asia Oil and Energy Corp. will end by December 2016. To date, the current peak demand of QUEZELCO-II is almost 4.5 MW and will surely increase thru time. With this the estimated capacity of the proposed Tibag River MHP which is 4.4 MW can readily be absorbed by QUEZELCO-II. And with the estimated capacities of the other proposed projects within the municipality of Real, QUEZELCO-II will have a dependable power supplier that can sustain its power requirement or demand. In addition, with this proposed project, QUEZELCO-II can avail of the lower

¹⁴ Overall SLD, as Annex “P”.

¹⁵ Project Cost Estimates, as Annex “Q”.

¹⁶ P2P Application Relevant Dates, as Annex “R”.

¹⁷ Gantt Chart, as Annex “S”.

¹⁸ DOE-TDP for 2016-2040, as Annex “T”.

¹⁹ Comprehensive Feasibility Study: Chapter 3.0: Power Situationer, Market, Supply/Demand Study, prepared by Vergel3 Consult Inc., as Annex “U”.

power cost since this will be generated by renewable source and all consumers will be benefitted.

3.6 FINAL EVALUATION AND CONCLUSION

As revealed from all the data presented, power market has no limitations or boundaries. Thus, power requirement will continue to increase simultaneous with the increase in population and economy. Therefore, power generation needs to be maximized.

Taking into consideration all the given data regarding forecasted peak demand of the province, there is a possibility of a shortfall for the coming years without additional power facility. Some power facilities in the province do not supply QUEZELCO-II alone but also those other electric cooperatives within the province or nearby provinces. Hence, indicative or committed power generation projects are very necessary to supplement power needed and to address the looming power shortage to date and especially for the coming years.

Finally, the proposed project, the Tibag River MHP, is much needed for the province of Quezon to have an additional supply of electricity from renewable resources and to have a self-sustaining supply of electricity of their own and more so to avail of a lower generation rate and transmission charge, thus lowering the cost of electricity for the consumers.

In addition, hydropower plants are environmental-friendly power facilities that make us avoid the worsening condition of our atmosphere and may cease the continuing climate change. Therefore, upon realization of this project, electric cooperatives like QUEZELCO-II may not depend power producers that use imported oil, which causes higher on power cost/bill, and cause danger to our environment.”

11. Pursuant to Section 9 of the EPIRA, and other applicable laws and issuances, TIBAG HYDRO hereby applies with the Honorable Commission for authority to develop, own and/or operate the connection asset herein referred to as the Dedicated Point-to-Point Limited Transmission Facilities, and maintains that:
 - 11.1 The Dedicated Point-to-Point Limited Transmission Facilities are required only to connect the Tibag MHEPP to the transmission system of the NGCP, particularly to the Luzon Grid.
 - 11.2. The Dedicated Point-to-Point Limited Transmission Facilities will be used solely by TIBAG HYDRO for the Tibag MHEPP.
 - 11.3. Should the Dedicated Point-to-Point Limited Transmission Facilities be taken out of the transmission system, the grid, particularly the Luzon Grid, will not be affected.

- 11.4. In the event that the Dedicated Point-to-Point Limited Transmission Facilities be required for competitive purposes, ownership of the same shall be transferred to NGCP at a fair market price.
12. The single-line diagram of the generation facility (“SLD-Generation Facility”)²⁰ of the proposed interconnection shows that the Dedicated Point-to-Point Limited Transmission Facilities will be solely and exclusively used by the Tibag MHEPP, until such time that it can be converted for purposes of connecting the other hydropower projects of REDC now being handled by its corresponding special purpose corporations.
13. TIBAG HYDRO hereby undertakes and covenants that it, as well as the subject Dedicated Point-to-Point Limited Transmission Facilities will faithfully comply with and adhere to applicable existing laws, rules, regulations and pertinent issuances, including but not limited to the Philippine Grid Code and the Open Access Transmission Service (“OATS”) Rules, and their prescribed technical standards.
14. TIBAG HYDRO intends to engage NGCP to operate and maintain the Dedicated Point-to-Point Limited Transmission Facilities as evidenced by a letter to NGCP on the matter.²¹

Other Supporting Documents

15. To bolster the Application and the arguments herein stated, TIBAG HYDRO most respectfully submits to the Commission the following additional documents:

| ANNEX | DOCUMENT |
|-------|---|
| “X” | System Impact Study dated October 2015 |
| “Y” | NGCP Review of Third Party SIS |
| “Z” | NGCP Approved Feasibility Study |
| “AA” | Connection Switchyard |
| “BB” | Transmission Line Route |
| “CC” | DENR ECC dated 15 April 2015 |
| “DD” | Approval on 09-08-2020: ECC from REDC to THC |
| “EE” | Certificate of Confirmation of Commerciality No. HCC 2016-02-118, dated 6 October 2020, for the 5.0MW Tibag MHEPP |
| “FF” | Profile of Contractor, AVGarcia Power Systems Corp. |
| “GG” | Unaudited Interim F/S as of 06-30-2021 (Confidential) |
| “HH” | Key Management Officials/GIS for 2020 |
| “II” | THC GIS 2021 |
| “JJ” | Manifestation with Undertaking in re Compliance with Permitting Processes dated 9 July 2021 |
| “KK” | Secretary’s Certificate in re Interconnection & Related Agreements with NGCP |

²⁰ SLD Generation Facility, as Annex “V”.

²¹ Letter to NGCP dated 12 July 2021, as Annex “W”.

Motion, with Arguments in Support
of Prayer for Provisional Authority in the Interim

16. All the foregoing assertions herein re-pleaded by reference in support of this Prayer for the Issuance of a provisional authority or interim relief.
17. The connection of the Tibag MHEPP to the existing NGCP EHV 69kV Transmission Line is a pre-requisite to the commercial operations of the Project and necessary for the obtainment of other permits and authorizations. Considering the dire need for generation capacity addition in the region, specifically, in light of the government's thrust for the development of renewable energy resources, it is most earnestly prayed that authority for such connection be granted.
18. Section 2(a) of R.A. No. 9513 otherwise known as the Renewable Energy Act of 2008 (RE Act) has pronounced in no uncertain terms that it is the policy of the state to "accelerate the exploration and development of renewable energy resources such as, but not limited to, x x x hydro, x x x sources, including hybrid systems, to achieve energy self-reliance, through the adoption of sustainable energy development strategies to reduce the country's dependence on fossil fuels and thereby minimize the country's exposure to price fluctuations in the international markets, the effects of which spiral down to almost all sectors of the economy."
19. Further, the subject matter of this Application is analogous to the Honorable Commission's approval of electric capital projects. Thus, insofar as the grant of provisional authority or interim relief, ERC Resolution No. 13, Series of 2006*, as amended is hereby invoked, which we quote as follows:

"ARTICLE II
APPLICATIONS AND REQUIREMENTS

2.3. Evaluation and Approval

x x x

Upon filing of the application, the Commission may, on its own or upon motion, grant the issuance of a Provisional Authority (PA) based on the allegations of the application and on such other documents attached thereto or submitted by the parties. The Commission, if necessary, may schedule a hearing for the issuance of a PA not later than thirty (30) days from the filing of the application. Thereafter, the Commission shall issue a ruling either granting or denying the PA stating clearly the reasons therefor, within seventy-five (75) days from the filing of the application. x x x"

* A resolution Adopting the Guidelines to Govern the Submission, Evaluation and Approval of Electric Capital Projects, as amended by Resolution No. 18, Series of 2008 and Resolution No. 6, Series of 2009.

20. Elsewise stated, and given the urgent need for additional capacity and energy supply to meet the pressing demand of consumers

and other stakeholders in the region (Quezon Province), the completion of the connection of the Tibag MHEPP within the projected timelines becomes all the more crucial to ensure that additional capacity will be made available for the Luzon Grid in a seasonable and efficient manner.

21. Thus, TIBAG HYDRO respectfully entreats the Honorable Commission to issue in its favor an Order provisionally authorizing the development, ownership and/or operation of the Dedicated Point-to-Point Limited Transmission Facilities as warranted by the foregoing stated circumstances and assertions.

P R A Y E R

WHEREFORE, Applicant TIBAG HYDROPOWER CORPORATION most respectfully prays of this Honorable Commission to:

1. ISSUE, pending hearing on the merits, an order provisionally and immediately authorizing TIBAG HYDROPOWER CORPORATION to develop, own and/or operate the Dedicated Point-to-Point Limited Transmission Facilities for the Tibag MHEPP; and
2. After due notice and hearing, ISSUE a final order: (i) making the provisional authority a permanent authority to develop, own and/or operate and maintain the Dedicated Point-to-Point Limited Transmission Facilities until such time said asset is otherwise re-classified, owned, operated and maintained by the NGCP.

Other reliefs just and deemed equitable under the premises are likewise prayed for.

The Commission hereby sets the instant *Application* for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on the following dates and online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020²² dated 24 September 2020 and Resolution No. 01, Series of 2021, dated 17 December 2020 (ERC Revised Rules of Practice and Procedure)²³:

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²² A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

²³ A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

ERC CASE NO. 2021-025 MC
NOTICE OF VIRTUAL HEARING/07 September 2021
PAGE 12 OF 13

| Date | Platform | Activity |
|--|----------------------------|--|
| 14 October 2021 (Thursday) at two o'clock in the afternoon (2:00 AM) | Microsoft Teams | Determination of compliance with the jurisdictional requirements and expository presentation |
| 21 October 2021 (Thursday) at two o'clock in the afternoon (2:00 AM) | Microsoft Teams | Pre-trial Conference and presentation of evidence |

Any interested stakeholder may submit its comments and/or clarifications at least one (1) calendar day prior to the scheduled initial virtual hearing, via electronic mail (e-mail) at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph. The Commission shall give priority to the stakeholders who have duly submitted their respective comments and/or clarifications, to discuss the same and propound questions during the course of the expository presentation.

Moreover, any persons who have an interest in the subject matter of the instant case may become a party by filing with the Commission via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, a verified Petition to Intervene at least five (5) calendar days prior to the date of the initial virtual hearing and subject to the requirements under Rule 9 of the ERC Revised Rules of Practice and Procedure, indicating therein the docket number and title of the case and stating the following:

- 1) The petitioner's name, mailing address, and e-mail address;
- 2) The nature of petitioner's interest in the subject matter of the proceeding and the way and manner in which such interest is affected by the issues involved in the proceeding; and
- 3) A statement of the relief desired.

Likewise, all other persons who may want their views known to the Commission with respect to the subject matter of the case may likewise file through e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, their Opposition or Comment thereon at least five (5) calendar days prior to the initial virtual hearing and subject to the requirements under Rule 9 of the ERC Revised Rules of Practice and Procedure. No particular form of Opposition or Comment is required, but the document, letter, or writing should contain the following:

- 1) The name, mailing address, and e-mail address of such person;
- 2) A concise statement of the Opposition or Comment; and
- 3) The grounds relied upon.

Any of the persons mentioned in the preceding paragraphs may access the copy of the *Application* on the Commission's official website at www.erc.gov.ph.

Finally, all interested persons may be allowed to join the scheduled initial virtual hearings by providing the Commission, thru legal.virtualhearings@erc.ph, with their respective e-mail addresses and indicating therein the case number of the instant *Application*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearings.

WITNESS, the Honorable Commissioners **ALEXIS M. LUMBATAN, CATHERINE P. MACEDA, FLORESINDA G. BALDO-DIGAL** and **MARKO ROMEO L. FUENTES**, Energy Regulatory Commission, this 7th day of September 2021 in Pasig City.


AGNES YST DEVANADERA
Chairperson and CEO


LS:VMA/ LSP/MCCG

