

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




**IN THE MATTER OF THE
APPLICATION FOR
CONFIRMATION OF
OVER/UNDER-
RECOVERIES FROM
AUTOMATIC PASS-THRU
COSTS IMPLEMENTED
FOR THE BILLING
PERIOD FROM
JANUARY 2014 TO
DECEMBER 2016,**

ERC CASE NO. 2017 -068 CF

**NUEVA VIZCAYA
ELECTRIC
COOPERATIVE, INC.
(NUVELCO),
Applicant.**

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DOCKETED
Date: MAR 07 2018
By: 

NOTICE OF PUBLIC HEARING

Notice is hereby given that on 28 September 2017, Nueva Vizcaya Electric Cooperative, Inc. (NUVELCO) filed an *Application* dated 03 August 2017 (Application) for the confirmation of its over/under-recoveries for the billing period January 2014 to December 2016.

In its *Application*, NUVELCO alleged the following:

1. Applicant NUVELCO is an electric cooperative duly organized and existing under Philippine law, with principal office address at Gabut, Dupax del Sur, Nueva Vizcaya; franchised to construct, own, operate and maintain an electric distribution system in the municipalities of Alfonso Castaneda, Ambaguio, Aritao, Bagabag, Bambang, Bayombong, Diadi, Dupax del Norte, Dupax del Sur, Kasibu, Kayapa, Quezon, Solano, Sta. Fe and Villaverde, all in the Province of

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Nueva Vizcaya; represented herein by its General Manager, Engr. Narciso S. Salunat, REE, MBA.

2. On 13 July 2009, the Energy Regulatory Commission adopted and promulgated 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* and Resolution No. 21, Series of 2010 entitled: *A Resolution Amending Section 4 of Article 4 and Section 1 of Article 5 of the Rules Governing the Automatic Cost Adjustment and True-Up Mechanisms and Corresponding Confirmation Process for DUs*. Under these resolutions, rules were established allowing an automatic recovery of certain pass-through costs, such as generation, transmission, system loss, lifeline discount/subsidy and senior's citizen discount/subsidy, subject to periodic verification and confirmation by the Commission.

3. Applicant NUVELCO is filing this application to seek verification and confirmation by the Commission of NUVELCO's calculations of its over and under recoveries of automatic pass-thru costs implemented for the billing period from January 2014 to December 2016, a summary of which is more particularly shown as follows:

Year	True-Up (Over) Under Recoveries					Total (Over)/Under Recoveries
	Generation (Over)/Under Recoveries	Transmission (Over)/Under Recoveries	System Loss (Over)/Under Recoveries	Lifeline Subsidy (Over)/Under Recoveries	Senior Citizen Discount/Subsidy (Over)/Under Recoveries	
2014	-17,819,081.12	5,882,688.98	20,158,123.77	337,446.85	-1,589.87	8,557,588.61
2015	-11,411,388.31	8,274,125.24	22,770,622.44	-1,733,192.43	-4,680.50	17,895,486.44
2016	-5,572,418.24	28,645,965.08	49,243,755.57	-4,024,682.22	17,887.83	68,310,508.02
Total	-34,802,887.67	42,802,779.30	92,172,501.78	-5,420,427.80	11,617.45	94,763,583.06

4. Applicant NUVELCO submits the following documents in support of the application:
 - a. Power Supplier Data Sheet
 - b. Statistical Data Sheet
 - c. Implemented Rates Data Sheet
 - d. Power Bills of Power Suppliers
 - e. Official Receipts Issued by Power Suppliers

- f. Breakdown of Payments with O.R. (for partial payments)
- g. Debit/Credit memo of Suppliers
- h. NGCP Invoices
- i. Official Receipts Issued by NGCP
- j. Breakdown of Payments with O.R. (for partial payments)
- k. Debit/Credit Memo issued by NGCP
- l. MOA/Contracts
- m. MFSR- Sections A, B, E & F
- n. Consumer Bills of Lifeliners (per level) and Non-Lifeliners per customer class
- o. Computation of Generation Rate
- p. Computation of Transmission Rate
- q. Computation of System Loss Rate
- r. Computation of Lifeline Subsidy Rate
- s. Computation of Senior Citizen Discount Rate
- t. Monitoring of Approved Adjustments (O/U Order: ERC Case No. 2012- 001 CF)

PRAYER

WHEREFORE, applicant NUVELCO respectfully pray that the Honorable Commission render a Decision confirming NUVELCO's calculation of its over and under recoveries from automatic pass-thru costs implemented for the billing months from January 2014 to December 2016.

Applicant NUVELCO also pray for such other relief or remedy as may be just and equitable under the circumstances.

On 11 December 2017, the Commission issued an Order and a Notice of Public Hearing setting the case for hearing on 15 January 2018.

On 04 January 2018, Applicant NUVELCO filed a Motion To Reset (Motion) praying that the hearing set on 15 January 2018 be reset to another date considering that its counsel is unavailable to attend the hearing on the said date.

Finding the said Motion in order, the Commission hereby **GRANTS** the same.

Accordingly, 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 **22 March 2018 (Thursday) at two o'clock in the afternoon (2:00 P.M.) at the ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig City.**

All persons who have an interest in the subject matter of the instant case may become a party by filing with the Commission a verified Petition to Intervene at least five (5) days prior to the initial hearing and subject to the requirements under Rule 9 of the 2006 Rules of Practice and Procedure, indicating therein the docket number and title of the case and stating the following:

- i. The petitioner's name and address;
- ii. 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
- iii. A statement of the relief desired.

All other persons who may want their views known to the Commission with respect to the subject matter of the case may file their Opposition or Comment thereon at any stage of the proceeding before Applicant rests its case, subject to the requirements under Rule 9 of the 2006 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 and address of such person;
- 2) A concise statement of the Opposition or Comment; and

3) The grounds relied upon.

All such persons who wish to have a copy of the *Application* may request from Applicant that they be furnished with the same, prior to the date of the initial hearing. Applicant is hereby directed to furnish all those making such request with copies of the *Application* and its attachments, subject to the reimbursement of reasonable photocopying costs. Any such person may likewise examine the *Application* and other pertinent records filed with the Commission during the standard office hours.

WITNESS, the Honorable Chairperson and CEO, **AGNES VST DEVANADERA**, and the Honorable Commissioners, **ALFREDO J. NON**, **GLORIA VICTORIA C. YAP-TARUC**, and **GERONIMO D. STA. ANA**, Energy Regulatory Commission, this 28th day of February 2018 in Pasig City.

FOR AND BY AUTHORITY
OF THE COMMISSION:


JOSEFINA PATRICIA A. MAGPALE-ASIRIT
Oversight Commissioner for Legal