

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



IN THE MATTER OF THE APPLICATION FOR CONFIRMATION AND APPROVAL OF CALCULATIONS OF OVER OR UNDER RECOVERIES IN THE IMPLEMENTATION OF AUTOMATIC COST ADJUSTMENTS AND TRUE-UP MECHANISMS FOR THE PERIOD 2015 TO 2017, PURSUANT TO ERC RESOLUTION NO. 16, SERIES OF 2009 AS AMENDED BY RESOLUTION NO. 21, SERIES OF 2010, AND ERC RESOLUTION 23, SERIES OF 2010

ERC CASE NO. 2018-028 CF

LEYTE V ELECTRIC COOPERATIVE, INC. (LEYECO V), Applicant.

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DOCKETED
Date: **AUG 03 2018**
By: *[Signature]*

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 28 March 2018, Leyte V Electric Cooperative Inc. (LEYECO V) filed an *Application* dated 16 March 2018 seeking the Commission's approval of its over or under recoveries in the implementation of automatic cost adjustments and true-up mechanisms for the period 2015 to 2017 pursuant to the Commission's Resolution No. 16, Series of 2009, as amended by Resolution No. 21, Series of 2010, and Resolution No. 23, Series of 2010.

LEYECO V alleged the following in its *Application*:

THE APPLICANT

1. Applicant is a non-stock, non-profit electric cooperative duly organized and registered with National Electrification Administration (NEA) pursuant to the provisions of and by virtue of the laws of the Republic of the Philippines, with Registration No. 96 dated December 21, 1977;
2. Likewise, it holds an exclusive fifty-year (50) franchise to operate an electric light and power distribution system in its coverage area of Ormoc City, and the municipalities of Albuera, Kananga, Matag-ob, Villaba, Tabango, San Isidro, Calubian, Leyte, Palompon, Isabel, and Merida, all in the Province of Leyte;
3. It has principal office at Brgy. San Pablo, Ormoc City, Leyte;

LEGAL BASIS FOR THE APPLICATION

4. ERC Resolution No. 16, Series of 2009 as amended by Resolution No. 21, Series of 2010 establishes the procedure for the automatic recovery or refund of pass through costs and the confirmation process that would govern the automatic cost adjustment and true-up mechanisms approved by the Honorable Commission, with the objective of ensuring appropriate recovery of the pass through costs in an efficient manner and to put in place a fair and transparent process for the confirmation of the automatic cost adjustments implemented by Distribution Utilities and the true-up of other pass-through charges, involving Generation Rate, Transmission Rate, System Loss Rate, Lifeline Rate Recovery, Inter-Class Cross-Subsidy Removal, or Treatment of Prompt Payment Discount, as the case may be;
5. On the other hand, ERC Resolution 23, Series of 2010, adopts the rules implementing the discounts to qualified senior citizen end-users and subsidy from subsidizing end-users on electricity consumption;
6. Foregoing resolutions further require the distribution utilities to file their respective consolidated applications once every three (3) years. Hence, the filing of the instant application, covering the period of January 2015 to December 2017.

OVER OR UNDER RECOVERIES OF ALLOWABLE COSTS

7. Applying the formulas provided under Resolution 16, Series of 2009 as amended by Resolution 21, Series of 2010 and Resolution 23, Series of 2010, applicant made calculations of the over recoveries charged or under-recoveries incurred as against its customers, in the implementation of certain

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automatic cost adjustments and true-up mechanisms, covering the period January 2015 to December 2017;

8. The results of its calculations are presented hereunder, as follows:

Rate	Allowable Cost (Php)	Actual Revenue (Php)	(Over)/Under Recovery (Php)
Generation Rate (GR)	2,538,569,694.40	2,564,990,439.40	(26,420,745.00)
Transmission Rate (TR)	403,010,669.41	381,964,922.05	21,045,747.36
System Loss Rate (SLR)	266,389,905.53	330,642,929.59	(64,253,024.06)
Rate	Discount (Php)	Subsidy (Php)	(Over)/Under Recovery (Php)
Lifeline Rate (LR)	(60,204,277.01)	59,511,916.63	692,360.37
Senior Citizen Discount and Subsidy	(25,189,515.69)	454,925.94	24,734,589.75
Net Results			(44,201,071.57)

SUPPORTING DATA AND DOCUMENTS

9. In support of the foregoing, applicant is submitting the following data and documents covering the period, January 2015 to December 2017, attached to the Application and made integral part hereof as follows:

FOLDER	ANNEX MARKINGS	NATURE OF DOCUMENT
FOLDER 1	Annex A	Summary of over/under recoveries computation for the entire period (per charges and yearly basis)
	Annex B	Proposed scheme of refund/collect using the latest kWh sales
Folder 2	SUPPLIER DATA	
	Annex C	Fully accomplished Supplier and Transmission Data Sheet for the year
	Annex D	Power Bills from Power Suppliers; (Power Bills, Official Receipts issued by Power Suppliers, Breakdown of Payments with Official Receipts, Debit/Credit Memo of Power Suppliers
Folder 3	STATISTICAL DATA	
	Annex E	Fully Accomplished Statistical Data Sheet for the year
	Annex F	Summary of Pilferage Cost Recoveries/ Manifestation (if no PCR)
	Annex G	Monthly Financial & Statistical Report (MFSR) Section B and E
Folder 4	ACTUAL IMPLEMENTED RATES DATA	
	Annex H	Fully accomplished Actual Implemented Rates Data Sheet
	Annex I	Fully accomplished Lifeline Discount Sheet
	Annex J	Fully accomplished Senior Citizen Discount Sheet
	Annex K	Consumer Bills per customer class (Non-Lifeliners)
	Annex L	Consumer Bills per lifeline bracket (Lifeline)
	Annex	Senior Citizens consumer bills

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Folder 5	OTHER DOCUMENTS	
	Annex N	Submitted URR for year

10. Additionally, applicant is submitting herewith in support of the instant application, the required electronic copies of the Application together with the foregoing data and documents;
11. Further, in compliance with the pre-filing requirements of the Honorable Commission, applicant is likewise submitting the following documents, to form integral parts hereof, to wit:

ANNEX MARKINGS	NATURE OF DOCUMENT
Annex O	Proof of furnishing copies of the Application to the Sangguniang Panlungsod of City Ormoc
Annex P	Proof of furnishing copies of the Application to the Sangguniang Panlalawigan of Leyte.
Annex Q	Proof of publication of the Application in a newspaper in circulation of LEYECO V's franchise area.

12. Considering the foregoing, it is respectfully prayed that the applicant's calculations of over or under recoveries in the implementation of subject automatic cost adjustments and true-up mechanism be confirmed and approved, and the cooperative be allowed to refund the over recoveries or collect the under recoveries, as the case maybe to or from its customers.

PRAYER

WHEREFORE, premises considered, it is respectfully prayed of this Honorable Commission, that after due notice and hearing, LEYECO V's calculations of over or under recoveries in the implementation of certain automatic cost adjustments and true-up mechanisms covering the period January 2015 to December 2017, made pursuant to ERC Resolution 16, Series of 2009 as amended by Resolution 21, Series of 2010 and ERC Resolution 23, Series of 2011, be confirmed and approved, as follows, to wit:

Rate	Allowable Cost (Php)	Actual Revenue (Php)	(Over)/Under Recovery (Php)
Generation Rate (GR)	2,538,569,694.40	2,564,990,439.40	(26,420,745.00)
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Net Results			(44,201,071.57)

Other reliefs, just and equitable in the premises are likewise prayed for.

The Commission has set the *Application* for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and evidentiary hearing on **05 September 2018 (Wednesday) at ten o'clock in the morning (10:00 A.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:

- 1) The petitioner's name and 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.

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*

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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.

Pasig City, 01 August 2018.

FOR AND BY AUTHORITY
OF THE COMMISSION:


AGNES VST DEVANADERA
Chairperson and CEO

RS: mvlm

LS: *THH/APV* *SMRAM*

