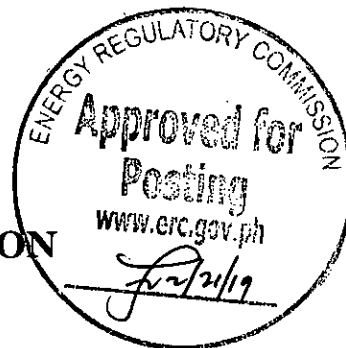


Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
San Miguel Avenue, Pasig City



**IN THE MATTER OF THE  
APPLICATION FOR THE  
APPROVAL OF EMERGENCY  
CAPITAL EXPENDITURE  
(CAPEX) PROJECTS 2017-  
2018 OF THE LEYTE III  
ELECTRIC COOPERATIVE,  
INC. (LEYECO III), WITH  
REQUEST FOR AUTHORITY  
TO SECURE LOAN**

**ERC CASE NO. 2018-112 RC**

**LEYTE III ELECTRIC  
COOPERATIVE, INC.  
(LEYECO III),**

Applicant.

Promulgate

FEB 21 2019

X -----X

**NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that on 28 November 2018, Leyte III Electric Cooperative, Inc. (LEYECO III) filed an *Application* seeking the Commission's approval of its emergency capital expenditure projects for the years 2017 to 2018 and of its authority to secure loan.

The pertinent provisions of the said *Application* are hereunder quoted as follows:

1. The applicant, LEYECO III is a non-stock, non-profit Electric Cooperative duly organized and existing under Philippine laws, by virtue of the Presidential Decree 269, as amended, with capacity to sue and be sued, with principal office address in Tunga, Leyte where it may be served with summons and other legal processes, represented in this instance by its General Manager, ALLAN L. LANIBA, who was authorized to represent and file this application per Board Resolution no. 2018-11-157, copy of which is hereto attached as "**Annex A**". Likewise attached herein is the LEYECO III Board Resolution

no. 2018-11-158, engaging the services of undersigned counsel for this purpose, copy of which is hereto attached and marked as **“Annex B”**.

2. Herein applicant is the exclusive franchise holder issued by the National Electrification Administration (NEA) to operate an electric light and power services in the north-eastern part of Leyte covering nine (9) municipalities, namely: Carigara, Capoocan, Tunga, Barugo, San Miguel, Jaro, Alangalang, Sta. Fe and Pastrana. A copy of Applicant LEYECO III's Certificate of Franchise is hereto attached as **“Annex C”**.

#### I. THE ANTECEDENT FACTS

3. Prior to this filing, applicant's Capital Expenditure Projects under its 2011-2015 Distribution Development Plan (DDP) was approved by the Honorable Commission through ERC promulgated Decision dated April 27, 2015 under ERC Case No. 2011-156 RC.
4. The aforementioned ERC Decision had confirmed some of the CAPEX projects funded through National Electrification Administration (NEA) fund subsidy for Yolanda Recovery Rehabilitation Plan (YRRP). Other proposed CAPEX projects were approved for acquisition and commissioning, while several projects were deferred.
5. This Application aimed to prevent the overloading of LEYECO III's existing two (2) substations. The items proposed for acquisition in this Emergency CAPEX application is not among those projects deferred by ERC under CAPEX 2011-2015; but is a new proposed equipment which ought to be included in LEYECO III's CAPEX 2016 – 2020; however, the proposed CAPEX equipment in this application need to be implemented on the year 2017 to 2018 due to recent experienced capacity problems in LEYECO III's power distribution system.

#### II. LEGAL BASIS FOR THE APPLICATION

6. This emergency CAPEX Application is in compliance to ERC Resolution No. 26, series of 2009, “A Resolution Amending the Rules for the Approval of Regulated Entities' Capital Expenditure Projects” adopted by the Energy Regulatory Commission (ERC) pursuant to Section 43 of the Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA), and its implementing Rules and Regulations, in relation to ERC Resolution No. 20, series of 2010, which categorically provides that all capital expenditure projects shall be submitted for approval of the Honourable Commission prior to their implementation.
7. Moreover, the prayer seeking for Authority to Secure Loan from the Honourable Commission, to finance the aforementioned Emergency CAPEX, is being filed pursuant to

**ERC CASE NO. 2018-112 RC**  
**NOTICE OF PUBLIC HEARING/ 18 FEBRUARY 2019**  
**PAGE 3 OF 12**

the power of ERC mandated under Section 20, parag. (g) of the Commonwealth Act No. 146, known as The Public Service Law.

**III. STATEMENT OF FACTS OF LEYECO III's DISTRIBUTION SYSTEM**

8. Though LEYECO III's Distribution System was devastated by super typhoon Yolanda last November 8, 2013, most of the facilities were already restored through the help of the National Electrification Administration (NEA) under its Yolanda Restoration and Rehabilitation Program (YRRP).
9. And on April 27, 2015, ERC through its Decision on ERC Case No. 2011-156 RC, had granted the go signal to herein Applicant LEYECO III to proceed with the acquisition and implementation of some of its projects under CAPEX PLAN 2011-2015.
10. At present, LEYECO III serves mostly residential consumers comprising 96% of the total consumers. Others are considered low voltage. The cooperative has no high voltage consumer as of to date. Please refer to hereto attached Executive Summary marked as "**Annex D**". The table below shows the number of consumers and the corresponding sales volume as of December 31, 2017 (please refer to Annex D, item iii – Profile of Customers Served).

TYPE OF CONSUMERS		No. of Consumers	kWh Sales
Residential	(including BAPA)	47,908	27,038,415
	Low voltage		
	Commercial	1,247	3,192,292
	Industrial	240	3,069,697
	Public Building	559	2,374,230
	Streetlights	109	733,521
		<b>50,063</b>	<b>36,408,155</b>

*LEYECO III has 14,258 lifeline consumers. Lifeliners consuming from 0 to 16 kWh receive 10% discount while those consuming 17 to 18 kWh receive 5% lifeline discount.*

11. Consistent with NEA's mandate of total electrification in the country, LEYECO III has energized 285 barangays corresponding to 100% of all the barangays in the nine (9) municipalities within the area coverage; 86% of the total household population within the area coverage of LEYECO III is energized. Please refer to Annex D, item C – Description of the Service Area., to wit:

MUNICIPALITY/CITY	BRGY. ENERGIZED			
	Potential Household	No. of Barangays	Energized Barangays	%
Capoocan	7378	21	21	100%

**ERC CASE NO. 2018-112 RC**  
**NOTICE OF PUBLIC HEARING/ 18 FEBRUARY 2019**  
**PAGE 4 OF 12**

Carigara	11449	49	49	100%
Barugo	6991	37	37	100%
San Miguel	4322	21	21	100%
Tunga	1846	8	8	100%
Alangalang	12768	54	54	100%
Sta. Fe	4758	20	20	100%
Jaro	9947	46	46	100%
Pastrana	4331	29	29	100%
<b>Grand Total</b>	<b>63,790</b>	<b>285</b>	<b>285</b>	<b>100%</b>

12. The electric power supply to LEYECO III come from the following Generation companies: (a) GREEN CORE whose contract is until 2040 which constitute the base load with contracted demand of 2,500 kilowatt; (b) SMEC has a contracted demand of 5,000 kilowatt due on 2017 to 2018; and (c) GN Power whose contract is from 2019 to 2038, wherein GN Power will have a contract demand of 7, 000 kilowatt. These powers are distributed throughout LEYECO III's franchise area by two (2) operational substations: The **Tunga Substation** located at the main office premises, has a 5MVA power transformer that serves Feeder 1, Feeder 3, and part of Feeder 2. The **Paligos Substation** located in So. Paligos, Brgy. San Antonio, Alangalang, Leyte has augmented its 5MVA power transformer into 10MVA substation power transformer due to the growing demands in the area. The substation is serving Feeder 4 and part of Feeder 2.

13. As to its operation, LEYECO III has increasing number of MCOs. For three (3) consecutive years our coop is able to maintain its status as "Triple A" electric coop through the sustained support of its MCOs and other stakeholders. As of December 31, 2017 LEYECO III's house connections & membership; financial & statistical data; and kms of lines energized are as follows (please refer to Annex D, F (i)):

**HOUSE CONNECTIONS AND MEMBERSHIP As of December 31, 2017**

MUNICIPALITY/CITY	Total	Total
	Membership	House Connections
Capoocan	6113	5989
Carigara	10751	11165
Barugo	6309	6478
San Miguel	3437	3529
Tunga	1846	1636
Alangalang	10220	10228
Sta. Fe	3941	3873
Jaro	8139	8616
Pastrana	3455	3488
<b>Grand Total</b>	<b>54211</b>	<b>55002</b>

**FINANCIAL AND STATISTICAL DATA as of December 31, 2017:**

Total Operating Revenue	PhP	360,013,509.99
Net Income	PhP	27,166,122
Ave. System rate (per kWh)	PhP	6.61

**ERC CASE NO. 2018-112 RC**  
**NOTICE OF PUBLIC HEARING/ 18 FEBRUARY 2019**  
**PAGE 5 OF 12**

Power Purchase (MWH)		33,768
Cost of Power	PhP	266,659,942.89
Ave. Power Cost (per kWh)	PhP	6.61
Total Assets	PhP	586,451,953
Average Days Receivable		40
Collection Efficiency		95.82%
Average System Loss		9.78%
Maximum Demand		7.2 MW
Load Factor		57.69%
Power Factor		99.75%
No. of Substations		2

**KMS OF LINES ENERGIZED**

FEEDER	DC	3	2	1	UB	OS
1	0.05	37.51	3.96	81.01	92.29	56.16
2A	0	20.49	5.98	90.9	92	48.9
2B	0	8.82	0	53.37	56.37	23.78
3	0	38.53	0.64	114.22	119.22	54.89
4	0.64	38.49	14.78	91.59	110.36	51.81
<b>Total</b>	<b>0.69</b>	<b>145.1</b>	<b>25.35</b>	<b>431.2</b>	<b>470.2</b>	<b>235.5</b>

**IV. URGENCY OF THE PROPOSED EMERGENCY CAPEX PROJECT 2017-2018**

14. The instant Application is requesting for immediate acquisition and commissioning of 10 MVA Power Transformer & Protection Packages; and 5 MVA Substation ta Capocan, Leyte, details of which are explained and reflected in the write-up entitled, **LEYECO III Emergency Capital Expenditure Projects, DDP 2017**, hereto attached as “Annex E”, specifically on **Items 3.0, 4.0 & 5.0**, to wit:

**3.0 Proposed Emergency Projects:**

Proposed Project		Project Rationale	Funding Source	Rate Impact Analysis
No.	Title			
1	10 MVA Power Transformer and Protection Packages.	This project will augment the existing capacity of 5 MVA Alangalang Substation and will solved the capacity requirements needed for the upcoming spot load (3.6MW Chenyi) that was forecasted to be operational by the end of year 2017.	NEA Loan	No Increase on RSFC
2	5 MVA Substation at Capocan, Leyte.	This project will solved the capacity violation of Tunga 5 MVA Substation, as shown in previous section and <b>Power Quality Violation on Feeder 1</b> .	NEA Loan	

**ERC CASE NO. 2018-112 RC**  
**NOTICE OF PUBLIC HEARING/ 18 FEBRUARY 2019**  
**PAGE 6 OF 12**

---

**4.0 Project Schedule**

Proposed Project		Start of Construction	Commissioning
No.	Title		
1.	10 MVA Power Transformer & Protection Packages	May 31, 2017	March 16, 2018
2.	5 MVA Substation at Capoocan, Leyte	March 31, 2018	October 31, 2018

**5.0 Estimated Cost of the Projects**

Proposed Project		Cost
No.	Title	
1.	10 MVA Power Transformer and Protection Packages	Php35,888,164.00
2.	5 MVA Substation at Capoocan, Leyte	Php32,284,200.00
TOTAL		Php68,172,364.00

15. The details of equipment specifications of both aforementioned projects no. 1& 2 including its costs; likewise its alternatives or options showing whichever provides the least cost, are all presented in “**Annexes: F, G & H**”. Moreover, the bases or the reasonableness of the estimated project cost were based from the NEA Price Index hereto attached as “**Annex I**”.
16. Above proposed Emergency CAPEX Projects 2017-2018 are actually a remedial action/solution proposed by applicant LEYECO III to avert impending busting of its Alangalang Substation. LEYECO III has two (2) Substations, namely: (1) Tunga Substation (5/6.25 MVA) and (2) Alangalang Substation (5/6.25 MVA). Both substations are experiencing capacity problem. Based on simulation result: on the year 2018, the Alangalang Substation will experienced a sudden increase of demand due to spot load with an approximate capacity of 3.6 MVW; thus, its percent (%) loading will reach at 125% on the year 2018.
17. Even if load transfer is resorted to, still Alangalang Substation with spot load has a peak demand of 5.581 MVA and its % loading is at 89% for the year 2018 and will be increasing in the succeeding years. Likewise, Tunga Substation which absorbs the load already register a more than 100% loading on the year 2017 and onward. Thus, both substations already exceeds the standard performance criterion of 70% maximum loading capacity.
18. Moreover, LEYECO III’s Feeder 1 (F1) was long before detected as non-compliant to the standard power quality since 2009. Though the remedy to correct power quality violation is reconductoring, and since the capacity standard will also be violated by year 2017; thus, It would be prudent to solved both problems by establishing a new 5 MVA Substation at Capoocan, Leyte. Hence, the aforementioned two (2) projects are being proposed and requested to be implemented and commissioned within the years 2017-2018.

**ERC CASE NO. 2018-112 RC**  
**NOTICE OF PUBLIC HEARING/ 18 FEBRUARY 2019**  
**PAGE 7 OF 12**

**V. INDICATIVE RATE IMPACT**

19. Applicant LEYECO III has existing/current Reinvestment Fund for Sustainable Capital Expenditure (RFSC) at a rate of P0.5324 This is the same rate given at RSECWR since the year 2010.
20. The funding for this proposed Emergency CAPEX Projects 2017-2018 in the amount of Sixty Eight Million One Hundred Seventy Two Thousand Three Hundred Sixty Four Pesos (Php68,172,364.00) will be sourced out from a loan with National Electrification Administration (NEA) and from internally generated revenues through Reinvestment Fund for Sustainable Capital Expenditures (RFSC). In fact, a loan with NEA was already been approved in the amount of P30,794,854.00 with annual interest of 6%, fix for 10 years, copy of the Contract of Loan is hereto attached as “Annex J”.
21. In determining whether the herein proposed Emergency CAPEX could still be covered by the present RFSC rate at P0.5324/kWh, considering also the old debts amortization; new amortization for this new Emergency CAPEX and among others, applicant LEYECO III had computed and projected its Cash Flow from year 2017 to 2021 (please refer to Annex E, Item 7.0), to wit:

Table 3 – RFSC rate excess (shortfall) if revenue is 100% and interest of 6% Projections			
Indicative Rate Impact of the Project			
	2017	2018	2019
Forecasted energy sales, kWh	36,408,155	41,315,177	44,606,168
Cash balance beginning, PhP, excess/(shortfall)	2,229,377.34	2,865,214.34	9,440,979.52
<b>CASH INFLOWS</b>			
current year collection @ PhP0.5324/kWh	19,383,701.72	21,996,200.17	23,748,323.73
loan proceeds from financial institutions, PhP	68,172,364.00		
government subsidy (if any), PhP			
50% of income on leased properties	186,307.00	186,307.00	186,307.00
Total Cash Inflows, PhP	87,742,372.72	22,182,507.17	23,934,630.73
Available cash for disbursement	89,971,750.06	25,047,721.51	33,375,610.26
<b>CASH OUTFLOWS</b>			
CAPEX requirement	68,172,364.00		
old debt (old amortization)	10,858,009.00	8,041,872.00	8,014,547.00
new amortization (new CAPEX), PhP	7,564,869.99	7,564,869.99	7,564,869.99
ERC Permit Fee, PhP	511,292.73		
Total Cash Outflows, PhP	87,106,535.72	15,606,741.99	15,579,416.99
Cash balance ending, PhP, excess/(shortfall)	2,865,214.34	9,440,979.52	17,796,193.27
<b>Excess/(shortfall) on RFSC, PhP/kWh</b>	0.0787	0.2285	0.3990

**Continuation of Table 3.**

Table 3 – RFSC rate excess (shortfall) if revenue is 100% and interest of 6% Projections			
Indicative Rate Impact of the Project			
	2020	2021	TOTAL
Forecasted energy sales, kWh	48,159,305	51,995,470	222,484,274.68
Cash balance beginning, PhP, excess/(shortfall)	17,796,193.27	28,125,072.26	2,229,377.34
<b>CASH INFLOWS</b>			
current year collection @ PhP0.5324/kWh	25,640,013.99	27,682,388.22	118,450,627.84
loan proceeds from financial institutions, PhP			68,172,364.00
government subsidy (if any), PhP			
50% of income on leased properties	186,307.00	186,307.00	931,535.00
Total Cash Inflows, PhP	25,826,320.99	27,868,695.22	187,554,526.84
Available cash for disbursement	43,622,514.25	55,993,767.49	189,783,904.18
<b>CASH OUTFLOWS</b>			
CAPEX requirement			68,172,364.00
old debt (old amortization)	7,932,572.00	6,073,584.00	40,920,584.00
new amortization (new CAPEX), PhP	7,564,869.99	7,564,869.99	37,824,349.95
ERC Permit Fee, PhP			511,292.73
Total Cash Outflows, PhP	15,497,441.99	13,638,453.99	147,428,590.68
Cash balance ending, PhP, excess/(shortfall)	28,125,072.26	42,355,313.50	42,355,313.50
<b>Excess/(shortfall) on RFSC, PhP/kWh</b>	0.5840	0.8146	0.1904

22. Based on the above Table 3, it is evident that the present Reinvestment Fund for Sustainable Capital Expenditure at

PO.5324/kWh is sufficient to cover the annual capital project cost of LEYECO III.

23. Moreover, LEYECO III had subjected its cash flow projections to Sensitivity Analysis at 110% and 90% revenue projections. Analysis resulted to excess on RFSC both for 110% and 90% revenue projections (Please refer to Annex E, Item 9.0).
24. With the above simulation which resulted to accumulated RFSC Cash Balance of Php42.35 M, and even having an excess of Php0.1904 per kWh of the RFSC for the next 5-years; it is safe to project that the current RFSC in the amount of Php0.5324 is still considered enough and sufficient to finance both the existing and forecasted loan payment. **Thus, LEYECO III WILL NOT REQUEST additional RFSC for this proposal.**

#### VI. REQUEST FOR AUTHORITY TO SECURE LOAN

25. The total fund requirement of this instant Emergency CAPEX Projects 2017-2018 in the amount of Sixty Eight Million One Hundred Seventy Two Thousand Three Hundred Sixty Four Pesos (Php68,172,364.00) will be sought from financing program of the National Electrification Administration (NEA). In fact, NEA has already extended a loan to herein applicant LEYECO III for the Project no. 1 under this instant Emergency CAPEX in the amount of P30,794,854.00 with annual interest of 6%, fix for 10 years, copy of the Contract of Loan is hereto attached as “**Annex J**”. Funding for Project 2 under this Emergency CAPEX will likewise be secured from NEA.
26. Considering the urgency of this CAPEX Projects 2017-2018, NEA had immediately released the loan amount for the Project no.1, and herein applicant LEYECO III did not waste time to implement the project. In fact, the installation of 10 MVA Power Transformer and Protection Packages at Alangalang Substation was recently completed, and its commissioning and testing will be done soonest. The equally important and urgent Project no. 2, which is the establishment of 5 MVA Substation at Capocan, Leyte, is now being negotiated as to its land acquisition and loan application.
27. Hence, applicant LEYECO III is respectfully praying for the Honourable Commission to likewise give the needed ‘Authority to Secure Loan’ even provisionally pending evaluation and hearing of this ‘Emergency CAPEX Application’. In support to this request for provisional authority pending final approval of the instant Application, a judicial affidavit of LEYECO III’s Finance Department Manager is hereto attached and made integral part of this application and marked as “**Annex K**”.



**ERC CASE NO. 2018-112 RC**  
**NOTICE OF PUBLIC HEARING/ 18 FEBRUARY 2019**  
**PAGE 9 OF 12**

---

VII. SUPPORTING DATA AND DOCUMENTS

28. In support of this Application, LEYECO III has hereto submit attached documents for ERC evaluation, and are being made part as integral parts here of, to wit:

<b>ANNEX</b>	<b>NATURE OF DOCUMENT</b>
A	Board Resolution no. 2018-11-157 authorizing GM to represent LEYECO III and file the application
B	Board Resolution no. 2018-11-158 engaging the services of Atty. Rogelio P. Gula as legal counsel in the court proceeding on this application
C	LEYECO III Franchise
D	Executive Summary
E	Emergency CAPEX Projects, DDP 2017
F	Project Cost Alangalang Substation with Details of Equipment Specifications.
G	Project Cost Tunga Substation with Details of Equipment Specifications.
H	Project Cost Capoocan Substation with Details of Equipment Specifications.
I	Price Index 2018
J	NEA Contract of Loan
K	Judicial Affidavit of Finance Department Manager
L	Forecast & Economic Analysis of Alternatives
M	Reconductoring of Feeder 1 at Tunga Substation
N	BAC Resolution
O	Pre-bid Minutes of Meeting
P	LEYECO III Board Resolutions for the Construction of 5 MVA Power Substation in Capoocan, Leyte
Q	Copy of Audited Financial Statement for years 2017, 2016 & 2015
R	Approval of Loan by NEA
S	List of Properties to be Mortgage.
T	Actual amount of drawdown released by the lending institution.
U	List of fixed assets already acquired and the expenses incidental to said acquisition derived from the proceeds from loan (actual usage of the proceeds of loan received)
V	Amortization schedule showing principal and interest payments of loans.
W	Detailed schedule of utilization (Annual RF/MCC Utilization test year and prior 2 years)
X	Computation of Indicative Rate Impact of the projects
Y	NEA loan profile
Z	Letter to Environmental Management Bureau (EMB), Regional Office No. 8 seeking approval of some CAPEX projects which needs environmental clearance.
AA	Sworn Statement that LEYECO III has caused the filing of an application for approval from concerned agency, notably, the Environmental Mgt. Bureau

VIII. COMPLIANCE WITH PRE-FILING REQUIREMENTS

29. LEYECO III has duly complied with the pre-filing requirements mandated under Rule 3, Section 4 (e) of the Implementing Rules and Regulations of the EPIRA and as required in Section 2, rule 6, of ERC Rules of Practice and Procedure, by furnishing copies of the Application together with its supporting annexes and accompanying documents to the Sangguniang Bayans of 9 municipalities in the Province of Leyte. It likewise published the Application in its entirety in a newspaper of general circulation in the Province of Leyte, where the franchise area of Applicant LEYECO III is located. Proofs of such pre-filing compliance are hereto attached, to wit:

**Annex “BB”** Certification issued by the Office of the Sangguniang Bayan of Carigara attesting that their office was served a copy of the Application and its annexes;

**Annex “CC”** Certification issued by the Office of the Sangguniang Bayan of Capoocan attesting that their office was served a copy of the Application and its annexes;

**Annex “DD”** Certification issued by the Office of the Sangguniang Bayan of Tunga attesting that their office was served a copy of the Application and its annexes;

**Annex “EE”** Certification issued by the Office of the Sangguniang Bayan of Barugo attesting that their office was served a copy of the Application and its annexes;

**Annex “FF”** Certification issued by the Office of the Sangguniang Bayan of San Miguel attesting that their office was served a copy of the Application and its annexes;

**Annex “GG”** Certification issued by the Office of the Sangguniang Bayan of Jaro attesting that their office was served a copy of the Application and its annexes;

**Annex “HH”** Certification issued by the Office of the Sangguniang Bayan of Alangalang attesting that their office was served a copy of the Application and its annexes;

**Annex “II”** Certification issued by the Office of the Sangguniang Bayan of Sta. Fe attesting that their office was served a copy of the Application and its annexes;

**Annex “JJ”** Certification issued by the Office of the Sangguniang Bayan of Pastrana attesting that their office was served a copy of the Application and its annexes;

**Annex “KK”** Certification issued by the Office of the Sangguniang Panlalawigan of the Province of Leyte attesting that their office was served a copy of the Application and its annexes;

**Annex “LL”** Notarized Affidavit of Publication by local newspaper publishing company;

**Annex “MM”** Copy of the newspaper issue where the Application as published appeared.

**PRAYER**

WHEREFORE, PREMISES considered, it is most respectfully and humbly prayed of this Honorable Commission that pending evaluation and hearing, provisional authority be issued to Applicant LEYECO III, authorizing it to secure loan from NEA on the needed funding, and that after due notice and hearing, the instant APPLICATION BE DULY APPROVED.

Other reliefs, just and equitable under the premises are likewise most respectfully prayed for.

The Commission has set the *Application* for determination of compliance with the jurisdictional requirements, expository presentation, pre-trial conference, and presentation of evidence on **04 April 2019 (Thursday) at two o'clock in the afternoon (2:00 P.M.) at LEYECO III Main Office in Tunga, Leyte.**

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 ERC 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 ERC 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 **CATHERINE P. MACEDA**, and **PAUL CHRISTIAN M. CERVANTES**, Energy Regulatory Commission, this 18th day of February 2019 in Pasig City.

  
**JOSEFINA PATRICIA A. MAGPALE-ASIRIT**  
*Oversight Commissioner for Legal*