

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



**IN THE MATTER OF THE  
APPLICATION FOR CONFIRMATION  
AND APPROVAL OF FORCE  
MAJEURE EVENT CAPITAL  
EXPENDITURE PROJECT, RE:  
REPAIR, RESTORATION,  
REPLACEMENT AND/OR  
REHABILITATION OF DISTRIBUTION  
LINES, BUILDINGS AND FACILITIES  
DAMAGED BY SUPER TYPHOON  
YOLANDA**

**ERC CASE NO. 2014-039 RC**

**DON ORESTES ROMUALDEZ  
ELECTRIC COOPERATIVE, INC.  
(DORELCO),**

**Applicant.**

X-.....X

**DOCKETED**  
Date: FEB 03 2015  
w: *m*

**NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that on April 7, 2014, the Don Orestes Romualdez Electric Cooperative, Inc. (DORELCO) filed an application for confirmation and approval of force majeure event capital expenditure project, re: repair, restoration, replacement and/or rehabilitation of distribution lines, buildings and facilities damaged by super Typhoon Yolanda.

In the said application, DORELCO alleged, among others, that:

1. It is a non-stock, non-profit electric cooperative duly organized and existing under and by virtue of the laws of the Philippines, with principal office at Barangay San Roque, Tolosa, Leyte;

2. It holds an exclusive franchise issued by the National Electrification Commission (NEC), to operate an electric light and power distribution service in the Municipalities of Abuyog, Burauen, Dagami, Dulag, Lapaz, Julita, Javier, Macarthur, Mahaplag, Mayorga, Tabon, Tanauan and Tolosa, all in the Province of Leyte;
3. At 5:00 A.M. of November 8, 2013, National Disaster Risk Reduction and Management Council (NDRRMC) issued Severe Weather Bulletin (SWB) No. 6 stating that Typhoon Yolanda has made a landfall over Guiuan, Eastern Samar, with maximum sustained winds of 235 kph near the center and gustiness of up to 275 kph and was forecasted to move WNW at 39 kph placing various Visayas areas under Storm Signal No. 4, namely: Northern Samar, Eastern Samar, Samar, Leyte, Southern Leyte, Biliran, Northern Cebu, Cebu City, Bantayan, Camotes Islands, Northern Negros Occidental, Capiz, Aklan, Antique, Iloilo and Guimaras;
4. Typhoon Yolanda made its second landfall over Tolosa, Leyte at 7:00 A.M. and the eye of the Typhoon Yolanda was located at the vicinity of Ormoc City, Leyte with maximum sustained winds of 215 kph near the center and gustiness of up to 250 kph. At about 9:00 A.M., the eye of Typhoon Yolanda was located at the coast of Palompon, Leyte with same maximum speed and gustiness. It made six (6) landfalls before traversing over the West Philippine Sea and at 3:30 P.M. of November 9, 2013, it was reported to be outside Philippine Area of Responsibility (PAR);
5. Typhoon Yolanda was classified as Category 5 super typhoon. It is also the strongest storm recorded at landfall, and unofficially the strongest typhoon ever recorded in terms of wind speed (315kph). About 6,200 individuals were reported dead and about 28,000 injured while about 1,700 are still missing. Over 3,000,000 families (16,000,000 persons) were affected by the onslaught of Typhoon Yolanda;

6. The instant application is being filed pursuant to Section 3.3, Article III of the Commission's Amended Rules for the Approval of Regulated Entities' Capital Expenditure Project, as well as other pertinent laws, rules and regulations;
7. The force majeure event capital expenditure project consists of the repair, restoration, replacement and/or rehabilitation of its heavily damaged distribution lines and facilities as well as Main Office Headquarters and Sub-Offices;
8. The estimated cost of repair, restoration, replacement and/or rehabilitation of the damaged properties of DORELCO is Seven Hundred Fourteen Million, Eight Hundred Ninety Three Thousand Three Hundred Sixty Eight Pesos (PhP714,893,368.00);
9. Repair, restoration and rehabilitation works were immediately started after the typhoon subsided and still on-going up to this time;
10. The project was necessitated in order to restore electric power and achieve a safe and reliable power supply in the cooperative's franchise area;
11. The full cost of the project shall be financed wholly out of the Yolanda Recovery and Rehabilitation Program (YRRP) subsidy allocated for DORELCO by the national government;

#### RATE IMPACT OF THE PROJECT

12. Since the full cost of the project will be funded through government subsidy, the project will have no impact on the rates to applicant's customers;

COMPLIANCE WITH PRE-FILING AND DOCUMENTARY  
REQUIREMENTS

13. Finally, in compliance with the pre-filing and other documentary requirements for the application, applicant is submitting the following documents to form integral parts of the application, as follows:

Annex	Nature of Document
A	DORELCO Board Resolution authorizing the filing of the instant application
B	Notice of Force Majeure Event (Typhoon Yolanda) dated February 5, 2014
C	Executive Summary of the Project
D to D-1	Proof of furnishing of copies of the Application to the Sangguniang Bayan of Tolosa and the Sangguniang Panlalawigan of Leyte
E to E-2	Publication of the Application in a newspaper of general circulation within DORELCO's franchise area or where it principally operates, with Affidavit of Publication

14. It prays that after due notice and hearing, the repair, restoration, replacement and/or rehabilitation works it undertook on its distribution lines, facilities and other properties destroyed by Super Typhoon Yolanda on November 8, 2013, be confirmed and approved.

The Commission has set the application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on **March 26, 2015 (Thursday) at nine o'clock in the morning (9:00 A.M.), at the DORELCO Principal Office, Barangay San Roque, Tolosa, Leyte.**

All persons who have an interest in the subject matter of the proceeding may become a party by filing, at least five (5) days prior to the initial hearing and subject to the requirements in the ERC's Rules of Practice and Procedure, a verified petition with the Commission giving the docket number and title of the proceeding and stating: (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 proceeding may file their opposition to the application or comment thereon at any stage of the proceeding before the applicant concludes the presentation of its evidence. No particular form of opposition or comment is required, but the document, letter or writing should contain the name and address of such person and a concise statement of the opposition or comment and the grounds relied upon.

All such persons who may wish to have a copy of the application may request the applicant, prior to the date of the initial hearing, that they be furnished with a copy of the application. The applicant is hereby directed to furnish all those making a request with copies of the application and its attachments, subject to reimbursement of reasonable photocopying costs. Likewise, any such person may examine the application and other pertinent records filed with the Commission during the usual office hours.

**WITNESS**, the Honorable Chairperson, **ZENAIDA G. CRUZ-DUCUT**, and the Honorable Commissioners, **ALFREDO J. NON**, **GLORIA VICTORIA C. YAP-TARUC**, and **JOSEFINA PATRICIA A. MAGPALE-ASIRIT**, Energy Regulatory Commission, this 26<sup>th</sup> day of January 2015 at Pasig City.

  
**ATTY. FRANCIS SATURNINO C. JUAN**  
Executive Director III