

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  
2012 TO 2014, 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. 2015-023 CF

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

Applicant.

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DOCK E T E D

Date: DEC 20 2015

By: \_\_\_\_\_

**NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that on March 31, 2015, Leyte V Electric Cooperative, Inc. (LEYECO V) filed an application for confirmation and approval of its calculations of over/under recoveries in the implementation of automatic cost adjustments and true-up mechanisms for the period 2012 to 2014, pursuant to ERC Resolution No. 16, Series of 2009, as amended by ERC Resolution No. 23, Series of 2010.

In the said application, LEYECO V alleged, among others, the following:

1. LEYECO V is a non-stock, non-profit electric cooperative duly organized and existing under and by virtue of the laws of the Republic of the Philippines, Brgy. San Pablo, Ormoc City, Leyte;
2. LEYECO V holds an exclusive franchise issued by the National Electrification Commission (NEC) to operate an electric light and power distribution service in the City of Ormoc and certain Municipalities in the Province of Leyte, namely: Albuera, Kananga, Matag-ob, Villaba, Tabango, San Isidro, Calubian, Leyte, Palompon, Isabel, and Merida;
3. The Commission's Resolution No. 16, Series of 2009, as amended by Resolution No. 21, Series of 2010, established 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 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;
4. The Commission adopted the rules implementing the Senior Citizen Discounts under ERC Resolution No. 23, Series 2010;
5. The foregoing resolutions further require the Distribution Utilities (DUs) to file their respective consolidated applications once every three (3) years. Hence, the filing of LEYECO V's application for the period January 2012 to December 2014;
6. LEYECO V applied the formulae provided under Resolution No. 16, Series of 2009, as amended by Resolution No. 21, Series of 2010, and Resolution No. 23, Series of 2010 has determined that the over recoveries and under recoveries

incurred in its implementation of the foregoing automatic cost adjustments and true-up mechanisms for the period January 2012 to December 2014;

7. The results of LEYECO V's calculations are presented hereunder, as follows:

| <b>Particulars</b>     | <b>Allowable Cost<br/>(PhP)</b> | <b>Actual Revenue<br/>(PhP)</b> | <b>(Over)/Under<br/>Recovery (PhP)</b> |
|------------------------|---------------------------------|---------------------------------|--|
| Generation Rate (GR)   | 1,799,422,093.42                | 1,746,105,325.40                | 53,316,768.02                          |
| Transmission Rate (TR) | 323,449,806.82                  | 361,316,960.16                  | (37,867,153.34)                        |
| System Loss Rate (SLR) | 284,467,414.43                  | 260,875,786.89                  | 23,591,627.53                          |
|                        | <b>Discount<br/>(PhP)</b>       | <b>Subsidy<br/>(PhP)</b>        |  |
| Lifeline Rate (LR)     | (43,348,932.07)                 | 19,203,919.75                   | 24,145,012.32                          |
| Senior Citizen Rate    | (260,312.75)                    | 401,170.39                      | (140,857.64)                           |
| <b>Net Results</b>     | -                               | -                               | <b>63,045,396.88</b>                   |

8. In support of the computations made, LEYECO V submitted the following data and documents, labeled together and made an integral part of the application as Annex "A":

- a. Summary of the results of individual calculations of over or under recoveries made on the subject allowable costs;
- b. Supplier and Transmission Data Sheet;
- c. Statistical Data Sheet;
- d. Implemented Rates Data Sheet;
- e. Power Bills of Power Suppliers;
- f. Official Receipts (O.R.) issued by Power Suppliers;
- g. Breakdown of Payments with O.R.;
- h. Debit/Credit Memo of Power Suppliers;
- i. MFSR (Sections B and E); and
- j. Consumer Bills of Lifeliners (per level) and Non-Lifeliners per customer class and Senior Citizens (per level); and

9. LEYECO V prays that the Commission:

- a) Confirm and approve the calculations of over/under recoveries presented in the instant application; and
- b) Allow to refund/collect the said over/under recoveries to or from its customers, summarized as follows, to wit:

| <b>Particulars</b>     | <b>Allowable Cost (PhP)</b> | <b>Actual Revenue (PhP)</b> | <b>(Over)/Under Recovery (PhP)</b> |
|------------------------|-----------------------------|-----------------------------|------------------------------------|
| Generation Rate (GR)   | 1,799,422,093.42            | 1,746,105,325.40            | 53,316,768.02                      |
| Transmission Rate (TR) | 323,449,806.82              | 361,316,960.16              | (37,867,153.34)                    |
| System Loss Rate (SLR) | 284,467,414.43              | 260,875,786.89              | 23,591,627.53                      |
|                        | <b>Discount (PhP)</b>       | <b>Subsidy (PhP)</b>        |                                    |
| Lifeline Rate (LR)     | (43,348,932.07)             | 19,203,919.75               | 24,145,012.32                      |
| Senior Citizen Rate    | (260,312.75)                | 401,170.39                  | (140,857.64)                       |
| Net Results            | -                           | -                           | 63,045,396.88                      |

The Commission has set the application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on **January 28, 2016 (Thursday) at two o'clock in the afternoon (2:00 P.M.) at the ERC Hearing Room, 15<sup>th</sup> Floor, Pacific Center Building, San Miguel Avenue, Pasig City.**


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.

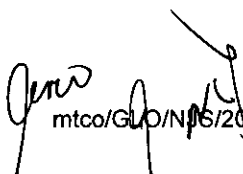
All other persons who may want their views known to the Commission with respect to the subject matter of the proceeding may file their opposition to the application or comment thereon at any

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 that they be furnished with the same, prior to the date of the initial hearing. 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. Any such person may likewise examine the application and other pertinent records filed with the Commission during standard office hours.

**WITNESS**, the Honorable Chairman, **JOSE VICENTE B. SALAZAR**, and the Honorable Commissioners, **ALFREDO J. NON**, **GLORIA VICTORIA C. YAP-TARUC**, **JOSEFINA PATRICIA A. MAGPALE-ASIRIT**, and **GERONIMO D. STA. ANA**, Energy Regulatory Commission, this 2<sup>nd</sup> day of December, 2015 at Pasig City.

  
**ATTY. NATHAN J. MARASIGAN**  
*Chief of Staff*  
Office of the Chairman and CEO

  
mtco/GLO/NPS/2015-023CF/OU/LEYECOV.NPH