

REPUBLIC OF THE PHILIPPINES
ENERGY REGULATORY COMMISSION
SAN MIGUEL AVENUE, PASIG CITY

IN THE MATTER OF THE PETITION
FOR THE AMENDMENT OF ERC
RESOLUTION NO. 16 OR THE
“RESOLUTION ADOPTING
AMENDED RULES ON THE
DEFINITION AND BOUNDARIES OF
CONNECTION ASSETS FOR
CUSTOMERS OF TRANSMISSION
PROVIDERS”

ERC CASE NO. 2012-006RM

PHILIPPINE INDEPENDENT POWER
PRODUCERS ASSOCIATION, INC.
(PIPPA),

Petitioner.

x-----x

COMMENT
[on the Proposed Amendments
to ERC Resolution No. 16, Series of 2011]

TeaM Energy Corporation (“TEC”), by counsel, to this Honorable Commission respectfully states that:

1. On March 11, 2013, this Honorable Commission issued a *Notice of Proposed Rule Making* (the “*Notice*”) in connection with a *Petition to Initiate Rule-Making* (the “*Petition*”) filed by the Philippine Independent Power Producers Association, Inc. (“*PIPPA*”) on July 11, 2012;

2. The Notice stated that “[a]ll interested parties may submit their respective comments on the proposed amendments [of PIPPA] ERC Resolution No. 16, Series of 2011 *** on or before April 5, 2013”¹ and that “[p]arties who have filed their written comments on or before the prescribed period shall be given priority during the [April 17, 2013] public consultation.”² Copies of PIPPA’s proposed amendments were made available to all interested parties;

¹ Notice, p. 22.

² *Id.*

these proposed amendments were also described in pp. 19 to 21 of the Notice;

3. TEC is a generation company duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office at 5/F 2232 CTC Building Roxas Boulevard Pasay City;

4. TEC is an interested party because it is a generation company and therefore stands to be affected by any resolution on the Petition;

5. TEC concurs with PIPPA's proposed amendments to ERC Resolution 16, as contained in PIPPA's Compliance filed on November 26, 2012 (the "Compliance"), for the reasons stated therein and the rest of the reasons stated in the Petition; and

6. In particular, TEC concurs with the following amendments to ERC Resolution 16 proposed by PIPPA in its Compliance:

a. *The replacement of the current Diagram 4 of ERC Resolution 16 with the proposed Diagrams 4-A and 4-B attached to PIPPA's Compliance -- to make the diagrams consistent with Section 4.2 of Annex A of ERC Resolution 16, which provides that "Connection Assets for Generation Customers of Transmission Provider include those assets from the last Single Mechanical Connection of a User System or Equipment of a Generator, at its Connection Point, to the last Single Mechanical Connection which is not shared with another Generator within the Grid".³*

Thus, it is respectfully submitted that, as proposed by PIPPA -- and consistent with Section 4.2 of Annex A of ERC Resolution 16 -- (i) Diagram 4-A should indicate that a connection asset becomes a transmission asset if it is shared by a Generation Company with another Generation Company; while (ii) Diagram 4-B should indicate that a connection asset remains a connection asset of a Generation Company/Generation Customer even if that asset is shared by that Generation Company/Generation Customer with a Load Customer.

³ *Emphasis and underscoring supplied.*