


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

IN THE MATTER OF THE
PETITION FOR THE
APPROVAL OF THE
AVAILMENT FROM THE
UNIVERSAL CHARGE FOR
MISSIONARY
ELECTRIFICATION (UCME)
FOR CY 2017 WITH PRAYER
FOR THE ISSUANCE OF
PROVISIONAL AUTHORITY,


17 SEP 22 11:22

Received By: 

ERC CASE NO. 2016-134 RC

NATIONAL POWER
CORPORATION,
Petitioner.

X-----X

DOCKETED
Date: SEP 22 2017
By: 

ORDER  9/22/17

On 23 January 2017, the Commission issued an *Order* setting the instant case for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on the following dates and in the respective venues indicated below:

Date and Time	Venue	Particulars
LUZON		
25 May 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig Ciy	Jurisdictional and Expository Presentation
VISAYAS		
01 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	Energy Regulatory Commission- Visayas Field Office (ERC-VFO), St. Mary's Drive, Banilad, Cebu City, Philippines	Expository Presentation

MINDANAO		
08 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	Energy Regulatory Commission- Mindanao Field Office (ERC-MFO), Mezzanine Floor, Mintrade Building, Monteverde Avenue cor. Sales Street, Davao City	Expository Presentation
LUZON		
29 June 2017 (Thursday) at ten o'clock in the morning (10:00 A.M.)	ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig Ciy	Pre-Trial Conference and Evidentiary Hearing

On 29 May 2017, the Commission issued an *Order* cancelling the Expository Presentation scheduled on 08 June 2017 in Davao City and the Pre-trial Conference and Evidentiary Hearing scheduled on 29 June 2017 in Pasig City, due to security concerns.

Subsequently, another *Order* dated 15 August 2017 was issued by the Commission resetting the Expository Presentation in Mindanao on 14 September 2017 and the Pre-trial Conference and presentation of evidence on 28 September 2017.

On 31 August 2017, Petitioner NPC filed a *Motion for Reconsideration with Urgent Motion to Reset (Re: Order dated 15 August 2017)* dated 30 August 2017. In the said *Motion*, NPC prayed for the following:

- a) Petitioner NPC be allowed to just inform the consumers of Mindanao of the scheduled Expository Presentation and Pre-Trial by any other means available and appropriate;
- b) Petitioner NPC be allowed to furnish the Offices of the Provincial Governors, Mayors and Municipalities in Mindanao for the appropriate posting thereof on their respective bulletin boards; and
- c) That the 14 September 2017 hearing be reset to 28 September 2017 and the 28 September 2017 hearing be moved to 5 October 2017.

Now, therefore, the *Motion* is hereby partially granted. The hearings scheduled on 14 September 2017 and 28 September 2017 are hereby reset to later dates.

Relative thereto, the Commission sets anew the Expository Presentation in Mindanao, as well as the Pre-trial Conference and Evidentiary Hearing on the following dates and venues:

DATE	TIME	VENUE	PARTICULARS
21 November 2017 (Tuesday)	10:00 A.M.	Energy Regulatory Commission- Mindanao Field Office (ERC-MFO), Mezzanine Floor, Mintrade Building, Monteverde Avenue cor. Sales Street, Davao City	Expository Presentation
28 November 2017 (Tuesday)	10:00 A.M.	ERC Hearing Room 15 th Floor, Pacific Center Building, San Miguel Avenue, Pasig City	Pre-trial Conference and Evidentiary Hearing

Accordingly, petitioner National Power Corporation (NPC) is hereby directed to:

- 1) Cause the publication of the attached Notice of Public Hearing in two (2) newspapers of nationwide circulation in the Philippines at its own expense, twice (2x) within two (2) successive weeks, the dates of publication not being less than seven (7) days apart and the date of the last publication to be made not later than ten (10) days before the date of the scheduled hearing;
- 2) Furnish with copies of this Order and the attached Notice of Public Hearing the Offices of the Governors, Mayors, and the Local Government Unit (LGU) legislative bodies of the affected areas in Mindanao, for the appropriate posting thereof on their respective bulletin boards;

- 3) Furnish with copies of the *Application* and its attachments all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Applicant NPC and all interested parties are also required to submit, at least five (5) days before the date of Pre-Trial Conference, their respective Pre-Trial Briefs containing, among others:

- 1) A summary of admitted facts and proposed stipulation of facts;
- 2) The issues to be tried or resolved;
- 3) The documents or exhibits to be presented, stating the purposes and proposed markings therefore; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

NPC must also be prepared to make an expository presentation of the instant *Application*, aided by whatever communication medium it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, what the *Application* is all about and the reasons and justifications being cited in support thereof.

SO ORDERED.

Pasig City, 13 September 2017.

FOR AND BY AUTHORITY
OF THE COMMISSION:


ALFREDO J. NON
OIC Chairman and CEO

LS: ARG/APV 

Copy furnished:

1. Atty. Melchor P. Ridulme, Atty. Delfin L. Buenafe II,
Atty. May Rose C. Pintor, and Atty. Diwa Rafael B. Bontuyan
Counsel for Petitioner National Power Corporation (NPC)
Office of the General Counsel
National Power Corporation
BIR Road cor. Quezon Avenue, Diliman, Quezon City
2. Atty. Francis Dino S. Antonio, Atty. Hazel Rose B. See, Atty. Monica
M. Martin, and Atty. Adrian Rex C. Dimalanta
Counsel for Intervenor Manila Electric Company (MERALCO)
7th Floor, Lopez Building, Ortigas Avenue, Brgy. Ugong, Pasig City
3. Dechavez & Evangelista Law Offices
Counsel for Intervenor ROMELCO, AIEC, and CHPC
Unit 2008, Tycoon Centre, Pearl Drive, Ortigas Center, Pasig City
4. Romblon Electric Cooperative, Inc. (ROMELCO)
Intervenor
Brgy. Capaclan, Romblon, Romblon
5. Cantingas Mini-Hydro Power Corporation (CHPC)
Intervenor
Taclobo, San Fernando, Romblon
6. Association of Isolated Electric Cooperatives, Inc. (AIEC)
Intervenor
4th Floor, Casman Bldg., 1198 Quezon Avenue, Quezon City
7. Engr. Robert F. Mallillin
Intervenor
151 EDSA, Brgy. Wack-Wack, Mandaluyong City
8. Lachica & Associates
Counsel for Intervenor Atty. Sundy Lorence C. Lachica
Suite 2304-B, West Tower, Philippine Stock Exchange Centre
Exchange Road, Ortigas Center, Pasig City
9. The Provincial Governor
Province of Zamboanga del Norte
10. Office of the LGU Legislative Body
Province of Zamboanga del Norte
11. The Provincial Governor
Province of Zamboanga del Sur
12. Office of the LGU Legislative Body
Province of Zamboanga del Sur
13. The City Mayor
Zamboanga City, Zamboanga del Sur

14. Office of the LGU Legislative Body
Zamboanga City, Zamboanga del Sur
15. The Provincial Governor
Province of Davao Oriental
16. Office of the LGU Legislative Body
Province of Davao Oriental
17. The Provincial Governor
Province of Davao del Sur
18. Office of the LGU Legislative Body
Province of Davao del Sur
19. The Municipal Mayor
Jose Abad Santos, Davao del Sur
20. Office of the LGU Legislative Body
Jose Abad Santos, Davao del Sur
21. The Municipal Mayor
Sarangani, Davao del Sur
22. Office of the LGU Legislative Body
Sarangani, Davao del Sur
23. The Provincial Governor
Province of Davao del Norte
24. Office of the LGU Legislative Body
Province of Davao del Norte
25. The City Mayor
Samal City, Davao del Norte
26. Office of the LGU Legislative Body
Samal City, Davao del Norte
27. The Provincial Governor
Province of Misamis Occidental
28. Office of the LGU Legislative Body
Province of Misamis Occidental
29. The Provincial Governor
Province of Misamis Oriental
30. Office of the LGU Legislative Body
Province of Misamis Oriental
31. The Provincial Governor
Province of Bukidnon

32. Office of the LGU Legislative Body
Province of Bukidnon
33. The Provincial Governor
Province of Lanao del Norte
34. Office of the LGU Legislative Body
Province of Lanao del Norte
35. The Provincial Governor
Province of North Cotabato
36. Office of the LGU Legislative Body
Province of North Cotabato
37. The Provincial Governor
Province of South Cotabato
38. Office of the LGU Legislative Body
Province of South Cotabato
39. The Provincial Governor
Province of Sultan Kudarat
40. Office of the LGU Legislative Body
Province of Sultan Kudarat
41. The Municipal Mayor
Kalamansig, Sultan Kudarat
42. Office of the LGU Legislative Body
Kalamansig, Sultan Kudarat
43. The Municipal Mayor
Lebak, Sultan Kudarat
44. Office of the LGU Legislative Body
Lebak, Sultan Kudarat
45. The Municipal Mayor
Palimbang, Sultan Kudarat
46. Office of the LGU Legislative Body
Palimbang, Sultan Kudarat
47. The Municipal Mayor
Sen. Ninoy Aquino, Sultan Kudarat
48. Office of the LGU Legislative Body
Sen. Ninoy Aquino, Sultan Kudarat
49. The Provincial Governor
Province of Basilan

50. Office of the LGU Legislative Body
Province of Basilan
51. The City Mayor
Isabela City, Basilan
52. Office of the LGU Legislative Body
Isabela City, Basilan
53. The Provincial Governor
Province of Sulu
54. Office of the LGU Legislative Body
Province of Sulu
55. The Municipal Mayor
Jolo, Sulu
56. Office of the LGU Legislative Body
Jolo, Sulu
57. The Municipal Mayor
Luuk, Sulu
58. Office of the LGU Legislative Body
Luuk, Sulu
59. The Municipal Mayor
Siasi, Sulu
60. Office of the LGU Legislative Body
Siasi, Sulu
61. The Municipal Mayor
Bangulngi (Tongkil), Sulu
62. Office of the LGU Legislative Body
Bangulngi (Tongkil), Sulu
63. The Municipal Mayor
Hadji Panglima Tahlil, Sulu
64. Office of the LGU Legislative Body
Hadji Panglima Tahlil, Sulu
65. The Municipal Mayor
Lugus, Sulu
66. Office of the LGU Legislative Body
Lugus, Sulu
67. The Municipal Mayor
Pangutaran, Sulu

- 68. Office of the LGU Legislative Body
Pangutaran, Sulu
- 69. The Municipal Mayor
Pata, Sulu
- 70. Office of the LGU Legislative Body
Pata, Sulu
- 71. The Municipal Mayor
Tapul, Sulu
- 72. Office of the LGU Legislative Body
Tapul, Sulu
- 73. The Provincial Governor
Province of Tawi-Tawi
- 74. Office of the LGU Legislative Body
Province of Tawi-Tawi
- 75. The Municipal Mayor
Bongao, Tawi-Tawi
- 76. Office of the LGU Legislative Body
Bongao, Tawi-Tawi
- 77. The Municipal Mayor
Mapun, Tawi-Tawi
- 78. Office of the LGU Legislative Body
Mapun, Tawi-Tawi
- 79. The Municipal Mayor
Panglima Sugala, Tawi-Tawi
- 80. Office of the LGU Legislative Body
Panglima Sugala, Tawi-Tawi
- 81. The Municipal Mayor
Simunul, Tawi-Tawi
- 82. Office of the LGU Legislative Body
Simunul, Tawi-Tawi
- 83. The Municipal Mayor
Sitangkai, Tawi-Tawi
- 84. Office of the LGU Legislative Body
Sitangkai, Tawi-Tawi
- 85. The Municipal Mayor
Tandubas, Tawi-Tawi

86. Office of the LGU Legislative Body
Tandubas, Tawi-Tawi
87. The Municipal Mayor
Sapa-sapa, Tawi-Tawi
88. Office of the LGU Legislative Body
Sapa-sapa, Tawi-Tawi
89. The Municipal Mayor
South Ubian, Tawi-Tawi
90. Office of the LGU Legislative Body
South Ubian, Tawi-Tawi
91. The Provincial Governor
Province of Dinagat Island
92. Office of the LGU Legislative Body
Province of Dinagat Island
93. The Municipal Mayor
San Jose, Dinagat Island
94. Office of the LGU Legislative Body
San Jose, Dinagat Island
95. The Municipal Mayor
Loreto, Dinagat Island
96. Office of the LGU Legislative Body
Loreto, Dinagat Island
97. The Provincial Governor
Province of Agusan del Norte
98. Office of the LGU Legislative Body
Province of Agusan del Norte
99. The Provincial Governor
Province of Agusan del Sur
100. Office of the LGU Legislative Body
Province of Agusan del Sur
101. The Provincial Governor
Province of Surigao del Norte
102. Office of the LGU Legislative Body
Province of Surigao del Norte
103. The City Mayor
Surigao City, Surigao del Norte

104. Office of the LGU Legislative Body
Surigao City, Surigao del Norte
105. The Provincial Governor
Province of Surigao del Sur
106. Office of the LGU Legislative Body
Province of Surigao del Sur
107. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village
Makati City 1229
108. Commission on Audit
Commonwealth Avenue, Quezon City 1121
109. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City 1308
110. House Committee on Energy
Batasan Hills, Quezon City 1126
111. Regulatory Operations Service (ROS)
Energy Regulatory Commission
17th Floor, Pacific Center Building, San Miguel
Avenue, Ortigas Center, Pasig City

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

**IN THE MATTER OF THE
PETITION FOR THE
APPROVAL OF THE
AVAILMENT FROM THE
UNIVERSAL CHARGE FOR
MISSIONARY
ELECTRIFICATION (UCME)
FOR CY 2017 WITH PRAYER
FOR THE ISSUANCE OF
PROVISIONAL AUTHORITY,**

ERC CASE NO. 2016-134 RC

**NATIONAL POWER
CORPORATION,**
Petitioner.

D O C K E T E D
Date: SEP 22 2017
By: [Signature]

X ----- X

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 26 May 2016, the National Power Corporation (NPC) filed a *Petition* dated 10 May 2016 seeking the Commission's approval of the availment from the universal charge for missionary electrification (UCME) for Calendar Year (CY) 2017, with prayer for the issuance of provisional authority.

On 23 January 2017, the Commission issued an Order setting the instant case for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on various dates and venues.

On 29 May 2017, the Commission issued an Order cancelling the Expository Presentation scheduled on 08 June 2017 in Davao City and the Pre-trial Conference and Evidentiary Hearing scheduled on 29 June 2017 in Pasig City, due to security concerns.

ERC CASE NO. 2016-134 RC
NOTICE OF PUBLIC HEARING/ 13 September 2017
Page 2 of 3

The Commission has reset the cancelled expository presentation in Mindanao, as well as the Pre-trial Conference and presentation of evidence on the following dates and venues:

DATE	TIME	VENUE	PARTICULARS
21 November 2017 (Tuesday)	10:00 A.M.	Energy Regulatory Commission- Mindanao Field Office (ERC-MFO), Mezzanine Floor, Mintrade Building, Monteverde Avenue cor. Sales Street, Davao City	Expository Presentation
28 November 2017 (Tuesday)	10:00 A.M.	ERC Hearing Room 15 th Floor, Pacific Center Building, San Miguel Avenue, Pasig City	Pre-trial Conference and Evidentiary Hearing

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 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 *Petition* may request from Petitioner that they be furnished with the same, prior to the date of the scheduled hearing. NPC is hereby directed to furnish all those making such request with copies of the *Petition* and its attachments, subject to the reimbursement of reasonable photocopying costs. Any such person may likewise examine the *Petition* and other pertinent records filed with the Commission during the standard office hours.

WITNESS, the Honorable OIC Chairman and CEO **ALFREDO J. NON** and the Honorable Commissioners **GLORIA VICTORIA C. YAP-TARUC** and **GERONIMO D. STA. ANA**, Energy Regulatory Commission, this 13th day of September 2017 in Pasig City.

FOR AND BY THE AUTHORITY
OF THE COMMISSION:


JOSEFINA PATRICIA A. MAGPALE-ASIRIT
Oversight Commissioner for Legal

LS: /APV