

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
JOINT APPLICATION FOR
THE APPROVAL OF THE
POWER SUPPLY
AGREEMENT BETWEEN
MORE ELECTRIC AND
POWER CORPORATION
AND PANAY ENERGY
DEVELOPMENT
CORPORATION, WITH
MOTION FOR THE
ISSUANCE OF A
PROVISIONAL AUTHORITY
AND CONFIDENTIAL
TREATMENT OF
INFORMATION**

ERC CASE NO. 2024-053 RC

**MORE ELECTRIC AND
POWER CORPORATION
AND PANAY ENERGY
DEVELOPMENT
CORPORATION,**

Joint Applicants.

x- ----- x

Promulgated:
April 19, 2024

ORDER

On 11 April 2024, More Electric and Power Corporation (MORE) and Panay Energy Development Corporation (PEDC) filed a *Joint Application*, dated 26 February 2024, seeking the Commission's approval of their Power Supply Agreement (PSA), with motion for the issuance of a provisional authority and confidential treatment of information.

The pertinent allegations of the *Joint Application* are hereunder quoted as follows:

THE JOINT APPLICANTS

1. Applicant MORE is a corporation duly organized and existing under the laws of the Republic of the Philippines, with principal address at GST Building, Quezon St., Iloilo City. It is a private electric distribution utility duly enfranchised under Republic Act No. 11212 to establish, operate and maintain, for commercial purposes and in the public interest, a distribution system for the conveyance of electric power to end users in the City of Iloilo.
 - 1.1 MORE is represented herein by its President and Chief Executive Officer, ROEL Z. CASTRO, who has been authorized by its Board of Directors to initiate, file, and pursue the instant application through Board Resolution, as evidenced by the Secretary's Certificate dated 31 October 2023, a copy of which is attached and made as an integral part herein as *Annex A*.
2. Applicant PEDC is a corporation duly organized and existing under the laws of the Republic of the Philippines, with principal office address at Barangay Ingore, Lapaz, Iloilo City. It owns and operates a 2 x 82 MW and 1x150MW circulating fluidized bed coal-fired power plant located in Barangay Ingore, Lapaz, Iloilo City.
 - 2.1. PEDC is represented herein by its President, Jaime T. Azurin, and Chief Finance Officer, Rochel Donato R. Gloria, who have been authorized by its Board of Directors to initiate, file, and pursue the instant application as evidenced by the Secretary's Certificate dated 20 October 2023, a copy of which is attached and made as an integral part herein as *Annex B*.
3. Applicants MORE and PEDC may be served with notices, orders and other processes of the Honorable Commission through their respective counsel at their addresses indicated below.

NATURE OF THE APPLICATION

4. This is an application for the approval of the Power Supply Agreement between MORE and PEDC ("PSA"). A copy of the PSA is attached herein as *Confidential Annex C*.

NARRATION OF FACTS

5. Based on its power situation outlook as shown in its 2023 Power Supply Procurement Plan and Distribution Development Plan duly approved by the Department of Energy ("DOE"), MORE foresees a baseload capacity deficit in its portfolio covering 20 MW after the expiration of its Emergency Power Supply Contract in August 2023.

6. Thus, in order to ensure continuous and reliable electricity for MORE's customers, there is a need to source additional baseload capacity through bilateral power supply contracts.
7. Section 23 of the EPIRA mandates that all distribution utility shall supply electricity in the least cost manner to its captive market.
8. Section 25 of the EPIRA also provides that the retail rates charged by the DU for the supply of electricity in their captive market shall be subject to regulation by the ERC.
9. The Department of Energy issued the Department Circulars DC 2018-02-003 and amended by DC 2021-09-0030 prescribing that the power supply intended to meet the electricity demand of the DU's captive market shall be procured through a Competitive Selection Process (CSP), consistent with the latest and duly accepted DDP and posted PSPP.
10. Accordingly, MORE established its Third-Party Bids and Awards Committee (TPBAC) to spearhead the conduct of the CSP. Including herewith is Board Resolution establishing the TPBAC with two Independent Members of the TPBAC from the captive market consumers of MORE, proof of which are attached as *Annexes D to D-2*.
11. Pursuant to DOE Department Circular No. DC2018-02-0003 as amended by DC 2021-09-0030 ("DOE CSP Rules"), MORE submitted to the DOE, and the latter, in a letter dated June 29, 2023, approved, the Terms of Reference ("TOR") dated 01 June 2023. A copy of the TOR dated 01 June 2023 is attached as *Annex E* and DOE's approval of the TOR as reflected in a Certification with reference no. DOE-EPIMB-CSP-COP-2023-06-010 is attached as *Annex E-1*.
12. MORE caused the publication of an Invitation to Bid dated 05 July 2023 ("Invitation"), which contained the TOR, indicating a summary of the process and timelines of the CSP, and inviting power generation companies to submit an Expression of Interest and Confidentiality Undertaking on or before the deadline set out in said Invitation. At the same time, MORE caused the posting thereof on its website. A second publication was done on 12 July 2023. A copy of the Invitation to Bid containing the Terms of Reference, procurement activity schedule, place and time where Bidding documents may be secured, contact details of designated contact persons, deadline for submission or bids, and other necessary information is attached as *Annex E-2*, proof of publication is attached as *Annex E-3* and *E-4*, proof of posting on the website of MORE is attached as *Annex E-5*, and proof of posting on the DOE CSP e-portal is attached as *Annex E-6*.

13. Bid Bulletin Nos. 1, 2, 3, 4, 6, and 7 was thereafter issued to clarify some items in the TOR and ITB, copies are attached as *Annexes F to F-5*. A pre-bid conference was held on 02 August 2023, a copy of the minutes of the pre-bid conference is attached as *Annex F-6*. Thereafter, a Final Instructions to Bidders was issued, a copy of which is attached as *Annex F-7*.
14. During the bid submission and opening of bids on 30 August 2023, four (4) bidders submitted their respective bids and the same were opened by the TPBAC. Copies of the proposals submitted by the four (4) bidders are attached as *Confidential Annex G to G-3*. PEDC's bid was thereafter determined and declared as the lowest calculated bid. A copy of the Abstract of Bids is attached as *Confidential Annex G-4*.
15. After confirming through conduct of a post-qualification evaluation that PEDC's proposed energy price was found to be the best bid, TPBAC resolved to declare PEDC as the winning bidder with the Lowest Levelized Rate and issue a Notice of Award in favor of PEDC. A copy of the TPBAC Resolution No. 2023-001 is attached as *Confidential Annex G-5*. On 17 October 2023, a Notice of Award was issued to PEDC, a copy of which is attached as *Annex G-6*.
16. A certification is likewise issued by MORE's President, Mr. Roel Castro, as to the conduct of a CSP, a copy is attached as *Confidential Annex G-7*.
17. Thereafter, Parties finalized the terms and executed the Power Supply Agreement.

SALIENT FEATURES OF THE EPSA

18. The salient features of the PSA are as follows:

Contracted Capacity	10MW
Contracted Energy	As stated in Schedule 3 of the PSA
Cooperation Period	Three (3) years from the start of the Supply Commencement Date.
Supply	SELLER shall supply and/or cause the supply of the Contracted Capacity and its Contracted Energy to BUYER sourced from its Power Plant, WESM, or other sources during the Contracted Period, as provided in Schedule 3, and in accordance with the terms and conditions of this Agreement.
Delivery Point	BUYER's metering nodes as enumerated in Schedule 9.
Replacement Power	During an Outage of the Plant that is not attended by or due to an Event of Force Majeure, SELLER shall supply or cause the supply of Replacement Power to BUYER during the period of the Plant's Outage.

Outage Allowance	PEDC shall not be entitled to any outage allowance.
Electricity Fees	Calculated in accordance with Schedule 5.
Other Charges	As stipulated in Article 7. Further, each Party shall be liable for their respective income taxes, property, and local business taxes.

19. The tariff is further discussed in the Executive Summary a copy is attached as *Confidential Annex H*.

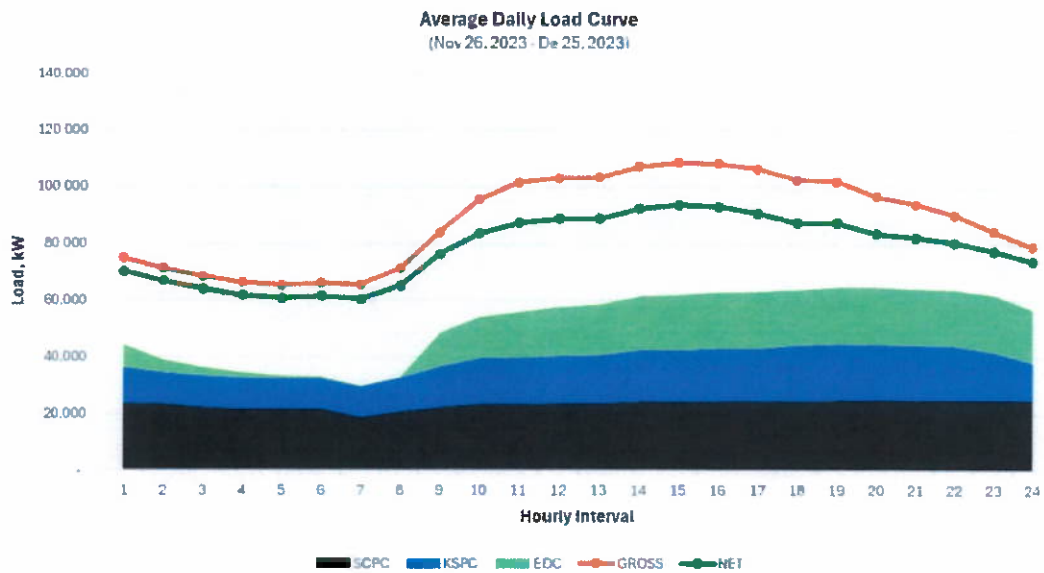
SUPPLY-DEMAND SCENARIO

20. Below is the Supply-Demand Scenario for MORE for the period 2023-2032:

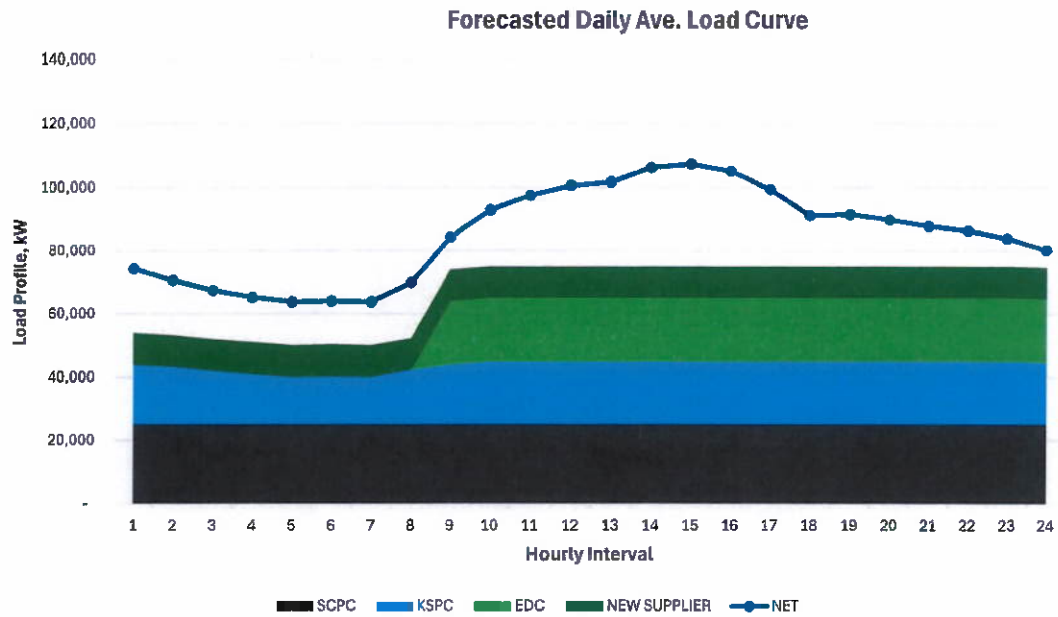
	Current Year	Forecasted Year								
	2023*	2024	2025	2026	2027	2028	2029	2030	2031	2032
Peak Demand (MW)	131.0	133.0	138.3	143.8	149.6	155.6	161.8	168.3	175.0	182.0
SCPC	25.0	25.0	25.0	25.0	25.0	25.0	25.0	25.0	25.0	25.0
KSPC	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0	20.0
EDC	20.0	20.0	20.0	20.0	20.0					
PEDC (This Application)		10.0	10.0	10.0						
RES	20.3	21.7	23.0	24.4	25.9	27.4	28.5	29.6	30.8	32.1
Total Supply (MW)	85.3	96.7	98.0	99.4	90.9	72.4	73.5	74.6	75.8	77.1
(Deficit)/Surplus	-45.7	-36.3	-40.3	-44.4	-58.7	-83.2	-88.3	-93.6	-99.2	-104.9

The Supply and Demand Profile is further expounded in *Annex I*.

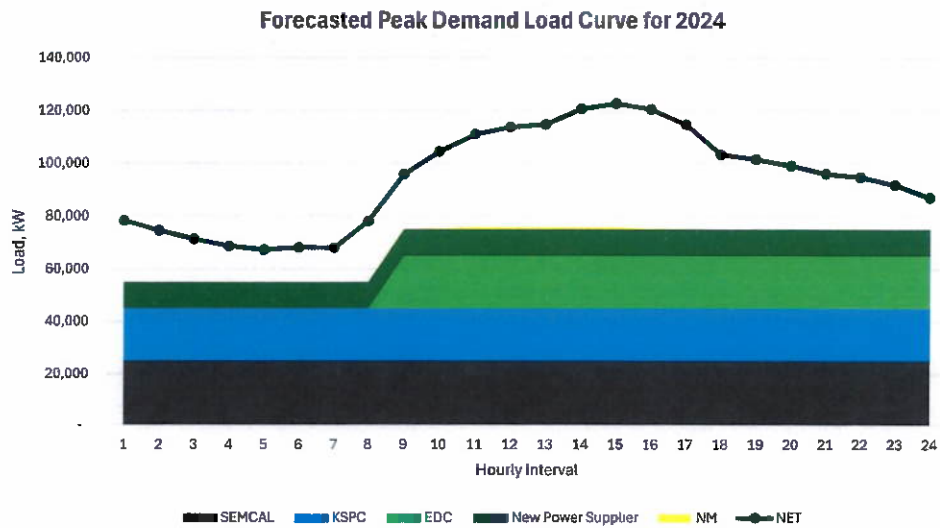
21. The current and forecast daily load curve is presented below:



FORECASTED AVERAGE DAILY LOAD CURVE



FORECASTED LOAD CURVE FOR THE PEAK DAY



The Average and Forecast Daily Load Curve is further shown in *Annex J to J-2*.

RATE IMPACT ANALYSIS

22. Applicant MORE Power projects that the immediate implementation of the PSA with PEDC would potentially result into a reduction of P0.3250/kWh in its generation rate for its captive customers. The table in *Annex K* (Rate Impact Analysis) and *Annex K-1* (Explanation on Rate Impact Analysis) shows in greater detail the actual rate impact of PEDC’s supply of energy to MORE under the PSA.

OTHER SUPPORTING DOCUMENTS

23. In compliance with Resolution No. 16 series of 2023, and as further support to the instant Joint Application, the Applicants provide the following documents, which underwent the pre-filing conference and pre-filing marking of annexes with this Honorable Commission:

Description of Document	Annex
Supply and Demand Scenario of MORE	
MORE's write up on Demand Side Management Program.	I-2 to I-4
MORE's 2023 to 2032 Power Supply Procurement Plan and Distribution Development Plan.	
MORE's corporate documents and information	
MORE's Certificate of Registration, Articles of Incorporation, By-Laws, and latest General Information Sheet	L and series
MORE's Secretary's Certificate containing a list of Current Members of MORE's Board of Directors and Board Members of the ultimate parent company, its subsidiaries, and all its affiliates	
Latest Audited Financial Statements	
Other information	
Explanation on Transition Supply Contract (TSC) capacity from the National Transmission Corporation	M and series
Single Line Diagram of MORE	
Performance Assessment of the System: a. SAIDI and SAIFI. b. Historical, March 2020 to December 2023 (<i>MORE started operation in Feb 29, 2020</i>)	
An estimation of the potential for a reduction in load supplied by the DU due to retail competition, GEOP, etc.	
PEDC's corporate documents	
Certificate of Registration, Articles of Incorporation, By-Laws, and latest General Information Sheet	N and series
List of Current Members of Board of Directors and Board Members of the ultimate parent company, its subsidiaries, and all its affiliates	
Latest audited financial statements	
PEDC Permits	
Certificate of Compliance,* DOE Certificates of Endorsement, ECC, BOI, Decision on Point to Point Facility <i>*(Confidential)</i>	O and series
PEDC Contracts / Other Information	
Transmission Service Agreement; Proof of WESM registration	P and series

PEDC plant related information	
Simulation of the no. of operating units necessary to meet the Minimum Energy Off Take (MEOT) and Unit Test Report* (Confidential)	Q, Q-1, Q-2 (Confidential)
Technical and economic characteristics of the plant; PEDC Single-line Diagram Connection (including parameters)	Q-3, Q-4
PEDC's Explanation on non-applicability of some items in the PSA Checklist	R
Generation Company's fuel related documents	
Fuel Procurement Process and Fuel Supply Contracts * (Confidential)	S and series (Confidential)

*Subject to the Motion for Confidential Treatment of Information

**ALLEGATIONS IN SUPPORT OF THE MOTION FOR
PROVISIONAL AUTHORITY**

24. The power situation outlook for 2023 to 2032 of MORE shows a baseload capacity deficit beginning August 2023 with the expiration of its 20MW Baseload Emergency Power Supply Contract. Further, as stated above, MORE projects that there will be a reduction in its generation rate for its captive market with the immediate implementation of the PSA with PEDC as compared to sourcing the contracted energy therein from the spot market. Thus, without the immediate implementation of the subject PSA, MORE customers may be exposed to volatile prices of the Wholesale Electricity Spot Market resulting in higher rates, hence, it is important that the PSA with PEDC is immediately implemented.

25. Under Section 4(e), Rule 3 of the EPIRA IRR, this Honorable Commission may grant a provisional authority as follows:

“The ERC may grant provisionally or deny the relief prayed for not later than seventy five (75) calendar days from the filing of the application or petition, based on the same and the supporting documents attached thereto and such comments or pleadings the consumers or the LGU concerned may have filed within thirty (30) calendar days from receipt of a copy of the application or petition or from the publication thereof as the case may be.”

26. In view of the urgency above-mentioned, PEDC and MORE respectfully move for the issuance of a provisional authority (“PA”) in this instant case to immediately proceed in implementing the PSA, and for the lower rate and benefits derived therein to be immediately enjoyed by its customers. In support of the Motion for Issuance of Provisional Authority, MORE prepared an Affidavit in Support of the Prayer for Issuance of Provisional Authority, a copy is attached as *Annex T*.

ALLEGATIONS IN SUPPORT OF THE MOTION FOR
CONFIDENTIAL TREATMENT OF INFORMATION

27. Under *Rule 4 of the ERC Revised Rules of Practice and Procedure*, a party to any proceeding before the Honorable Commission may request that certain information not be disclosed and be treated as confidential, by describing with particularity the information to be treated as confidential, specifying the ground for the claim of confidential treatment of the information and, if applicable, specifying the period during which the information must not be disclosed.
28. With respect to the documents marked and attached as ANNEXES C, G and Series, H and Series, Q, Q-1, Q-2, O to O-2, and S & series, Parties respectfully move that these be treated as confidential and not be disclosed to any party. On the part of PEDC, the confidentiality of these documents is paramount because these contain non-public, proprietary information, data and calculations involving the investments, financial calculations, and business operations of PEDC. The data and information contained therein are part of the overall formula and process in arriving at the competitive rates of PEDC. These formulae and process are specifically developed for the use of PEDC and are treated as trade secrets. If the information contained in these documents are unduly disclosed, it will seriously prejudice the competitiveness of PEDC. These documents are neither generally available to the public nor already in the possession of the Honorable Commission on a non-confidential basis.
29. In addition to the foregoing, pursuant to PEDC's agreement with its counterparties, documents marked as Annex "H" and "S and series" (information relative to bank loan and fuel supply agreements) likewise contain certain non-public information involving its lender's and counterparties' financial trade secrets. Hence, the confidentiality of those documents should be maintained.
30. In its Instructions to Bidders, MORE POWER bound itself to keep all bids submitted by the qualified bidders as confidential. In compliance with this undertaking, the Bid Proposals received by MORE POWER (Annexes G to G-3), the TPBAC Evaluation of Bids with the Abstract of Bids (Annex G-4 to G-5) and the Certification from MORE POWER President and CEO on the conduct of the CSP (Annex G-7), which are all submitted herein as part of the CSP documents, are hereby requested to be considered confidential as these documents contain information about the bids received by MORE POWER from the other qualified bidders during the conduct of the CSP which constitute trade secrets of such bidders.

31. In the case of *Air Philippines Corporation vs. Pennswell, Inc.*,¹ the Supreme Court defined “trade secret” as follows:

“A trade secret is defined as a plan or process, tool, mechanism or compound known only to its owner and those of his employees to whom it is necessary to confide it. The definition also extends to a secret formula or process not patented, but known only to certain individuals using it in compounding some article of trade having commercial value. A trade secret may consist of any formula, pattern, device, or compilation of information that (1) is used in one’s business; and (2) gives the employer an opportunity to obtain advantage over competitors who do not possess the information. Generally, a trade secret is a process or device intended for continuous operation of the business, for example, a machine or formula, but can be a price list or catalogue or specialized customer list. It is indubitable that trade secrets constitute proprietary rights.”
(Emphasis ours.)

32. The protection of trade secrets is likewise recognized by the Honorable Commission in its Decision in ERC Case No. 2015-111 RC:

“In the case of PNOC RC, the documents sought to be protected from disclosure contains formula and pricing structures used in arriving at their proposed tariff. The prices cited in the documents were components of the proposed tariff. In fact, all three (3) documents were used by the Commission in evaluating the reasonableness of the proposed rate. In electric power industry [where] prices is a major consideration in selecting one’s supplier, it is apparent that the assumption used in arriving at one’s proposed tariff is considered a competitive leverage by one player against its competitors.

Thus, the Commission resolved to treat the said documents confidential and may not be publicly disclosed.²

33. Further, in the recently issued ADVISORY dated 13 November 2023, these documents are listed as confidential documents.

¹ G. R. No. 172835, 13 December 2007.

² In the Matter of the Application for the Approval of the Power Supply Agreement Between Nueva Ecija II Electric Cooperative, Inc. – Area 2 (NEECO II – Area 2) and PNOC Renewables Corporation (PNOC RC) with Prayer for Provisional Authority, ERC Case No. 2015-111 RC, Decision dated 30 May 2017, p. 26.

It is respectfully submitted therefore that ANNEXES C, G and Series, H and Series, Q, Q-1, Q-2, O to O-2, and S & series, fall within the bounds of proprietary “trade secrets” which are entitled to protection under the Constitution, statutes, and rules and regulations of this Honorable Commission.

34. Thus, Applicants hereby submit one (1) copy of each of the foregoing confidential documents in sealed envelopes, with the envelopes and each page of the documents marked “Confidential.”
35. The interest of the consumers of MORE is sufficiently protected by the review and evaluation of the rates under the PSA by the Honorable Commission, without the need to disclose the contents of the confidential information. The reasonableness and transparency of the prices of electricity is to be assured by the Honorable Commission through its own review and verification of the foregoing documents sought to be afforded confidential treatment in the evaluation and handling thereof.
36. Lastly and corollary to the foregoing, Applicants would like to implore the discerning wisdom of the Honorable Commission to include in its issuance for this purpose the *“procedures for the handling or returning the confidential information, as appropriate, upon the close of the proceedings or at the end of the period for which the information is to be treated as confidential.”*³
37. This is guided by the fact that Applicants will seek for the return of these sought to be declared confidential annexes after its utilization as evidence in this case and/or at the close of the proceedings hereof, so as to relieve the Honorable Commission of the burden of safekeeping the trade secrets of Applicants enclosed in the subject annexes.

PRAYER

WHEREFORE, premises considered, Applicants respectfully pray that the Honorable Commission:

- a) Issue an Order TREATING ANNEXES C, G and Series, H and Series, Q, Q-1, Q-2, O to O-2, and S and series, and all other information contained therein as CONFIDENTIAL, directing their non-disclosure to persons other than officers and staff of this Honorable Commission, continuously protecting the said information from public disclosure by maintaining the same separate and apart from the records of the case, and ensuring that these are not divulged to unauthorized persons, pursuant to Rule 4 of the ERC Revised Rules of Practice and Procedure;

³ Letter (d), Section 4, of the ERC Rules and Practice and Procedure.

- b) Immediately issue an Order granting PROVISIONAL AUTHORITY and/or INTERIM RELIEF to authorize the immediate implementation of the Power Supply Agreement between MORE and PEDC;
- c) After hearing on the merits, render a Decision APPROVING THE PSA between PEDC and MORE and the terms and conditions thereunder, including the electricity rates.

Other relief just and equitable under the circumstances are likewise prayed for.

Finding the said *Joint Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for determination of compliance with the jurisdictional requirements, expository presentation, Pre-Trial Conference, and presentation of evidence on the following dates, and online platforms for the conduct thereof, pursuant to Resolution No. 09, Series of 2020⁴ and Resolution No. 01, Series of 2021⁵ (ERC Revised Rules of Practice and Procedure):

Date	Platform	Activity
04 June 2024 (Tuesday) at two o'clock in the afternoon (2:00 P.M)	MS Teams Application	Determination of compliance with jurisdictional requirements and Expository Presentation
11 June 2024 (Tuesday) at two o'clock in the afternoon (2:00 P.M)		Pre-Trial Conference and Presentation of Evidence

Accordingly, Applicants MORE and PEDC are hereby directed to host the virtual hearings at **MORE's principal office located at GST Corporate Center, Quezon St., Iloilo City**, as the designated venue for the conduct thereof, and ensure that the same is open to the public. Moreover, Applicants MORE and PEDC shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

⁴ A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

⁵ A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

RELATIVE THERETO, Applicants MORE and PEDC are hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing* in two (2) newspapers of nationwide circulation in the Philippines at their 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 initial virtual hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governor, Mayor of the City of Iloilo and the Local Government Unit (LGU) legislative body within Applicant MORE's franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within Applicant MORE's franchise area, by any other means available and appropriate, of the filing of the *Joint Application*, its reasons therefor, and of the scheduled virtual hearings thereon;
- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire, to send their duly authorized representatives and attend the scheduled hearings; and
- 5) Furnish with copies of the *Joint Application* and its attachments, except those subject of a motion for confidential treatment of information, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Within five (5) calendar days prior to the date of the initial virtual hearing, Applicants MORE and PEDC must submit to the Commission via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of their written compliance with the aforementioned jurisdictional requirements, attaching the following methodically arranged and duly marked documents:

- 1) The evidence of publication of the attached *Notice of Virtual Hearing* consisting of affidavits of the Editors or Business Managers of the newspapers where the said *Notice of Virtual Hearing* was published, and the complete issues of the said newspapers;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing* consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayor, and LGU legislative body or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by Applicants MORE and PEDC to inform the consumers within Applicant MORE's franchise area of the filing of the *Joint Application*, its reasons therefor, and of the scheduled hearings thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing* by the OSG, the COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Joint Application* and its attachments, except those subject of a motion for confidential treatment of information, if any, by all those making requests therefor; and
- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, Applicants MORE and PEDC are hereby required to post on their bulletin boards, the scanned copies of the foregoing jurisdictional requirements, together with the newspaper publication and certifications issued by the concerned Offices of the Governor, Mayor and Local Legislative Bodies, and to submit proof of posting thereof.

Applicants MORE and PEDC, and all interested parties are also required to submit via e-mail at doCKET@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days**

before the date of the scheduled virtual hearing and 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 therefor, which should also be attached to the Pre-Trial Brief; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-Trial Brief.

Applicants MORE and PEDC must ensure that all the documents or exhibits proposed to be presented have already been duly submitted to the Commission **at least five (5) calendar days** before the date of the scheduled initial virtual hearing and Pre-Trial Conference, pursuant to the preceding paragraph.

Failure of Applicants MORE and PEDC to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearings.

Applicants MORE and PEDC must also be prepared to make an expository presentation of the instant *Joint Application*, aided by whatever communication medium that they 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, the nature of the *Joint Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Joint Application* must be cited in support thereof.

Applicants MORE and PEDC are hereby directed to file a copy of their Expository Presentation via e-mail at doCKET@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicants MORE and PEDC shall also be required, upon the request of any stakeholder, to provide an advance copy of their Expository Presentation, **at least five (5) calendar days** prior to the scheduled virtual hearing.


Applicants MORE and PEDC are further directed to submit, through personal service, registered mail, or ordinary mail/private courier, one (1) set of the original or certified true hard copies of their Jurisdictional Compliance, Expository Presentation, Pre-Trial Brief, and Judicial Affidavits of witnesses, **within five (5) working days** from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission.

Finally, Applicants MORE and PEDC, including their authorized representatives and witnesses, are hereby directed to provide the Commission, through legal.virtualhearings@erc.ph, their respective e-mail addresses upon receipt of this *Order*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearing.

SO ORDERED.

Pasig City, 19 April 2024.

FOR AND BY AUTHORITY
OF THE COMMISSION:


MONALISA C. DIMALANTA
Chairperson and CEO


LS: CNR/ LSP/ KTB

ERC
Office of the Chairperson and CEO

MCD2024-016844

ERC CASE NO. 2024-053 RC
ORDER/ 19 APRIL 2024
PAGE 17 OF 17

Copy Furnished:

1. More Electric and Power Corporation (MORE)
Co-Applicant
GST Corporate Center, Quezon St., Iloilo City
Email: ferdi97@yahoo.com
2. DEL CALLAR AND PARTNERS
Atty. Ferdinand V. Menguito
Counsels for Co-Applicant MORE
Unit 9D Belvedere Tower, San Miguel Avenue,
Ortigas Center, Pasig City, Metro Manila
Email: ferdi97@yahoo.com
3. Panay Energy Development
Corporation (PEDC)
Co-Applicant
Barangay Ingore, Lapaz, Iloilo City
Email: MGPRRegulatory@globalpower.com.ph
4. Atty. Irving N. Chua, Atty. Jacqueline Kate-Saliente-Tamayo, Atty. Maybelle
C. Ramos-Tolentino, and Atty. Mark Francis R. Recierdo
Counsels for Co-Applicant PEDC
c/o Global Business Power Corporation, 8th Floor, Tower 1,
Rockwell Business Center, Ortigas Avenue, Brgy. Ugong, Pasig City
Email: Irving.Chua@globalpower.com.ph;
JacquelineKate.Tamayo@globalpower.com.ph;
Marbelle.Ramos-Tolentino@globalpower.com.ph;
MarkFrancis.Recierdo@globalpower.com.ph
5. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village, Makati City
Email: docket@osg.gov.ph
6. Commission on Audit
Commonwealth Avenue, Quezon City
Email: citizensdesk@coa.gov.ph
7. Senate Committee on Energy
GSIS Bldg. Roxas Blvd., Pasay City
Email: senateenergycommittee@gmail.com
8. House Committee on Energy
Batasan Hills, Quezon City
Email: committees@house.gov.ph
9. Regulatory Operations Service
Energy Regulatory Commission
14th Floor Exquadra Tower, 1 Jade Drive,
Ortigas Center, Pasig City
Email: ros@erc.ph
10. Office of the Governor
Province of Iloilo
11. Office of the Sangguniang Panlalawigan
Province of Iloilo
12. Office of the City Mayor
Iloilo City, Iloilo
13. Office of the Sangguniang Panlungsod
Iloilo City, Iloilo