

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR
AUTHORITY TO DEVELOP,
OWN, OPERATE, AND
MAINTAIN DEDICATED
POINT-TO-POINT LIMITED
TRANSMISSION
FACILITIES TO CONNECT
THE CARMEN BATTERY
ENERGY STORAGE
SYSTEM TO THE VISAYAS
GRID THROUGH THE
NGCP'S 34.5KV TOLEDO
SUBSTATION WITH
PRAYER FOR
PROVISIONAL AUTHORITY
AND PROTECTIVE ORDER
FOR CONFIDENTIAL
TREATMENT OF
INFORMATION**

ERC CASE NO. 2026-013 MC

**TOLEDO ENERGY
DEVELOPMENT
CORPORATION (TEDC)**
Applicant.

X-----X

Promulgated:
April 10, 2026

ORDER

On 03 March 2026, Toledo Energy Development Corporation (TEDC) filed, through the Energy Virtual One-Stop Shop (EVOSS) portal, an *Application* dated 20 February 2026, seeking the Commission's approval of its authority to develop, own, operate, and maintain dedicated point-to-point limited transmission facilities to connect the Carmen Battery Energy Storage System to the Visayas Grid through the National Grid Corporation of the Philippines' (NGCP) 34.5kV Toledo Substation, with prayer for provisional authority and protective order for confidential treatment of information.

The docketed copy of the *Application*, excluding its annexes, is attached as Annex “A” of the *Notice of Virtual Hearing*.

Finding the *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, and Pre-Trial Conference¹ on **08 May 2026 (Friday), at nine o’clock in the morning (9:00 A.M.)** via **MS Teams Application** as the online platform for the conduct thereof, pursuant to the pertinent rules of the Commission.

RELATIVE THERETO, TEDC is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing*, including Annex “A” thereof, once (1x) in a newspaper of nationwide circulation in the Philippines at its own expense, at least ten (10) days before the date of the scheduled virtual hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, the Offices of the Provincial Governor, the Municipal Mayor and their respective Local Government Unit (LGU) legislative bodies of the area affected by the project for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within the affected area, by any other means available and appropriate, of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon;
- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, 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 hearing; and
- 5) Furnish with copies of the *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.

¹ Summary Proceedings pursuant to the Commission’s Resolution No. 16, Series of 2025.

No later than ten (10) calendar days prior to the date of the scheduled virtual hearing, TEDC must submit to the Commission through the EVOSS portal and via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of its 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*, including Annex “A” thereof, consisting of affidavit of the Editor or Business Manager of the newspaper where the same was published, and the complete issue of the said newspaper;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayor and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by the Applicant to inform the consumers within the affected area of the filing of the *Application*, the reasons therefor, and of the scheduled hearing thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, by the OSG, the COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Application* and its attachments, except those subject of a motion for confidential treatment of information, by all those making requests therefor, if any; and
- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, TEDC is hereby required to post on its bulletin board, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

Applicant 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 thereof, which must be attached to the Pre-Trial Brief; and
- 4) The names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-Trial Brief.

Applicant 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 virtual hearing and Pre-Trial Conference pursuant to the preceding paragraph.

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

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

Applicant is hereby directed to file a copy of its 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. Applicant shall also be required, upon the request of any stakeholder, to provide an advance copy of the Expository Presentation, **at least five (5) calendar days** prior to the scheduled virtual hearing.

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

Moreover, the National Grid Corporation of the Philippines (NGCP) is hereby impleaded as a necessary party to this *Application*. Accordingly, NGCP is hereby directed to submit its **Verified Comment** via e-mail at docket@erc.ph, copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** before the date of the scheduled virtual hearing.

NGCP is 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 its **Verified Comment**, **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.

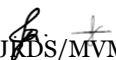
Finally, TEDC and NGCP, including their authorized representatives and witnesses, and interested parties who wish to attend the scheduled virtual hearing, are hereby directed to provide the Commission, through legal.virtualhearings@erc.ph, their respective e-mail addresses upon receipt of this *Order*. 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.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines
ATTY. MARIA CORAZON C. GINES*
Director III, Legal Service

LS:  JRS/MVM

* Authority granted during Commission Meeting on 20 August 2025.

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Copy Furnished:

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3. The Office of the Solicitor General (OSG)
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4. The Commission on Audit (COA)
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5. The Committee on Energy
Senate of the Philippines
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6. The Committee on Energy
House of Representatives
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7. National Grid Corporation of the Philippines (NGCP)
Necessary Party
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Litigation®ulatory@ngcp.ph; corpcom@ngcp.com.ph
8. Office of the Governor
Province of Cebu
9. Office of the LGU Legislative Body
Province of Cebu
10. Office of the Mayor
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11. Office of the Local Government Unit (LGU) Legislative Body
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12. Office of the Mayor
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13. Office of the Local Government Unit (LGU) Legislative Body
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