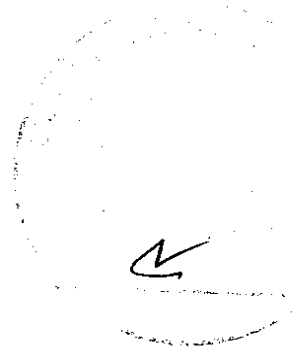


Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City



**IN THE MATTER OF VIOLATION OF ERC
ORDERS, RULES AND REGULATIONS**

**ERC CASE NO. 2007 – 249 MC
Re: Failure to Implement the
Energy Regulatory Commission's
Order on Purchased Power
Adjustment (PPA)**

**BENGUET ELECTRIC COOPERATIVE, INC.
(BENECO),**

Respondent.

X X

D O C K E T E D
Date: AUG 09 2010
By: M

DECISION

On May 2, 2007, the Commission issued a Show Cause Order (SCO) directing Benguet Electric Cooperative, Inc. (BENECO), among other Distribution Utilities (DUs), to explain why no administrative penalty should be imposed upon it, and/or criminal actions instituted against its directors and officers in view of its failure to implement the refund on Purchased Power Adjustment (PPA) on time.

On October 31, 2007, BENECO submitted its "Explanation", stating that it deferred the implementation of PPA Refund pending resolution of its Motion for Reconsideration. BENECO eventually implemented the directed refund in its July 2010 billing. Available records with the Commission confirm this.

Finding its implementation as substantial compliance with the Commission's directive, albeit done belatedly, in the interest of justice, the Commission deems it proper, at this time, to simply issue a reprimand to BENECO for its failure to comply with the Commission's directive on time.


WHEREFORE, the foregoing premises considered, respondent Benguet Electric Cooperative, Inc. (BENECO) is hereby **REPRIMANDED** for its late implementation of PPA Refund and **WARNED** that a similar offense in the future shall be dealt with more severely.

SO ORDERED.

Pasig City, August 4, 2010.

FOR AND BY AUTHORITY
OF THE COMMISSION


ALEJANDRO Z. BARIN
Commissioner *W*


RJST / JACF / NGC
Reference: No. 2010-D1-D067

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