

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



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

**ERC CASE NO. 2007 – 251 MC  
RE: Failure to implement the  
Energy Regulatory Commission's  
Order on Purchased Power  
Adjustment (PPA)**

**LA UNION ELECTRIC COOPERATIVE,  
INC. (LUELCO),**

**Respondent.**

x ----- x

**D O C K E T E D**

Date: **FEB 17 2010**

By: \_\_\_\_\_

## **DECISION**

On May 2, 2007, the Commission issued a Show Cause Order (SCO) directing La Union Electric Cooperative, Inc. (LUELCO) to explain why no administrative penalty and/or criminal action should be imposed upon it, its directors and officers in view of its failure to implement the refund on Purchased Power Adjustment (PPA) on time.

On February 2, 2010, LUELCO submitted its Explanation stating that it deferred the implementation of the PPA Refund due to the pending resolution of its motion with the Court of Appeals and it does not have financial capability to implement the same. LUELCO eventually implemented the directed refund in its May 2009 billing. Available records with the Commission confirm this.

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A handwritten signature in black ink, appearing to be a stylized 'S' or similar character.

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 LUELCO for its failure to comply with the Commission's directive on time.

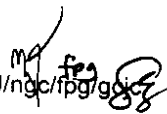
**WHEREFORE**, the foregoing premises considered, respondent La Union Electric Cooperative, Inc. (LUELCO) is hereby **REPRIMANDED** for its late implementation of PPA Refund and **WARNED** that a similar offense in the future shall be dealt with more severely.

**SO ORDERED.**

Pasig City, February 11, 2010.

FOR AND BY AUTHORITY  
OF THE COMMISSION:

  
**ALEJANDRO Z. BARIN**  
Commissioner *W*

  
FSCJ/mgc/tpg/gdc

Reference No. 2010-D1-D004  
*Reprimand and warn doc.*

**Copy furnished:**

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