

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 – 267 MC  
 RE: Failure to Implement the  
 ERC's Order on PPA**

**CAMARINES NORTE ELECTRIC  
 COOPERATIVE, INC. (CANORECO),  
 Respondent.**

X ----- X

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

Date: FEB 02 2010

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

**DECISION**

The Commission takes note of the "Manifestation of Offer to Settle" filed by Camarines Norte Electric Cooperative, Inc. (CANORECO) on May 12, 2008, offering to pay as settlement of the case fifty percent (50%) of the total amount of the imposable penalty for the alleged violation, computed as follows:

Particulars	Amount (PhP)
<b>For Failure to Implement the ERC's Order on PPA</b>	
Initial Amount	100,000
Pursuant to the "Guidelines to Govern the Imposition of Administrative Sanctions in the Form of Fines and Penalties Pursuant to Section 46 of Republic Act No. 9136" dated May 17, 2002	
Plus PhP100 a day for every day of violation (June 3, 2006 to March 22, 2009) (PhP100 x 1,024 days)	102,400
Pursuant to the Resolution No. 03, Series of 2009 dated February 23, 2009: Additional Penalty for Any Willful Delay in the Implementation: (100% of the Basic Amount of Penalty – 3 months & above delay)	100,000
<b>TOTAL</b>	<b>302,400</b>
<b>Fifty Percent (50%) thereof</b>	<b>151,200</b>

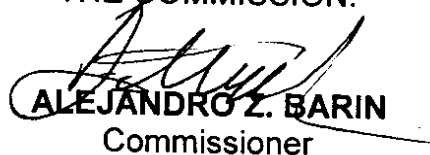
Finding the said offer to be just and reasonable, and in accordance with the "Guidelines to Govern the Imposition of Administrative Sanctions in the Form of Fines and Penalties Pursuant to Section 46 of Republic Act No. 9136", the same is hereby **ACCEPTED** and **APPROVED**. The Commission however, notes that the acceptance of CANORECO's offer of settlement in ERC Case No. 2007 - 267 MC is without prejudice to the additional penalty that would be imposed upon it on account of its continued failure to implement the directed refund on over-recoveries which it collected in its PPA Charge.

Accordingly, Camarines Norte Electric Cooperative, Inc. (CANORECO) is hereby directed to remit the total amount of **ONE HUNDRED FIFTY ONE THOUSAND TWO HUNDRED PESOS (PhP151,200)** in the name of the Energy Regulatory Commission within fifteen days (15) from receipt hereof.

**SO ORDERED.**

Pasig City, January 27, 2010.

FOR AND BY AUTHORITY OF  
THE COMMISSION:

  
**ALEJANDRO Z. BARIN**  
Commissioner

  
NGC / FPG / RIR  
50% settlement CANORECO

Reference: No. 2010-D1-D002

Copy furnished:

**1. MR. RAMON C. POSADAS**

President

Philippine Rural Electric Cooperatives Association, Inc. (PHILRECA)  
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**2. ENGR. LORENZO S. CANLAS, JR.**

General Manager

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**3. JOSEPH FERDINAND M. DECHAVEZ**

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