

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



D O C K E T E D
 Date: JAN 23 2009
 By: _____

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

**ERC CASE NO. 2007 – 354 MC
 RE: Non-inclusion of Pilferage
 Recoveries in the PPA
 Computation**

**AURORA ELECTRIC COOPERATIVE,
 INC.
 (AURELCO),**

Respondent.

x ----- x

D E C I S I O N

The Commission takes note of the "Manifestation of Offer to settle" filed by Aurora Electric Cooperative, Inc. (AURELCO) on January 9, 2009, offering to pay PhP111, 050.00 for the settlement of this case. The said amount represents fifty percent (50%) of the imposable penalty for the alleged violation, computed as follows:

Particulars	Amount (PhP)
For Non-inclusion of Pilferage Recovery in the PPA Computation	
Under C.A. 146 up to June 17, 2002 (PhP200 a day for everyday of violation) (April 1996 to December 2001) (PhP200 x 549 days)	109,800
Under R.A. 9136 Initial Amount	100,000
Plus PhP100 a day for every day of violation (December 2002 to December 2003) (PhP100 x 123 days)	12,300
TOTAL	222,100
Fifty Percent (50%) thereof	111,050

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**. Accordingly, Aurora Electric Cooperative, Inc. (AURELCO) is hereby directed to remit the total amount of **ONE HUNDRED ELEVEN THOUSAND and FIFTY PESOS (PhP111,050.00)** in the name of the Energy Regulatory Commission within fifteen (15) days from receipt hereof.

SO ORDERED.

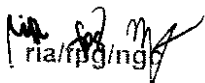
Pasig City, January 22, 2009.

FOR AND BY AUTHORITY OF
THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner

Copy furnished:

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ria/rp/ingb