

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. 2007-356 MC  
 RE: Non-Inclusion of Pilferage  
 Recovery in PPA  
 Computation**

**MARINDUQUE ELECTRIC  
 COOPERATIVE, INC. (MARELCO)**

**Respondent.**

x ----- x

**DOCKETED**  
 Date: **MAR 29 2010**  
 By: \_\_\_\_\_

**D E C I S I O N**

The Commission takes note of the letter sent by **Marinduque Electric Cooperative, Inc. (MARELCO)** on January 22, 2010, offering to pay **PhP133,450.00** for the settlement of this case. The said amount represents fifty percent (50%) of the imposable penalty for the alleged violation, computed as follows:

<b>Particulars</b>	<b>Amount (PhP)</b>
<b>For Non-Inclusion of Pilferage Recovery in PPA Computation</b>	
Under C.A. 146 PhP 200 a day for each day of violation (September 1996 to May 31, 2002) (PhP200 x 607 days)	121,400
Under R.A. 9136 Initial Amount	100,000
Plus PhP100 a day for each day of violation (July 2002 to February 2004) (PhP100 x 455 days)	45,500
<b>TOTAL</b>	<b>266,900</b>
<b>Fifty Percent (50%) thereof</b>	<b>133,450</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**. Accordingly, Marinduque Electric Cooperative, Inc. (MARELCO) is hereby directed to remit the total amount of **ONE HUNDRED THIRTY THREE THOUSAND FOUR HUNDRED FIFTY PESOS (PhP133,450.00)** in the name of Energy Regulatory Commission within fifteen days (15) from receipt hereof.

**SO ORDERED.**

Pasig City, March 24, 2010.

FOR AND BY AUTHORITY OF  
THE COMMISSION:

  
**ALEJANDRO Z. BARIN**  
Commissioner *uf*

Copy furnished:

- 1. MR. RAMON C. POSADAS**  
President  
Philippine Rural Electric Cooperative Association (PHILRECA)  
4<sup>th</sup> Floor Casman Building  
1198 Quezon Avenue, Quezon City
- 2. MR. JOEL R. PALATINO**  
Board President  
Marinduque Electric Cooperative, Inc. (MARELCO)  
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- 3. ATTY. ZENON S. SUAREZ**  
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