



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. 2007-468 MC
RE: Non Remittance of
Proportionate Share in the
Distribution Management
Committee, Inc.**

**SOUTH COTABATO II ELECTRIC
COOPERATIVE, INC. (SOCOTECO II),**

Respondent.

x ----- x

RECORDED
MAY 11 2010
[Signature]

DECISION

On July 18, 2007, the Commission issued a Show Cause Order directing South Cotabato II Electric Cooperative, Inc. (SOCOTECO II), among other Distribution Utilities (DUs), to explain why no administrative penalty should be imposed upon it, and/or criminal action instituted against its directors and officers, for its failure to remit its proportionate share in the Distribution Management Committee, Inc. (DMC).

On October 5, 2007, SOCOTECO II submitted its "Explanation" stating that: a) the check payable to DMC dated July 25, 2007 was inadvertently not forwarded to the Commission; b) its new cashier thought that this payee might be one of its suppliers, hence the check will be claimed anytime; and

[Signature]

c) the check payable to DMC was remitted later through the Office of the Executive Director of the Commission and the same was forwarded to the DMC. Available records of the Commission confirm this.



Finding this 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 SOCOTECO II for its failure to comply with the Commission's directive on time.

WHEREFORE, the foregoing premises considered, respondent South Cotabato II Electric Cooperative, Inc. (SOCOTECO II) is hereby **REPRIMANDED** for the delay in the remittance of its proportionate share in the Distribution Management Committee, Inc. (DMC), and **WARNED** that a similar offense in the future shall be dealt with more severely.

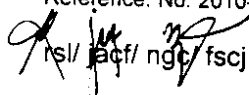
SO ORDERED.

Pasig City, April 20, 2010.

FOR AND BY AUTHORITY
OF THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner 

Reference: No. 2010-D1-O055


rs/ fac/ ng/ fscj

Copy furnished:

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