

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. 2008-004 MC
 RE: Implementing Capital
 Projects without Prior
 Approval from the
 Commission

**CAGAYAN II ELECTRIC COOPERATIVE, INC.
 (CAGELCO II),**

Respondent.

x ----- x

D O C K E T E D
 Date: **FEB 24 2010**
 By: *[Signature]*

D E C I S I O N

The Commission takes note of the "Offer of Compromise" filed by Cagayan II Electric Cooperative, Inc. (CAGELCO II) on February 18, 2010, offering to pay PhP59,800.00 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 Implementing Capital Projects without Prior Approval from the Commission	
Under R. A. 9136 Initial Amount: PhP100,000	100,000
Plus: PhP100 a day for every day of violation (August 7, 2006 to February 18, 2007) (PhP100 x 196 days)	19,600
Total	119,600
Fifty Percent (50%) thereof	59,800

[Handwritten Signature]


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, Cagayan II Electric Cooperative, Inc. (CAGELCO II) is hereby directed to remit the total amount of **FIFTY-NINE THOUSAND EIGHT HUNDRED PESOS (PhP59,800.00)** in the name of the Energy Regulatory Commission within fifteen days (15) from receipt hereof.

SO ORDERED.

Pasig City, February 19, 2010.

FOR AND BY AUTHORITY OF
THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner 4


PART / FPG / NCC
Reference No. 2010-D1-0035

Copy furnished:

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- 2. MR. GABRIEL A. TORDESILLAS**
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