

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 – 068 MC
 For: Implementing Capital
 Projects without Prior Approval
 from the Commission**

**CEBU III ELECTRIC COOPERATIVE,
 INC., (CEBECO III),**

Respondent.

x ----- x

D O C K E T E D
 Date: JAN 29 2009
 By: [Signature]

D E C I S I O N

The Commission takes note of the "Offer of Settlement" submitted by Cebu III Electric Cooperative, Inc. (CEBECO III) on January 27, 2009, offering to pay as settlement of the case fifty percent (50%) of the total amount of the imposable penalty for the alleged violations, computed as follows:

Particulars	Amount (PhP)
For Implementing Capital Projects without Prior Approval from the Commission	
Balamban Substation :	
Under R.A. 9136	
Initial Amount	100,000.00
Plus: PhP100 a day for every day of violation (February 1, 2008 to January 26, 2009) (P100/day x 361 days)	36,100.00
Total Amount of Penalty	136,100.00
Fifty Percent (50%) thereof	68,050.00

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, Cebu III Electric Cooperative, Inc. (CEBECO III), is hereby directed to remit the total amount of **SIXTY EIGHT THOUSAND FIFTY PESOS (PhP68,050.00)** in the name of the Energy Regulatory Commission within fifteen days (15) from receipt hereof.

SO ORDERED.

Pasig City, January 27, 2009

FOR AND BY AUTHORITY
OF THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner

Reference No. 2009-D1-D003

fcc/ingc/wsp/rmt

decision-90% CEBECO 3 CAPEX

Copy furnished:

1. **MR. PEDRITO BACULIO**
President
Philippine Rural Electric Cooperatives Association, Inc. (PHILRECA)
4/F, Casman Bldg.
1198 Quezon Ave., Quezon City
2. **ENGR. JEVY Q. BUENSALIDA**
General Manager
Cebu III Electric Cooperative, Inc. (CEBECO III)
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