

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. 2009-079 MC
 For: Operating as a Generation
 Company without a Certificate of
 Compliance (COC)**

**CRYSTAL SUGAR MILLING
 COMPANY, INC.**

Respondent.

x ----- x

D O C K E T E D
 Date: **FEB 12 2010**
 By: *[Signature]*

DECISION

The Commission takes note of the "Offer of Settlement" submitted by Crystal Sugar Milling Company, Inc. on January 28, 2010, offering to pay PhP92,800.00 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 Operating as a Generation Facility without a Certificate of Compliance (COC)	
Initial Amount	100,000
Pursuant to 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" dated May 17, 2002	
Plus PhP100 a day for every day of violation (March, April, May, July and December 2007, January to April 2008 and January to March 22, 2009) (PhP100 x 356 days)	35,600
Pursuant to the Resolution No. 03, Series of 2009 dated February 23, 2009: Additional Penalty for Any Willful Delay in the Implementation: (50% of the Basic Amount of Penalty – after 2 months from notice)	50,000
TOTAL	185,600
Fifty Percent (50%) thereof	92,800


[Handwritten Signature]

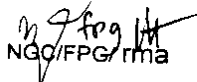
Finding the said offer to be just and reasonable, and in accordance with the "Guidelines to Govern the Imposition of Administrative Sanctions in the Form of Fines and Penalties Pursuant to Section 46 of Republic Act No. 9136", the same is hereby **ACCEPTED** and **APPROVED**. Accordingly, Crystal Sugar Milling Company, Inc. is hereby directed to remit the total amount of **NINETY TWO THOUSAND EIGHT HUNDRED PESOS (PhP92,800.00)** in the name of the Energy Regulatory Commission within fifteen days (15) from receipt hereof.

SO ORDERED.

Pasig City, February 3, 2010

FOR AND BY AUTHORITY
OF THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner *ky*


NGC/FPG/rma

Reference: No. 2010-D1-D25

Copy furnished:

1. **MR. JAVIER T. SAGARBARRIA**
Vice President for Administration
Crystal sugar Milling Company, Inc.
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