

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. 2009-102 MC
 RE: Implementing Project
 Without Prior Approval from
 the Commission**

**NUEVA ECIJA II – AREA 1 ELECTRIC
 COOPERATIVE, INC. (NEECO II - AREA 1),
 Respondent.**

X ----- X

D O C K E T E D
 Date: **FEB 12 2010**
 By: _____

D E C I S I O N

The Commission takes note of the letter submitted by Nueva Ecija II – Area 1 Electric Cooperative, Inc. (NEECO II – Area 1) on January 27, 2010, offering to pay PhP58,000.00 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 Project Without Prior Approval from the Commission	
Under R.A. 9136 Initial Amount	100,000.00
Plus: PhP100 a day for everyday of violation (September 20, 2008 to February 26, 2009) (PhP100 X 160 days)	16,000.00
TOTAL	116,000.00
Fifty Percent (50%) thereof	58,000.00

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, Nueva Ecija II – Area 1 Electric Cooperative, Inc. (NEECO II – Area 1) is hereby directed to remit the total amount of **FIFTY EIGHT THOUSAND PESOS (PhP58,000.00)** in the name of the Energy Regulatory Commission within thirty days (30) from receipt hereof.

SO ORDERED.

Pasig City, February 1, 2010.

FOR AND BY AUTHORITY OF
THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner

frg
NGC/ FPG / LTF ~~50%~~ CAPEX penalty
frg
Reference: No. 2010-D1-D018

Copy furnished:

1. **MR. RAMON C. POSADAS**
President
Philippine Rural Electric Cooperative Association (PHILRECA)
4th Floor Casman Building
1198 Quezon Avenue, Quezon City
2. **MR. EULALIA M. CASTRO**
General Manager
Nueva Ecija II – Area 1 Electric Cooperative, Inc. (NEECO II – Area 1)
Calipahan, Talavera, Nueva Ecija