

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. 2010-011 MC
RE: Failure to Implement the
Energy Regulatory Commission's
Order on Purchased Power
Adjustment (PPA)

**SOUTH COTABATO I ELECTRIC
COOPERATIVE, INC. (SOCOTECO I),
Respondent.**

x-----x

D O C K E T E D
Date: MAY 11 2010
By: [Signature]

D E C I S I O N

On March 4, 2010, the Commission issued a Show Cause Order docketed as ERC Case No. 2010-011 MC directing South Cotabato I Electric Cooperative, Inc. (SOCOTECO I) to submit its explanation under oath why no administrative penalty should be imposed upon it, and/or criminal action instituted against its directors and officers for the violation alleged therein.

On March 9, 2010, SOCOTECO I filed its "Manifestation with Motion to Set the Case for Conference" stating that a) it is aware and it acknowledges the authority of the Commission on the matter, however, it is likewise taking into account the pendency of a case before the Court of Appeals involving the very same subject matter; b) without abandoning its stand on the above-mentioned case, it is submitting for consideration of the Commission a proposed scheme for its PPA refund, together with Board Resolution No. 05, Series of 2010; and c) the said proposal was arrived upon after thorough and careful examination of its existing financial standing. Given this, SOCOTECO I started

[Signature]

implementing the directed PPA refund in its January 2010 billings to customers. 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 I for its failure to comply with the Commission's directive on time.

WHEREFORE, the foregoing premises considered, respondent South Cotabato I Electric Cooperative, Inc. (SOCOTECO I) is hereby **REPRIMANDED** for its failure to implement on time a Commission's directive and **WARNED** that a similar offense in the future shall be dealt with more severely.

SO ORDERED.

Pasig City, April 21, 2010.

FOR AND BY AUTHORITY
OF THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner

Copy Furnished:

1. **MR. RAMON C. POSADAS**
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Philippine Rural Electric Cooperative Association (PHILRECA)
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2. **MR. SANTIAGO C. TUDIO**
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3. **ATTY. CARLOS ROMAN L. UYBARRETA**
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