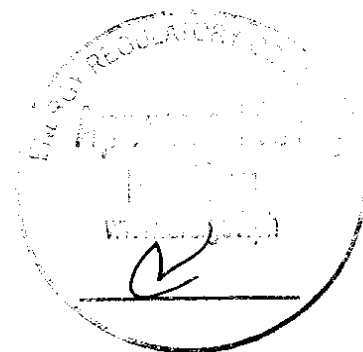


Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City



**IN THE MATTER OF VIOLATION OF
ERC ORDERS, RULES AND
REGULATIONS**

**ERC CASE NO. 2007 – 523 MC
RE: Failure to Implement
Approved Distribution Charge**

**ERC CASE NO. 2007 – 525 MC
RE: Failure to Implement
Approved Metering Retail
Customer Charge**

**SAMAR II ELECTRIC COOPERATIVE,
INC. (SAMELCO II),**

Respondent.

x ----- x

DOCKETED
Date: JUL 9 9 2008
By: [Signature]

DECISION

On November 23, 2007, the Commission issued Show Cause Orders docketed as ERC Case Nos. 2007 – 523MC, and 2007-525 MC, directing SAMELCO II to submit its explanation under oath why no administrative penalties shall be imposed upon it, and/or criminal action instituted against it for the violations alleged therein.

On December 21, 2007, SAMELCO II submitted its "Explanation and Justification with Motion for Reconsideration", stating among others, that the said violations are due to the delay in reformatting the cooperative's billing system.

On January 2009, SAMELCO II implemented the approved rates per customer type consistent with the Decision of the Commission in ERC Case No. 2001-934 (In the Matter of the Application for Approval of the Unbundled Rates Pursuant to the Provisions of Republic Act No. 9136) dated December 29, 2003. Available records with the Commission confirm this.

Finding its implementation 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 SAMELCO II for its failure to comply with the Commission's directive on time.


WHEREFORE, the foregoing premises considered, respondent Samar II Electric Cooperative, Inc. (SAMELCO II) is hereby **REPRIMANDED** for the delay in its implementation of approved Distribution and Metering Retail Customer Charge and **WARNED** that a similar offense in the future shall be dealt with more severely.

SO ORDERED.

Pasig City, July 7, 2010

FOR AND BY AUTHORITY
OF THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner *hy*


zpn/jac/ng/cj/SCJ
Reference No. 2008-D1-D64 & 65

fr: SAMELCO2_Reprimand

Copy furnished:

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