

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- 465 MC  
For: Non-Remittance of  
Proportionate Share in the  
Distribution Management  
Committee, Inc.**

**PUBLIC UTILITIES DEPARTMENT-  
OLONGAPO (PUD-OLONGAPO),**

**Respondent.**

x-----x

DUCKETED  
JUN 21 2010

**DECISION**

On July 18, 2007, the Commission issued a Show Cause Order directing Public Utilities Department-Olongapo (PUD-OLONGAPO) to submit an explanation under oath why no administrative penalty and/or criminal action should be imposed upon it, its directors and officers in view of its non-remittance of proportionate share in the Distribution Management Committee, Inc.

On January 22, 2010, PUD-OLONGAPO sent a letter stating that as a government agency it is bound to follow certain rules in the disbursement of its allowable budget. Given this, PUD-OLONGAPO remitted its proportionate share to DMC budget covering the period 2005 to 2009. Available records with the Commission confirm this.

A handwritten signature in black ink, appearing to be a stylized 'S' or similar character.

Finding this as a 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 this DU for its failure to comply with the Commission's directive on time.

**WHEREFORE**, the foregoing premises considered, respondent **PUBLIC UTILITIES DEPARTMENT-OLONGAPO (PUD-OLONGAPO)** is hereby **REPRIMANDED** for the delay in the remittance of its proportionate share in the DMC budget for the period 2005 to 2009 and **WARNED** that a similar offense in the future shall be dealt with more severely.

**SO ORDERED.**

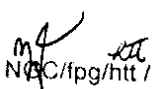
Pasig City, June 1, 2010

FOR AND BY AUTHORITY OF  
THE COMMISSION:

  
**ALEJANDRO Z. BARIN**  
Commissioner *h*

**Copy furnished:**

1. **ENGR. LUISITO M. LOPEZ**  
General Manager  
Public Utilities Department-Olongapo  
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2. **ATTY. ANGELITO R. OROZCO**  
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NOC/fpg/htt /proportionate share DMC. 01.28.10

Reference No. 2010-D1-D021