

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 – 388 MC  
RE: Non-inclusion of Pilferage  
Recovery in PPA Computation**

**BASILAN ELECTRIC COOPERATIVE,  
INC. (BASELCO),**

Respondent.

x ----- x

**DOCKETED**  
Date: JUN 12 2009  
By: JK

**D E C I S I O N**

The Commission takes note of the "Offer of Settlement" submitted by Basilan Electric Cooperative, Inc. (BASELCO) on May 6, 2009, offering to pay as settlement of the case fifty percent (50%) of the total amount of the imposable penalty for the alleged violation, computed as follows:

Particulars	Amount (PhP)
<b>For Non-Inclusion of Pilferage Recovery in PPA Computation</b>  Under C.A. 146 up to June 17, 2002 (PhP200 for every day of violation)  (January 1, 1998 to June 17, 2002) (PhP200 x 975 days)	195,000.00

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	Amount (PhP)
<b>For Non-Inclusion of Pilferage Recovery in PPA Computation</b>	
Under R.A. 9136	
Initial Amount	100,000.00
Plus: PhP100 a day for every day of violation (June 18, 2002 to July 31, 2004)	
(PhP100 x 762 days)	76,200.00
Sub-Total	176,200.00
<b>Total</b>	<b>371,200.00</b>
<b>Fifty Percent (50%) thereof</b>	<b>185,600.00</b>

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, Basilan Electric Cooperative, Inc. (BASELCO), is hereby directed to remit the total amount of **ONE HUNDRED EIGHTY FIVE THOUSAND SIX HUNDRED PESOS (PhP185,600.00)** in the name of the Energy Regulatory Commission within fifteen days (15) from receipt hereof.

**SO ORDERED.**

Pasig City, May 18, 2009

FOR AND BY AUTHORITY  
OF THE COMMISSION:

  
**ALEJANDRO Z. BARIN**  
Commissioner *ay*

Copy furnished:

**1. MR. PEDRITO H. BACULIO**

President

Philippine Rural Electric Cooperative Association (PHILRECA)

4<sup>th</sup> Floor Casman Building

Quezon Avenue, Quezon City 1198

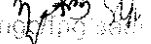
**2. MR. ALFREDO E. OYAO**

General Manager

Basilan Electric Cooperative, Inc. (BASELCO)

Isabela City, Basilan 7300

Reference No: 2009-D1-D035

  
decision-50% BASELCO PILFERAGE