

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

**IN THE MATTER OF THE ADOPTION OF THE PROCEDURES FOR  
CONSULTATION ON THE PROPOSED GUIDELINES TO GOVERN  
THE SETTING OF STANDARDS TO DISTINGUISH THE  
TRANSMISSION FROM THE SUBTRANSMISSION ASSETS OF  
TRANSCO AND THE BUYER OR CONCESSIONAIRE OF SAID  
ASSETS AND THE GRANT OF FRANCHISE TO OPERATE THE  
SUBTRANSMISSION ASSETS**

**WHEREAS**, pursuant to Section 7 of Republic Act No. 9136, the ERC shall set the standards of the voltage transmission that shall distinguish the transmission from the subtransmission assets.

**WHEREAS**, pursuant to Section 8 of Republic Act No. 9136, where there are two or more distribution utilities connected to any subtransmission asset of TRANSCO, a consortium or juridical entity shall be formed by and composed of all of said utilities to whom ERC shall grant a franchise to operate the subtransmission asset.

**WHEREAS**, the Energy Regulatory Commission (ERC) was mandated to set the standards of the voltage transmission as distinguished from the subtransmission assets and to issue a franchise to the consortium or juridical entity to operate the subtransmission asset.

**WHEREAS**, pursuant to the said mandates, the ERC drafted the Guidelines to govern the above-stated subjects.

**WHEREAS**, on May 15, 2003, the ERC issued an Order giving notice to interested parties to submit their comments on the proposed guidelines on or before June 6, 2003.

**WHEREFORE**, the ERC has resolved to adopt the following procedure for the orderly and expeditious conduct of said Public Consultation:

**Procedure:**

- The ERC posted on May 23, 2003 the proposed guidelines to govern the setting of standards to distinguish the transmission from the subtransmission assets and the grant of franchise to operate the subtransmission assets on its website at [www.erc.gov.ph](http://www.erc.gov.ph). Electronic copies (in CD ROM) are available, at cost, for distribution to interested parties thru ERC's Regulatory Operations Service.

- All comments and questions shall be sent in accordance with the following order of priority:

1. E-mail at [regulatory@erc.gov.ph](mailto:regulatory@erc.gov.ph) attention to Engr. Edwin O. Ocenar; and
2. Mail (*in soft and hard copies*) addressed to Regulatory Operations Service, Energy Regulatory Commission, 17/F, Pacific Center Bldg., San Miguel Avenue, Pasig City.

- Only those who submit their valid comments or questions by June 6, 2003 shall be considered as parties of record. All comments or questions will be published on the website upon receipt.

- Parties of record are requested to submit all their valid comments or questions as early as possible in order for the ERC to have sufficient time for consolidating all the submitted comments.

- All written comments and questions shall be considered read and need not be reiterated further during the public consultation.

- The public consultation shall be conducted for two (2) days on June 16 and 17, 2003 and shall start at exactly 9:00 A.M until 4:00 P.M. (break will be from 12 PM to 2 PM). No requests for adjournment or delay of the verbal consultation shall be entertained unless justified. All parties of record should have read the material posted on the ERC website prior to the public consultation.

- The parties of record should limit their participation in the verbal consultation to new matters or questions. The ERC shall reserve its right to disregard comments or questions which have been previously raised and answered. However, additional discussion of detailed points is encouraged.

- Following the public consultation period, the Regulatory Operations Service shall submit to the ERC its final evaluation on June 25, 2003 in consideration of all the comments provided by the parties of record. The Commission is then expected to give its Decision on or before June 30, 2003.

Pasig City, 26 May 2003.

**MANUEL R. SANCHEZ**  
Chairman

**MARY ANNE B. COLAYCO**  
Commissioner

**OLIVER B. BUTALID**  
Commissioner

**CARLOS R. ALINDADA**  
Commissioner

**LETICIA V. IBAY**  
Commissioner