

REPUBLIC OF THE PHILIPPINES
ENERGY REGULATORY COMMISSION
PACIFIC CENTER BUILDING
SAN MIGUEL AVENUE, ORTIGAS CENTER
CITY OF PASIG

**IN THE MATTER OF THE APPLICATION
FOR AUTHORITY TO UNBUNDLE RATES
AND APPROVAL OF REVISED RATE
SCHEDULE IN ACCORDANCE WITH
SECTION 36 OF REPUBLIC ACT NO.
9136, WITH PRAYER FOR PROVISIONAL
AUTHORITY.**

CLARK ELECTRIC DISTRIBUTION CORP.,
Applicant,
X-----X

ERC CASE NO. 2009-067RC

APPLICATION

COMES NOW applicant, **CLARK ELECTRIC DISTRIBUTION CORPORATION**, hereinafter referred to as **CEDC** for brevity, through undersigned counsels, and unto this Honorable Commission, most respectfully avers **THAT**:

1. CEDC is a domestic corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office address at Bldg. N2830 Bayanihan Street, Clark Freeport Zone, Pampanga. It is represented herein by its Chief Executive Officer, **RADITO P. TUAZON**.

1.1. It is the duly authorized operator of the electric light and power system within the Clark Freeport Zone, Pampanga.

2. The rates presently being charged by CEDC were those that were charged by Angeles Electric Inc. at the time that Clark customers were transferred to CEDC less P0.10 per Clark Development Corporation (CDC) approval.

3. On 17 July 2009, **JESUS P. FRANCISCO**, President of CEDC, wrote the **HON. ZENaida CRUZ-DUCUT**, Chairperson of this Honorable Commission, informing her of CEDC's intention to join the Fourth Entry Group (Group D) into the Performance Based Regulation (PBR).

3.1. On 10 August 2009, this Honorable Commission, through **Chairperson DUCUT**, in reply to the aforementioned letter of Mr. Francisco, directed CEDC, among other things, to **"file its unbundling application on or before September 30, 2009"**.

3.2. On 29 September 2009, the undersigned counsel filed a request for extension praying that CEDC be given until 15 October 2009 within which to file its Rate Unbundling Application.

4. In compliance with the directive of this Honorable Commission and the mandate of Section 36 of Republic Act No. 9136, CEDC herein applies for authority to unbundle its rates into distribution, supply and metering.

5. Herein below provided is the table setting forth the proposed rates being applied for by CEDC as well as a comparison of said rates with the existing rates per customer class:

Table I. Comparison of Proposed and Existing Rates:

Existing Customer Class	Existing Rates	Proposed Customer Class	Proposed Rates	Difference
RESIDENTIAL		Residential/		
Distribution (P/kwh)	Php0.71	Distribution (P/kwh)	Php0.88	Php0.17
Supply (P/kwh)		Supply (P/kwh)	Php0.69	Php0.69
Metering (P/cust/mo)		Metering (P/cust/mo)	Php5.00	Php5.00
Metering (P/kwh)		Metering (P/kwh)	Php0.08	Php0.08
Total	Php0.71	Total	Php1.65	Php0.95
General Services 0		Small Commercial		
Distribution (P/kwh)	Php0.72	Distribution (P/kwh)	Php0.87	Php0.15
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	
Metering (P/cust/mo)		Metering (P/cust/mo)	Php5.00	
Metering (P/kwh)		Metering (P/kwh)	Php0.12	Php0.12
Total	Php0.72	Total	Php1.86	Php1.13
GEN. SERVICES 1		Commercial/Industrial (Secondary)		
Distribution (P/kw)		Distribution (P/kw)	Php180.93	Php180.20
Distribution (P/kwh)	Php0.72	Distribution (P/kwh)	Php0.42	
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php1,376.34	Php1,376.34
Total	Php0.72	Total	Php0.95	Php0.23
GEN. SERVICES 2		Commercial/Industrial (Secondary)		
Distribution (P/kw)		Distribution (P/kw)	Php180.93	Php180.20
Distribution (P/kwh)	Php0.72	Distribution (P/kwh)	Php0.42	
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php1,376.34	Php1,376.34
Total	Php0.72	Total	Php0.95	Php0.23
GEN. SERVICES 3		Commercial/Industrial (Primary)		
Distribution (P/kw)		Distribution (P/kw)	Php230.21	Php229.49
Distribution (P/kwh)	Php0.72	Distribution (P/kwh)		
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php5,844.73	Php5,844.73
Total	Php0.72	Total	Php0.52	-Php0.20
GEN. SERVICES 4		Commercial/Industrial (Secondary)		
Distribution (P/kw)	Php10.00	Distribution (P/kw)	Php180.93	Php170.93
Distribution (P/kwh)	Php0.72	Distribution (P/kwh)	Php0.42	-Php0.30
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php1,376.34	Php1,376.34
Total	Php0.75	Total	Php0.95	Php0.21

Large Gen. Service		Commercial/Industrial (Secondary)		
Distribution (P/kw)	Php10.00	Distribution (P/kw)	Php180.93	Php170.93
Distribution (P/kwh)	Php0.72	Distribution (P/kwh)	Php0.42	-Php0.30
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php1,376.34	Php1,376.34
				Php0.00
Total	Php0.75	Total	Php0.95	Php0.21
Small Industrial Service		Commercial/Industrial (Primary)		
Distribution (P/kw)	Php10.00	Distribution (P/kw)	Php230.21	Php220.21
Distribution (P/kwh)	Php0.67	Distribution (P/kwh)		(Php0.67)
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php5,844.73	Php5,844.73
Total	Php0.71	Total	Php0.52	(Php0.19)
Large Industrial Services		Commercial/Industrial (Primary)		
Distribution (P/kw)	Php10.00	Distribution (P/kw)	Php230.21	Php220.21
Distribution (P/kwh)	Php0.67	Distribution (P/kwh)		(Php0.67)
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php5,844.73	Php5,844.73
			Php0.00	
Total	Php0.69	Total	Php0.52	(Php0.17)
69 KV		69 KV		
Distribution (P/kw)	Php10.00	Distribution (P/kw)	Php148.19	Php138.19
Distribution (P/kwh)	Php0.67	Distribution (P/kwh)		(Php0.67)
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php41,810.59	Php41,810.59
Total	Php0.70	Total	Php0.36	(Php0.34)
Street Lights		Streetlights		
Distribution (P/kw)		Distribution (P/kw)		
Distribution (P/kwh)	Php0.72	Distribution (P/kwh)	Php1.23	Php0.50
Supply (P/cust/mo)		Supply (P/cust/mo)	Php458.05	Php458.05
Metering (P/cust/mo)		Metering (P/cust/mo)	Php56.56	
Total	Php0.72	Total	Php1.51	Php0.78

6. CEDC further seeks authority to adjust its rates in order to achieve the proposed revenue requirement per customer class without increasing the overall average rate as provided in the table below:

Table II. Comparison of Revenue Requirement:

Existing			Proposed				
				No. of			
Customer Class	Existing	Existing	Customer Class	kw/kwh	No. of	Proposed	Proposed
	Rates	Revenues		Sales	Customers	Rates	Revenues
RESIDENTIAL			Residential/				
Distribution (P/kwh)	Php 0.71	Php 2,877,866.16	Distribution (P/kwh)	4,070,532		Php 0.88	Php 3,569,313.62
Supply (P/kwh)			Supply (P/kwh)	4,070,532		Php 0.69	Php 2,808,734.56
Metering (P/cust/mo)			Metering (P/cust/mo)		511	Php 5.00	Php 30,660.00
Metering (P/kwh)			Metering (P/kwh)	4,070,532		Php 0.08	Php 316,177.88
Total	Php 0.71	Php 2,877,866.16	Total			Php 1.65	Php 6,724,886.07
General Services 0			Small Commercial				
Distribution (P/kwh)	Php 0.72	Php 232,196.93	Distribution (P/kwh)	2,136,658		Php 0.87	Php 1,867,159.19
Supply (P/cust/mo)			Supply (P/cust/mo)	333		Php 458.05	Php 1,830,349.53
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 5.00	Php 19,980.00
Metering (P/kwh)			Metering (P/kwh)			Php 0.12	Php 251,245.87
Total	Php 0.72	Php 232,196.93	Total			Php 1.86	Php 3,968,734.59
General Services 1			Commercial/Industrial (Secondary)				
Distribution (P/kw)	Php 0.72	Php 767,098.60	Distribution (P/kw)	20,951		Php 180.93	Php 45,487,363.18
Distribution (P/kwh)			Distribution (P/kwh)	108,067,152		Php 0.42	Php 45,487,363.18

Supply (P/cust/mo)			Supply (P/cust/mo)	552		Php 458.05	Php 3,034,092.91
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 1,376.34	Php 9,116,881.54
Total	Php 0.72	Php 767,098.60	Total			Php 0.95	Php 103,125,700.80
General Services 2			Commercial/Industrial (Secondary)				
Distribution (P/kw)	Php 0.72	Php 284,744.20	Distribution (P/kw)			Php 180.93	
Distribution (P/kwh)			Distribution (P/kwh)			Php 0.42	
Supply (P/cust/mo)			Supply (P/cust/mo)			Php 458.05	
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 1,376.34	
Total	Php 0.72	Php 284,744.20	Total			Php 0.95	
General Services 3			Commercial/Industrial (Secondary)				
Distribution (P/kw)	Php 0.72	Php 272,737.17	Distribution (P/kw)			Php 180.93	
Distribution (P/kwh)			Distribution (P/kwh)			Php 0.42	
Supply (P/cust/mo)			Supply (P/cust/mo)			Php 458.05	
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 1,376.34	
Total	Php 0.72	Php 272,737.17	Total			Php 0.95	
General Services 4			Commercial/Industrial (Primary)				
Distribution (P/kw)	Php 10.00	Php 1,074,182.40	Distribution (P/kw)	18,054		Php 230.21	Php 49,874,472.37
Distribution (P/kwh)	Php 0.72	Php 33,144,569.10	Distribution (P/kwh)	98,640,515			
Supply (P/cust/mo)			Supply (P/cust/mo)	23		Php 458.05	Php 126,420.54
Metering (P/cust/mo)			Metering (P/cust/mo)	23		Php 5,844.73	Php 1,613,146.85
Total	Php 0.75	Php 34,218,751.50	Total			Php 0.52	Php 51,614,039.76

Large General Service			Commercial/Industrial (Primary)				
Distribution (P/kw)	Php 10.00	Php 1,801,134.00	Distribution (P/kw)			Php 230.21	
Distribution (P/kwh)	Php 0.72	Php 56,368,844.08	Distribution (P/kwh)				
Supply (P/cust/mo)			Supply (P/cust/mo)			Php 458.05	
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 5,844.73	
Total	Php 0.75	Php 58,169,978.08	Total			Php 0.52	
Small Industrial Services			Commercial/Industrial (Secondary)				
Distribution (P/kw)	Php 10.00	Php 3,459.60	Distribution (P/kw)			Php 230.21	
Distribution (P/kwh)	Php 0.67	Php 64,195.38	Distribution (P/kwh)			Php -	
Supply (P/cust/mo)			Supply (P/cust/mo)			Php 458.05	
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 5,844.73	
Total	Php 0.71	Php 67,654.98	Total			Php 0.52	
Large Industrial Services			Commercial/Industrial (Primary)				
Distribution (P/kw)	Php 10.00	Php 1,212,562.80	Distribution (P/kw)			Php 230.21	
Distribution (P/kwh)	Php 0.67	Php 56,034,603.09	Distribution (P/kwh)				
Supply (P/cust/mo)			Supply (P/cust/mo)			Php 458.05	
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 5,844.73	
Total	Php 0.69	Php 57,247,165.89	Total			Php 0.52	
69kV			69 KV				
Distribution (P/kw)	Php 10.00	Php 852,444.00	Distribution (P/kw)	36,240,900		Php 148.19	Php 12,632,321.94
Distribution (P/kwh)	Php 0.67	Php 24,437,238.87	Distribution (P/kwh)	7,104			
Supply (P/cust/mo)			Supply (P/cust/mo)	1		Php 458.05	Php 5,496.55

Metering (P/cust/mo)			Metering (P/cust/mo)			Php 41,810.59	Php 501,727.13
Total	Php 0.70	Php 25,289,682.87	Total			Php 0.36	Php 13,139,545.61
Street Lights			Streetlights				
Distribution (P/kw)			Distribution (P/kw)				
Distribution (P/kwh)	Php 0.72	Php 793,711.08	Distribution (P/kwh)	1,095,076		Php 1.23	Php 1,346,091.51
Supply (P/cust/mo)			Supply (P/cust/mo)	49		Php 458.05	Php 269,330.71
Metering (P/cust/mo)			Metering (P/cust/mo)			Php 56.56	Php 33,258.43
Total	Php 0.72	Php 793,711.08	Total			Php 1.51	Php 1,648,680.65
Total		Php 180,221,587.47		250,250,833			Php 180,221,587.47
Per kwh		Php 0.72					Php 0.72

7. CEDC likewise provides herein its proposed Revenue Requirements per Cost Components per 2008 Financial Statements:

Table III. Revenue Requirement per cost Component:

2008 REVENUE REQUIREMENT (in PhP '000)			
Account Name	Total Company	Electric Adjustment	Proposed Dist Revenue Requirement
Payroll	15,930,747		15,930,747
Operation & MaintenanceLess:payroll	50,262,326		50,262,326
Depreciation	21,045,379	0	21,045,379
Income Tax	7,639,480	7,639,480	0
Other Expenses	7,795,504		7,795,504
Return on Rate Base	88,241,377	0	88,241,377
Actual Revenues	191,089,682	7,639,480	183,275,333
Less: Other Revenue Items	3,053,745		3,053,745
Total Revenue Requirement	P188,035,936	P7,639,480	P180,221,587
Return on Rate Base(%)	16.32%		16.32%
Total Rate Base	P540,764,917	P0	P540,764,917

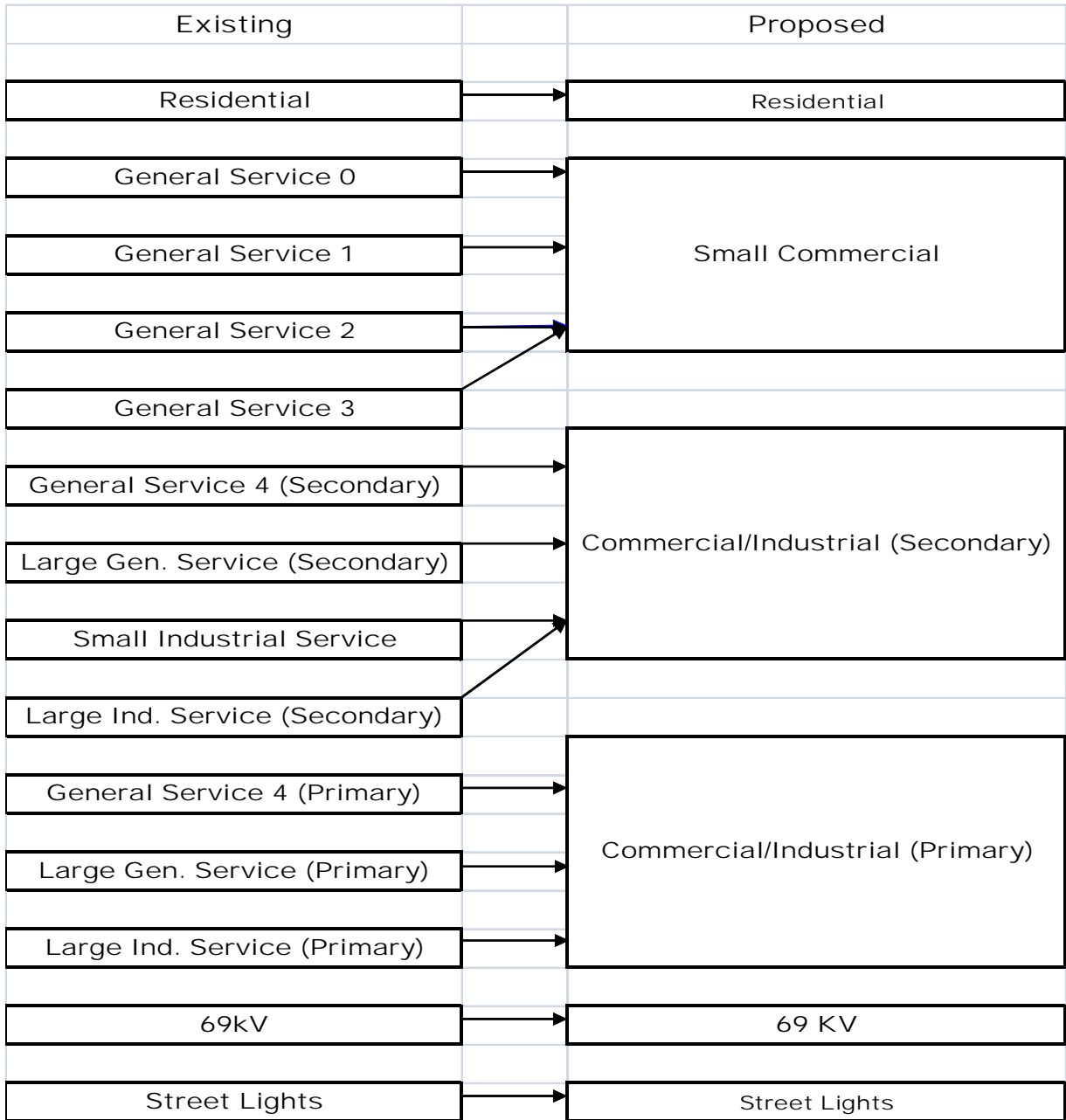
8. Based, therefore, on the kWh sold and number of customers per class from the audited financial statement and statistical information for the year 2008, billing determinants and allocation factors used, CEDC arrived at the functionalized and allocated cost to the different customer classes. The resulting **Revenue Summary per Customer Class and Function** is hereinbelow provided:

Table IV. Revenue Summary per Customer Class and Function:

Class	Total Revenue	Total Distribution Revenue	Supply Revenue	Metering Revenue
Residential/	Php6,724,886.07	Php3,569,313.62	Php2,808,734.56	Php346,837.88
Small Commercial	Php3,968,734.59	Php1,867,159.19	Php1,830,349.53	Php271,225.87
Commercial/Industrial (Secondary)	Php103,125,700.80	Php90,974,726.35	Php3,034,092.91	Php9,116,881.54
Commercial/Industrial (Primary)	Php51,614,039.76	Php49,874,472.37	Php126,420.54	Php1,613,146.85
69 KV	Php13,139,545.61	Php12,632,321.94	Php5,496.55	Php501,727.13
Streetlights	Php1,648,680.65	Php1,346,091.51	Php269,330.71	Php33,258.43
Total	Php180,221,587.47	Php160,264,084.99	Php8,074,424.79	Php11,883,077.69

9. CEDC also proposes a reclassification of its customer segments to now consider voltage connection rather than level of consumption as follows:

Customer Segmentation:



10. That as mandated under R.A. 9136 of the EPIRA Law, inter-class cross subsidy should be gradually removed to reflect the true cost of providing electric services for each customer class. Based on the proposed revenue

requirement and comparison with the revenue from the existing bundled rates of Clark Electric Distribution Corporation, the cross-subsidy rate was calculated as follows:

Table V. Interclass Cross-Subsidy

Current Customer Class	Proposed Customer Class	Inter-Class Cross Subsidies		
		Existing	Proposed	
Residential	Residential	0.71	1.6523	(0.95)
General Service 0	Small Commercial	0.72	1.8578	(1.13)
General Service 1		0.72	1.8578	(1.13)
General Service 2		0.72	1.8578	(1.13)
General Service 3		0.72	1.8578	(1.13)
General Service 4 (220)	Commercial/Industrial (220)	0.75	0.9545	(0.21)
Large Gen. Service (220)		0.75	0.9545	(0.21)
Small Industrial Service		0.71	0.9545	(0.24)
Large Ind. Service (220)		0.69	0.9545	(0.27)
General Service 4 (13.8)	Commercial/Industrial (13.8)	0.75	0.5233	0.22
Large Gen. Service (13.8)		0.75	0.5233	0.22
Large Ind. Service (13.8)		0.69	0.5233	0.17
69kV	69 KV	0.70	0.3626	0.34
Street Lights	Street Lights	0.72	1.5055	(0.78)

11. In order that the impact of rates is mitigated, CEDC is also proposing the phasing of the implementation of its true cost of electricity to its customers on a three phase for a period of six months each phase as follows:

Table V. Interclass Cross-Subsidy Three (3) Six months Period Phase out Increase/(Decrease) in Rates per kwh

	First six months 66%	Second six months 33%	Third Six months
Residential	(0.62)	(0.31)	0.00
GS 0/Small Commercial	(0.75)	(0.37)	0.00
GS 1/Small Commercial	(0.75)	(0.37)	0.00
GS 2/Small Commercial	(0.75)	(0.37)	0.00
GS 3/Small Commercial	(0.75)	(0.37)	0.00
GS 4/CI(Secondary)	(0.14)	(0.07)	0.00
Large GS/CI(Secondary)	(0.14)	(0.07)	0.00
Small Industrial Service/CI (Secondary)	(0.16)	(0.08)	0.00
Large IS/CI (Secondary)	(0.18)	(0.09)	0.00
GS 4/CI (Primary)	0.15	0.07	0.00
Large GS/CI (Primary)	0.15	0.07	0.00
Large IS/CI (Primary)	0.11	0.05	0.00
69kV	0.22	0.11	0.00
Street Lights	(0.52)	(0.26)	0.00

12. CEDC is not proposing any lifeline rates because its customers' profile shows that its residential customers have an average consumption of 600kW/month. Moreover, while some customers may be qualified to avail of lifeline rates because of their low consumption, said customers are only using these houses for vacation purposes, thus may not be qualified as "marginalized" users.

13. CEDC herein manifests that it will be submitting before the formal filing of the instant application the following documents in compliance with the pre-filing requirements mandated under Rule 3, Section 4(e) of the Implementing Rules and

Regulations (IRR) of R.A. 9136 as well as Rule 6 of the ERC's Rules of Practice and Procedure covering the pre-filing requirements.

- Certification issued by the Clark Development Corporation attesting to the fact that it was served a copy of the instant Application together with its Annexes.

- Affidavit of Publication from the newspaper that published the entire application, excluding its annexes.

- Copy of the newspaper where the application was published.

14. CEDC, in further support of the instant Application and in compliance with the Rules of Practice and Procedures of this Honorable Commission, respectfully submits the following:

SCHEDULE	NATURE/DESCRIPTION
Schedule A	Historical Cost by Function
Schedule D	Functionalization Factors
Schedule E	Class Allocation Factors
Schedule E1	System Data
Schedule E5	Class Allocation Factors
Schedule F1	Revenue Summary
Schedule F3	Customer Class Definition
Schedule F4	Load Research Data
Schedule F5	Proof of Revenue Statement
Schedule F6	New Customer Segmentation
Schedule H	Inter class Cross Subsidy
Schedule H2	Proof of Revenue Using Existing Rates
Schedule K	Rate Schedule

PRAYER

WHEREFORE, in view of all the foregoing, it is respectfully prayed that pending hearing, the herein unbundling of rates and proposed Revised Rate Schedule (Table VI below) submitted by **CLARK ELECTRIC DISTRIBUTION CORPORATION** (1.) be provisionally approved ex-parte under Section 16(c) of the Public Service Act and Section 8 of Executive Order No. 172 and that applicant (2.) be authorized to adopt and implement the same upon provisional approval, and finally that after due notice and hearing, the same (3.) be made permanent.

Table VI. Revised Rate Schedule:

Customer Class	Distribution		Supply		Meter	
	P/kw	P/kwh	P/cust/mo	P/kwh	P/cust/mo	P/kwh
Residential/		PHP 0.88		PHP 0.69	PHP 5.00	PHP 0.08
Small Commercial		PHP 0.87	PHP 458.00		PHP 5.00	PHP 0.12
Commercial/Industrial (220)	PHP 180.00	PHP 0.42	PHP 458.00		PHP 1,376.00	
Commercial/Industrial (13.8kV)	PHP 230.00		PHP 458.00		PHP 5,845.00	
69 KV	PHP 148.00		PHP 458.00		PHP 41,811.00	
Streetlights		PHP 1.23	PHP 458.00		PHP 57.00	
Per kwh		PHP 0.64		PHP 0.03		PHP 0.05
Total Per kwh						PHP 0.72

Other reliefs just and equitable under the premises are likewise prayed for.

Quezon City for the City of Pasig, Metro Manila.

12 October 2009.

**THE LAW FIRM
OF
MANJARES & MANJARES**

Counsel for Clark Electric Distribution Corporation
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- and -

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VERIFICATION AND CERTIFICATION

I, **RADITO P. TUAZON**, after having been duly sworn to in accordance with law, depose and say:

1. That I am the Chief Executive Officer of Clark Electric Distribution Corporation (**CEDC**), the applicant-corporation in the above-entitled case;

2. That I have caused the preparation and filing of the instant application;

3. That I have read the same and that all the allegations contained therein are true and correct of my own personal knowledge and belief;

4. That I hereby certify that **CEDC** has not commenced any action and/or proceeding involving the same issue/s before the Supreme Court, the Court of Appeals or any other tribunal or agency;

5. That to the best of my knowledge no such action and/or proceeding involving the same issue/s is pending before the Supreme Court, the Court of Appeals or any other tribunal or agency;

6. That should I thereafter learn that such action and/or proceeding is pending before the Supreme Court, the Court of Appeals or any other tribunal or agency, I herein undertake to report such fact before this Honorable Commission within five (5) days from knowledge.

FURTHER AFFIANT SAYETH NONE.

RADITO P. TUAZON

SUBSCRIBED AND SWORN to before me this 12th day of October 2009, affiant exhibited to me his **Professional Regulation Commission Identification No. 0004668** issued on **October 3, 1985 and valid until September 13, 2011**, issued at **Manila**.

Atty. Maria Zarah R. Villanueva – Castro
Notary Public
Pasig, Pateros, Taguig, San Juan
Issued on Jan, 14, 2006 at Pasig City
Until December 31, 2009
Roll No. 42053/ IBP No. 726848/ 11-15-2007/Pasig City
PTR No. 4339784/ 01-09-2008/ Pasig City
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