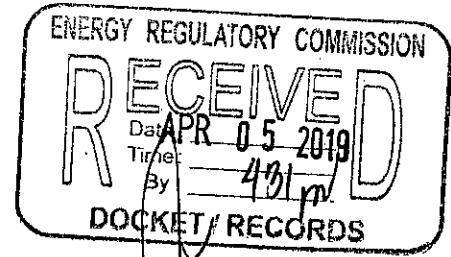


REPUBLIC OF THE PHILIPPINES
ENERGY REGULATORY COMMISSION
SAN MIGUEL AVENUE, PASIG CITY

IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO PROVIDE ELECTRICITY SERVICE IN THE ISLANDS OF LAHUY AND HAPONAN IN CARAMOAN, AND QUINALASAG IN GARCHITORENA IN THE PROVINCE OF CAMARINES SUR AS A QUALIFIED THIRD PARTY, FOR THE ISSUANCE OF THE CORRESPONDING AUTHORITY TO OPERATE AND FOR APPROVAL OF THE QUALIFIED THIRD PARTY SERVICE AND SUBSIDY CONTRACT WITH THE NATIONAL POWER CORPORATION, WITH PRAYER FOR PROVISIONAL AUTHORITY,



ERC CASE No. 2019-027 RC

FP ISLAND ENERGY CORPORATION,
Applicant.

X-----X

APPLICATION

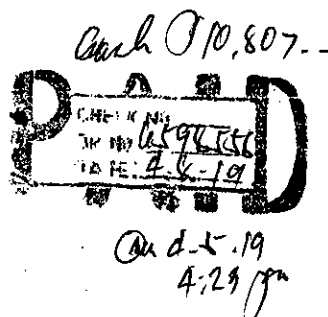
Applicant FP Island Energy Corporation ("FP Island"), by the undersigned counsel, respectfully states:

THE APPLICANT

1. FP Island is a corporation duly organized and existing under the laws of the Republic of the Philippines, with principal address at 6/F Rockwell Business Center Tower 3, Ortigas Avenue, Pasig City, Metro Manila.

Copies of FP Island's Certificate of Incorporation, Articles of Incorporation, By-Laws, latest General Information Sheet, Audited Financial Statements as of 31 December 2017, and a diagram of FP Island's corporate ownership structure are attached hereto as **Annexes "A" and series.**

2. Applicant may be served orders and other processes through the undersigned counsel.



NATURE OF THE APPLICATION

3. Pursuant to this Honorable Commission's Resolution No. 22, Series of 2006, entitled "*A Resolution Promulgating the Rules for the Regulation of the Qualified Third Parties Performing Missionary Electrification in Areas Declared Unviable by the Department of Energy (DOE)*," this Application is submitted to this Honorable Commission to secure authorization to provide electricity service with a request for the issuance of the corresponding Authority to Operate ("ATO") as a Qualified Third Party ("QTP") in the islands of Lahuy and Haponan in Caramoan, and Quinalasag Island in Garchitorena in the Province of Camarines Sur (the "Islands"). This Application also seeks the approval of the Qualified Third Party Service and Subsidy Contract ("QSSC") dated 27 September 2018 executed by and between FP Island and the National Power Corporation ("NPC").

A copy of the QSSC is attached hereto as **Annex "B."**

COMPLIANCE WITH PRE-FILING REQUIREMENTS

4. In compliance with Rule 6 of the ERC Rules of Practice and Procedure, FP Island has furnished a copy of the present Application with all its annexes and accompanying documents to the legislative bodies of each of the municipalities where FP Island will principally operate.

The corresponding proofs of receipt are attached hereto as **Annexes "C" and series.**

5. Furthermore, FP Island has caused the publication of the present Application in its entirety, excluding its annexes, in a newspaper of general circulation within the franchise area of Camarines Sur IV Electric Cooperative, Inc. ("CASURECO IV"), the franchise holder and distribution utility over the Islands.

Copies of the newspaper and the corresponding affidavit of publication are attached hereto as **Annexes "D" and "D-1,"** respectively.

STATEMENT OF FACTS

6. **Electricity services at present.** Electricity service in the Islands is currently very limited. Power supply is provided by the National Power Corporation – Small Power Utilities Group via diesel generator units which are run only from four (4) to eight (8) hours per

day in the islands of Lahuy and Quinalasag. Haponan Island currently has no electricity service.

7. CASURECO IV operates and maintains the existing distribution networks in the Islands and is responsible for delivering power to the communities. However, of the 3,115 households in the Islands, only 759, or 24.4%, have electrical connections.

8. **Unviable electric services.** CASURECO IV has found it unfeasible to provide effective management of distribution operations such that, on 31 July 2015, it declared the provision of electric services to the Islands unviable, and resolved to waive its right to provide electric service in the Islands under its franchise.

A copy of the relevant CASURECO IV board resolution is attached hereto as **Annex "E."**

9. The National Electrification Administration ("NEA") supported the resolution of CASURECO IV, and prompted the Department of Energy ("DOE") to invite interested parties to submit proposals as QTPs.

A copy of the relevant NEA letter is attached hereto as **Annex "F."**

10. **Competitive Selection Process.** In response, the DOE published an invitation to interested parties to submit proposals as QTPs.

11. **Qualification as QTP.** On 5 May 2016, First Philippine Holdings Corporation ("FPH"), the parent company of FP Island, submitted a letter of intent expressing its intention to participate as a QTP through its project company, which was subsequently incorporated as FP Island.

Based on FPH's qualifications, the DOE selected FPH as a Candidate QTP to provide electricity services in the Islands and required FPH to conduct the proper due diligence and submit a proposal.

12. In response, FPH filed its proposal to provide electricity services in the Islands. FPH reserved the right to assign the proposal to a wholly-owned subsidiary, which, for this purpose, was FP Island. After conducting a Swiss Challenge process, the DOE endorsed FP Island as the QTP to provide electricity services in the Islands.

A copy of the DOE's letter dated 26 September 2017 informing FP Island of such selection is attached hereto as **Annex "G."**

Subsequently, the DOE issued Endorsement No. 2018-007 dated 18 January 2019 which stated that FP Island has shown that it has the full legal, technical and financial capacity to provide electricity services in the Islands as the QTP and, therefore, the DOE endorsed this application to the ERC for final approval and the issuance of the necessary license or permit to officially commence its operation as the QTP in the Islands.

A copy of the DOE's Endorsement is attached hereto as **Annex "H."**

13. **Waiver Agreement.** FP Island and CASURECO IV executed a Waiver Agreement authorizing FP Island to take over the missionary electrification function of supplying the electricity requirements of the QTP Service Area, as defined in the said agreement, from CASURECO IV.

A copy of the Waiver Agreement is attached as **Annex "I."**

ABSTRACT OF THE QTP SERVICE AND SUBSIDY AGREEMENT AND RELATED INFORMATION

14. **The QTP Service Area.** The QTP Service Area covers the geographic area over which CASURECO IV has waived the right to provide service in favor of FP Island and for which FP Island will be responsible for providing electricity service, as may be authorized by this Honorable Commission. It covers, and is limited to, the main islands of Lahuy, Haponan, and Quinalasag, generally excluding any islets and other areas not connected by land to the said main islands. It includes the islets of Morupuro, Lamit and Tara, which are connected to Quinalasag through overhead power lines.

The QTP Service Area is more specifically defined in **Annex "J"** hereof.

15. **Load projections.** The Islands' energy requirements are projected to grow as indicated in FP Island's demand projections.

A copy of the demand projections is attached hereto as **Annex "K."**

16. **The Generation Facilities.** FP Island will install a hybrid system in each of the Islands consisting of renewable energy facilities (solar photovoltaic generation facilities, and battery energy storage systems), and conventional generation facilities (diesel generating units). The system shall be optimized to maximize the use of renewable energy resources.

16.1. To ensure the smooth phase in and phase out of the respective generating functions of FP Island and NPC, CASURECO IV, NPC and FP Island will execute a Phase In Phase Out ("PIPO") Agreement.

A brief description of the technical characteristics of the facilities is attached hereto as **Annex "L."**

17. The Specific Fuel Oil Consumption ("SFOC") rates of the diesel power stations are tiered based on their level of utilization.

A copy of a certification to that effect is attached hereto as **Annex "M."**

18. **The Distribution Facilities.** FP Island will use the existing distribution system of CASURECO IV in the QTP Service Area, and shall upgrade and extend the same, as necessary and at its option.

18.1. To ensure the smooth turnover of the distribution of electricity to FP Island at the Operations Date as defined in the QSSC, CASURECO IV and FP Island will execute a Phase In Phase Out Agreement.

A brief description of the technical characteristics of the upgrade and extension of the distribution facilities is attached hereto as **Annex "N."**

19. **Smart Controls.** FP Island will use a computerized control system that will allow the seamless integration of the renewable energy assets with the rest of the system, as well as provide for real-time control of all assets to respond to actual network situations and meet set performance parameters. The system will also allow system safety and security and resiliency to achieve a high level of availability even without human intervention.

20. **Prepaid Retail Electricity Service.** FP Island will provide prepaid retail electricity service to allow the consumers to effectively manage their energy expenditures while reducing collection risks. For this purpose, FP Island will be filing the necessary application for authority to offer prepaid retail electricity service.

21. **Salient Features of the QSSC.**

21.1. **Supply of Power Requirements.** Under the QSSC, FP Island shall make electricity available for dispatch from its generation facilities in accordance with the terms of the QSSC. FP Island shall also ensure the availability of power supply and the fuel requirements of the generation facilities to

cope with an increase in demand, subject to the technical limitations of the generation and distribution facilities.

21.2. FP Island may, at its option, add generation facilities and upgrade or expand the distribution system in order to address any increase in demand.

21.3. **Effective Date.** The Effective Date of the QSSC shall be the date of approval by this Honorable Commission of the QSSC, provided that a provisional authority shall be deemed as sufficient approval pending final approval.

21.4. **Term.** The term of the QSSC shall commence on the Effective Date and shall expire on (a) the fifteenth (15th) anniversary of the Commercial Operations Date, unless extended or sooner terminated by the parties in accordance with the QSSC or shortened by this Honorable Commission in accordance with Section 3.3 of the QSSC, or (b) termination pursuant to Section 9 of the QSSC, whichever comes first.

21.5. **Diesel Budgeting and Adjustment Mechanism.** FPIEC shall submit to NPC annually a diesel consumption budget based on its most recent projections of overall plant performance and demand. Fuel consumption in excess of such budget shall not be paid as part of FPIEC's tariff, and shall be paid only when the same is approved as part of NPC's UC-ME true-up application.

22. **Payments to FP Island.** For the supply of the load requirements of the QTP Service Area, FP Island shall be entitled to the Full Cost Recovery Rate ("FCRR") as determined by this Honorable Commission. It shall collect monthly a payment from the customers within the QTP Service Area based on the applicable Subsidized Approved Retail Rate ("SARR"), and a subsidy fee from NPC. The monthly payments shall be based on the following formulae:

I. Computation of Total Subsidy Fee

$$Total\ Subsidy\ Fee_m = Total\ CRF_{rev_m} + Total\ FOF_{rev_m} + Total\ VOF_m - Total\ SARR_{rev_m}$$

Where,

Total Subsidy Fee_m is the total subsidy for the QTP Service Area for the Billing Month *m* to be paid by NPC, expressed in PHP.

Where,

a) **Total Capital Recovery Fee revenue**

$$\text{Total CRF}_{rev_m} = \text{CRF}_{rev_{H_m}} + \text{CRF}_{rev_{L_m}} + \text{CRF}_{rev_{Q_m}}$$

Where,

$\text{CRF}_{rev_{H_m}}$ is the total Capital Recovery Fee revenue for Haponan for the Billing Month m computed based on the formula below, expressed in PHP

$$\text{CRF}_{rev_{H_m}} = \text{CRF}_H \times \text{ED}_{H_m}$$

ED_{H_m} is the total energy delivered from the Generation Facilities in Haponan for the Billing Month m measured at the Master Billing Meter, expressed in kWh, subject to a systems loss cap of 13% as may be approved by the ERC, applied as follows:

$$\text{ED}_{H_m} = \text{Gross ED}_{H_m} - \text{Disallowed Energy}_{H_m}$$

Gross ED_{H_m} is the total energy delivered from the Generation Facilities in Haponan for the Billing Month m measured at the Master Billing Meter, expressed in kWh

$\text{Disallowed Energy}_{H_m}$ is energy delivered in Haponan for the Billing Month m in excess of the systems loss cap, expressed in kWh, computed as follows:

$$\begin{aligned} \text{If Actual } SL_{H_m} \leq \text{Allowable } SL_H, \quad \text{Disallowed Energy}_{H_m} &= 0 \\ \text{If Actual } SL_{H_m} > \text{Allowable } SL_H, \\ \text{Disallowed Energy}_{H_m} &= (\text{Actual } SL_{H_m} - \text{Allowable } SL_H) \times \text{Gross ED}_{H_m} \end{aligned}$$

$\text{Allowable } SL_H$ is the systems loss cap of 13% as may be approved by the ERC

$$\text{Actual } SL_{H_m} = 1 - (\text{End - user } \text{ED}_{H_m} / \text{Gross ED}_{H_m})$$

$\text{End - user } \text{ED}_{H_m}$ is the total energy delivered to end-users in Haponan for the Billing Month m measured at the end-users' meters, expressed in kWh

$\text{CRF}_{rev_{L_m}}$ is the total Capital Recovery Fee revenue for Lahuy for the Billing Month m computed based on the formula below, expressed in PHP

$$\text{CRF}_{rev_{L_m}} = \text{CRF}_L \times \text{ED}_{L_m}$$

ED_{L_m} is the total energy delivered from the Generation Facilities for Lahuy for the Billing Month m measured at the Master Billing Meter, expressed in kWh, subject to a systems loss cap of 13% as may be approved by the ERC, applied as follows:

$$\text{ED}_{L_m} = \text{Gross ED}_{L_m} - \text{Disallowed Energy}_{L_m}$$

Gross ED_{L_m} is the total energy delivered from the Generation Facilities in Lahuy for the Billing Month m measured at the Master Billing Meter, expressed in kWh

Disallowed Energy L_m is energy delivered in Lahuy for the Billing Month m in excess of the systems loss cap, expressed in kWh, computed as follows:

$$\begin{aligned} \text{If Actual } SL_{L_m} \leq \text{Allowable } SL_L, \quad \text{Disallowed Energy}_{L_m} &= 0 \\ \text{If Actual } SL_{L_m} > \text{Allowable } SL_L, \\ \text{Disallowed Energy}_{L_m} &= (\text{Actual } SL_{L_m} - \text{Allowable } SL_L) \times \text{Gross } ED_{L_m} \end{aligned}$$

Allowable SL_L is the systems loss cap of 13% as may be approved by the ERC

Actual $SL_{L_m} = 1 - (\text{End - user } ED_{L_m} / \text{Gross } ED_{L_m})$
End - user ED_{L_m} is the total energy delivered to end-users in Lahuy for the Billing Month m measured at the end-users' meters, expressed in kWh

CRF_{revQ_m} is the total Capital Recovery Fee revenue for Quinalasag for the Billing Month m computed based on the formula below, expressed in PHP

$$CRF_{revQ_m} = CRF_Q \times ED_{Q_m}$$

ED_{Q_m} is the total energy delivered from the Generation Facilities in Quinalasag for the Billing Month m measured at the Master Billing Meter, expressed in kWh, subject to a systems loss cap of 13% as may be approved by the ERC, applied as follows:

$$ED_{Q_m} = \text{Gross } ED_{Q_m} - \text{Disallowed Energy}_{Q_m}$$

Gross ED_{Q_m} is the total energy delivered from the Generation Facilities in Quinalasag for the Billing Month m measured at the Master Billing Meter, expressed in kWh

Disallowed Energy Q_m is energy delivered in Quinalasag for the Billing Month m in excess of the systems loss cap, expressed in kWh, computed as follows:

$$\begin{aligned} \text{If Actual } SL_{Q_m} \leq \text{Allowable } SL_Q, \quad \text{Disallowed Energy}_{Q_m} &= 0 \\ \text{If Actual } SL_{Q_m} > \text{Allowable } SL_Q, \\ \text{Disallowed Energy}_{Q_m} &= (\text{Actual } SL_{Q_m} - \text{Allowable } SL_Q) \times \text{Gross } ED_{Q_m} \end{aligned}$$

Allowable SL_Q is the systems loss cap of 13% as may be approved by the ERC

$$\text{Actual } SL_{Q_m} = 1 - (\text{End - user } ED_{Q_m} / \text{Gross } ED_{Q_m})$$

End – user ED_{Q_m} is the total energy delivered to end-users in Quinalasag for the Billing Month m measured at the end-users' meters, expressed in kWh

b) Total Fixed Overhead Fee revenue

$$\text{Total } FOF_{rev_m} = FOF_{revH_m} + FOF_{revL_m} + FOF_{revQ_m}$$

Where,

FOF_{revH_m} is the total Fixed Overhead Fee revenue for Haponan for the Billing Month m computed based on the formula below, expressed in PHP

$$FOF_{revH_m} = FOFR_{H_m} \times ED_{H_m}$$

FOF_{revL_m} is the total Fixed Overhead Fee revenue for Lahuy for the Billing Month m computed based on the formula below, expressed in PHP

$$FOF_{revL_m} = FOFR_{L_m} \times ED_{L_m}$$

FOF_{revQ_m} is the total Fixed Overhead Fee revenue for Quinalasag for the Billing Month m computed based on the formula below, expressed in PHP

$$FOF_{revQ_m} = FOFR_{Q_m} \times ED_{Q_m}$$

c) Total Variable Overhead Fee revenue

$$\text{Total } VOF_m = VOF_{H_m} + VOF_{L_m} + VOF_{Q_m}$$

Where,

VOF_{H_m} is the total Variable Overhead Fee revenue for Haponan for the Billing Month m computed based on the formula in Part II-C, expressed in PHP

VOF_{L_m} is the total Variable Overhead Fee revenue for Lahuy for the Billing Month m computed based on the formula in Part III-C, expressed in PHP

VOF_{Q_m} is the total Variable Overhead Fee revenue for Quinalasag for the Billing Month m computed based on the formula Part IV- C, expressed in PHP

d) Total Subsidized Approved Retail Rate revenue

$$\text{Total } SARR_{rev_m} = SARR_{revH_m} + SARR_{revL_m} + SARR_{revQ_m}$$

Where,

$SARR_{revH_m}$ is the total Subsidized Approved Retail Rate revenue for Haponan for the Billing Month m computed based on the formula below, expressed in PHP

$$SARR_{revH_m} = SARR_H \times End - User ED_{H_m}$$

$SARR_H$ is the Subsidized Approved Retail Rate for Haponan as approved by the ERC or determined pursuant to the relevant rules of the ERC, expressed in PHP/kWh

$SARR_{revL_m}$ is the total Subsidized Approved Retail Rate revenue for Lahuy for the Billing Month m computed based on the formula below, expressed in PHP

$$SARR_{revL_m} = SARR_L \times End - User ED_{L_m}$$

$SARR_L$ is the Subsidized Approved Retail Rate for Lahuy as approved by the ERC or determined pursuant to the relevant rules of the ERC, expressed in PHP/kWh

$SARR_{revQ_m}$ is the total Subsidized Approved Retail Rate revenue for Quinalasag for the Billing Month m computed based on the formula below, expressed in PHP

$$SARR_{revQ_m} = SARR_Q \times End - User ED_{Q_m}$$

$SARR_Q$ is the Subsidized Approved Retail Rate for Quinalasag as approved by the ERC or determined pursuant to the relevant rules of the ERC, expressed in PHP/kWh

II. Haponan

A. Computation of $CRFR_H$

The $CRFR_H$ shall be subject to a one-time adjustment based on the relevant indices at Commercial Operation Date using the following formula:

$$CRFR_H = CRFR_{H_0} \times \left[\left(0.47 \times \frac{PHPCPI_{COD}}{PHPCPI_0} \right) + \left(0.53 \times \frac{USDCPI_{COD}}{USDCPI_0} \times \frac{USDF_{COD}}{USDF_{x_0}} \right) \right]$$

Where,

$CRFR_{H_0}$ is the initial Capital Recovery Fee Rate of Haponan of P34.1865/kWh as calculated on December 2017

$PHPCPI_{COD}$ is the Consumer Price Index for Philippines (All items, 2012=100) at Commercial Operation Date as published by Philippine Statistics Authority (PSA)

$PHPCPI_0$ is the Consumer Price Index for Philippines (All items, 2012=100) for the month of December 2017 as published by Philippine Statistics Authority (PSA)

$USDCPI_{COD}$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) at Commercial Operation Date as published by United States Department of Labor – Bureau of Labor Statistics

$USDCPI_0$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the month of December 2017 as published by United States Department of Labor – Bureau of Labor Statistics

$USDFx_{COD}$ is the USD- Peso Exchange Rate at Commercial Operation Date as published by Bangko Sentral of Pilipinas

$USDFx_0$ is the assumed USD- Peso Exchange Rate of USD1: PHP51

B. Computation of $FOFR_{H_m}$

$$FOFR_{H_m} = FOFR_{H_0} \times \left[\left(0.97 \times \frac{PHPCPI_i}{PHPCPI_0} \right) + \left(0.03 \times \frac{USDCPI_i}{USDCPI_0} \times \frac{USDFx_i}{USDFx_0} \right) \right]$$

Where,

$FOFR_{H_m}$ is the Fixed Overhead Fee Rate of Haponan for the Billing Month m , expressed in PHP/ kWh

$FOFR_{H_0}$ is initial Fixed Overhead Fee Rate of Haponan of P8.3249/kWh

$PHPCPI_i$ is the Consumer Price Index for Philippines (All items, 2012=100) for the Billing Month m as published by Philippine Statistics Authority (PSA)

$PHPCPI_0$ is the Consumer Price Index for Philippines (All items, 2012=100) for the month of December 2017 as published by Philippine Statistics Authority (PSA)

$USDCPI_i$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the Billing Month m as published by United States Department of Labor – Bureau of Labor Statistics

$USDCPI_0$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the month of December 2017 as published by United States Department of Labor – Bureau of Labor Statistics

$USDFx_i$ is the average USD- Peso Exchange Rate for the Billing Month m as published by Bangko Sentral of Pilipinas

$USDFx_0$ is the assumed USD- Peso Exchange Rate of USD1: PHP51

C. Computation of VOF_{H_m}

a.

$$VOF_{H_m} = Fuel\ Costs_{H_m} + Lube\ Costs_{H_m}$$

Where,

VOF_{H_m} is the Variable Overhead Fee of Haponan for Billing Month m , expressed in PHP

$Fuel\ Costs_{H_m}$ is the actual total fuel costs of Haponan for Billing Month m , expressed in PHP

$Lube\ Costs_{H_m}$ is the actual total lube cost of Haponan for Billing Month m , expressed in PHP

The $Fuel\ Costs_{H_m}$ is solved for as in the equation below:

$$Fuel\ Costs_{H_m} = WAFP_m \times FC_{H_m}$$

Where,

$Fuel\ Costs_{H_m}$ is the total fuel cost of Haponan for the Billing Month m , expressed in PHP

$WAFP_m$ is the Weighted Average Fuel Price for the Billing Month m , computed based on the formula below, expressed in PHP/liter

FC_{H_m} is the total amount of fuel consumed of Haponan for the Billing Month m measured through fuel tank sounding (or at the flow meter as backup), expressed in liters, subject to $SFOC_{H_m}$, implemented as follows:

$$If\ FC_{H_m} > FC_{capH_m}, \quad FC_{H_m} = FC_{capH_m}$$

Where,

$$FC_{capH_m} = SFOC_{H_m} \times ED_{HD_m}$$

FC_{capH_m} is the maximum volume of fuel allowable for cost recovery for Haponan for the Billing month m , representing reasonably efficient fuel consumption

$SFOC_{H_m}$ is the Specific Fuel Oil Consumption Rate cap for the Billing Month m for Haponan determined based on the average load factor of the diesel generator for the month as per the following table, subject to final diesel supplier heat rate guarantee and ERC approval.

Load Factor (%)	$SFOC_{H_m}$
Below 49 %	0.50
50 – 64 %	0.41
65 – 79 %	0.36
Above 80%	0.34

Load Factor

$$= \frac{ED_{HD_m}}{\frac{\text{Theoretical Diesel Generator Maximum Load for Haponan}}{\frac{\text{Theoretical Diesel Generator Maximum Load for Haponan}}{\text{Total Diesel Running Hours for the Billing Month } m}} \div \frac{\text{Total Generator Capacity for the Billing Month } m}}$$

ED_{HD_m} is the total energy delivered from the diesel component of the Generation Facilities of Haponan for the Billing month m measured at the Diesel Meter, expressed in kWh

The **Lube Costs** $_{H_m}$ is solved for as in the equation below:

$$\text{Lube Costs}_{H_m} = \text{WALP}_m \times \text{LC}_{H_m}$$

Where,

Lube Costs $_{H_m}$ is the total lube costs of Haponan for the Billing Month m , expressed in PHP

WALP $_m$ is the Weighted Average Lube Price for the Billing Month m , computed based on the formula below, expressed in PHP

LC $_{H_m}$ is the total amount of lube consumed of Haponan for the Billing Month m expressed in liters

D. Applicable Taxes

All of the foregoing shall be subject to all applicable taxes which may include Value Added Taxes.

III. Lahuy

A. Computation of $CRFR_L$

The $CRFR_L$ shall be subject to a one-time adjustment based on the relevant indices at Commercial Operation Date using the following formula:

$$CRFR_L = CRFR_{L_0} \times \left[\left(0.55 \times \frac{PHPCPI_{COD}}{PHPCPI_0} \right) + \left(0.45 \times \frac{USDCPI_{COD}}{USDCPI_0} \times \frac{USDFx_{COD}}{USDFx_0} \right) \right]$$

Where,

$CRFR_{L_0}$ is the initial Capital Recovery Fee Rate of Lahuy of P16.8634/kWh as calculated on December 2017

$PHPCPI_{COD}$ is the Consumer Price Index for Philippines (All items, 2012=100) at Commercial Operation Date as published by Philippine Statistics Authority (PSA)

$PHPCPI_0$ is the Consumer Price Index for Philippines (All items, 2012=100) for the month of December 2017 as published by Philippine Statistics Authority (PSA)

$USDCPI_{COD}$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) at Commercial Operation Date as published by United States Department of Labor – Bureau of Labor Statistics

$USDCPI_0$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the

month of December 2017 as published by United States Department of Labor – Bureau of Labor Statistics

$USDFx_{COD}$ is the USD- Peso Exchange Rate at Commercial Operation Date as published by Bangko Sentral of Pilipinas

$USDFx_0$ is the assumed USD- Peso Exchange Rate of USD1: PHP51

B. Computation of $FOFR_{L_m}$

$$FOFR_{L_m} = FOFR_{L_0} \times \left[\left(0.91 \times \frac{PHPCPI_i}{PHPCPI_0} \right) + \left(0.09 \times \frac{USDCPI_i}{USDCPI_0} \times \frac{USDFx_i}{USDFx_0} \right) \right]$$

Where,

$FOFR_{L_m}$ is the Fixed Overhead Fee Rate of Lahuy of for the Billing Month m , expressed in PHP/ kWh

$FOFR_{L_0}$ is the initial Fixed Overhead Fee Rate of Lahuy of P7.8690/kWh

$PHPCPI_i$ is the Consumer Price Index for Philippines (All items, 2012=100) for the Billing Month m as published by Philippine Statistics Authority (PSA)

$PHPCPI_0$ is the Consumer Price Index for Philippines (All items, 2012=100) for the month of December 2017 as published by Philippine Statistics Authority (PSA)

$USDCPI_i$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the Billing Month m as published by United States Department of Labor – Bureau of Labor Statistics

$USDCPI_0$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the month of December 2017 as published by United States Department of Labor – Bureau of Labor Statistics

$USDFx_i$ is the average USD- Peso Exchange Rate for the Billing Month m as published by Bangko Sentral of Pilipinas

$USDFx_0$ is the assumed USD- Peso Exchange Rate of USD1: PHP51

C. Computation of VOF_{L_m}

$$VOF_{L_m} = Fuel\ Costs_{L_m} + Lube\ Costs_{L_m}$$

Where,

VOF_{L_m} is the Variable Overhead Fee of Lahuy for Billing Month m , expressed in PHP

$Fuel\ Costs_{L_m}$ is the actual total fuel costs of Lahuy for Billing Month m , expressed in PHP

Lube Costs_{L_m} is the actual total lube cost of Lahuy for Billing Month *m*, expressed in PHP

The **Fuel Costs_{L_m}** is solved for as in the equation below:

$$\mathbf{Fuel\ Costs}_{L_m} = \mathbf{WAFP}_m \times \mathbf{FC}_{L_m}$$

Where,

Fuel Costs_{L_m} is the total fuel cost of Lahuy for the Billing Month *m*, expressed in PHP

WAFP_m is the Weighted Average Fuel Price for the Billing Month *m*, computed based on the formula below, expressed in PHP/liter

FC_{L_m} is the total amount of fuel consumed for the Billing Month *m* measured through fuel tank sounding (or at the flow meter as backup), expressed in liters, subject to **SFOC_{L_m}**, of Lahuy, implemented as follows:

$$\text{If } \mathbf{FC}_{L_m} > \mathbf{FC}_{capL_m}, \quad \mathbf{FC}_{L_m} = \mathbf{FC}_{capL_m}$$

Where

$$\mathbf{FC}_{capL_m} = \mathbf{SFOC}_{L_m} \times \mathbf{ED}_{LD_m}$$

FC_{capL_m} is the maximum volume of fuel allowable for cost recovery for Lahuy for the Billing month *m*, representing reasonably efficient fuel consumption

SFOC_{L_m} is the Specific Fuel Oil Consumption Rate cap for the Billing Month *m* determined based on the average load factor of the diesel generator for the month as per the following table, subject to final diesel supplier heat rate guarantee and ERC approval.

Load Factor (%)	SFOC_{L_m}
Below 49 %	0.44
50 – 64 %	0.34
65 – 79 %	0.33
Above 80%	0.31

$$\mathbf{Load\ Factor} = \frac{\mathbf{ED}_{LD_m}}{\frac{\mathbf{Theoretical\ Diesel\ Generator\ Maximum\ Load\ for\ Lahuy}}{\mathbf{Total\ Diesel\ Running\ Hours\ for\ the\ Billing\ Month\ }m}} = \frac{\mathbf{ED}_{LD_m}}{\mathbf{Total\ Generator\ Capacity\ for\ the\ Billing\ Month\ }m}$$

ED_{LD_m} is the total energy delivered from the diesel component of the Generation Facilities for Lahuy for the Billing Month *m* measured at the Diesel Meter, expressed in kWh

The **Lube Costs_{L_m}** is solved for as in the equation below:

$$\mathbf{Lube\ Costs}_{L_m} = \mathbf{WALP}_m \times \mathbf{LC}_{L_m}$$

Where,

$\mathbf{Lube\ Costs}_{L_m}$ is the total lube costs for Lahuy for the Billing Month m , expressed in PHP

\mathbf{WALP}_m is the Weighted Average Lube Price for the Billing Month m , , computed based on the formula below, expressed in PHP/liter

\mathbf{LC}_{L_m} is the total amount of lube consumed for Lahuy for the Billing Month m expressed in liters

D. Applicable Taxes

All of the foregoing shall be subject to all applicable taxes which may include Value Added Taxes.

IV. Quinalasag

A. Computation of $CRFR_Q$

The $CRFR_Q$ shall be subject to a one-time adjustment based on the relevant indices at Commercial Operation Date using the following formula:

$$CRFR_Q = CRFR_{Q_0} \times \left[\left(0.55 \times \frac{PHPCPI_{COD}}{PHPCPI_0} \right) + \left(0.45 \times \frac{USDCPI_{COD}}{USDCPI_0} \times \frac{USDFx_{COD}}{USDFx_0} \right) \right]$$

Where,

$CRFR_{Q_0}$ is the initial Capital Recovery Fee Rate of Quinalasag of P15.7911/kWh as calculated on December 2017.

$PHPCPI_{COD}$ is the Consumer Price Index for Philippines (All items, 2012=100) at Commercial Operation Date as published by Philippine Statistics Authority (PSA)

$PHPCPI_0$ is the Consumer Price Index for Philippines (All items, 2012=100) for the month of December 2017 as published by Philippine Statistics Authority (PSA)

$USDCPI_{COD}$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) at Commercial Operation Date as published by United States Department of Labor – Bureau of Labor Statistics

$USDCPI_0$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the month of December 2017 as published by United States Department of Labor – Bureau of Labor Statistics

$USDFx_{COD}$ is the USD- Peso Exchange Rate at Commercial Operation Date as published by Bangko Sentral of Pilipinas

$USDFx_0$ is the assumed USD- Peso Exchange Rate of USD1: PHP51

B. Computation of $FOFR_{Q_m}$

$$FOFR_{Q_m} = FOFR_{Q_0} \times \left[\left(0.92 \times \frac{PHPCPI_i}{PHPCPI_0} \right) + \left(0.08 \times \frac{USDCPI_i}{USDCPI_0} \times \frac{USDFx_i}{USDFx_0} \right) \right]$$

Where,

$FOFR_{Q_m}$ is the Fixed Overhead Fee Rate of Quinalasag of for the Billing Month m , expressed in PHP/ kWh

$FOFR_{Q_0}$ is the initial Fixed Overhead Fee Rate of Quinalasag of P7.7057/kWh

$PHPCPI_i$ is the Consumer Price Index for Philippines (All items, 2012=100) for the Billing Month m as published by Philippine Statistics Authority (PSA)

$PHPCPI_0$ is the Consumer Price Index for Philippines (All items, 2012=100) for the month of December 2017 as published by Philippine Statistics Authority (PSA)

$USDCPI_i$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the Billing Month m as published by United States Department of Labor – Bureau of Labor Statistics

$USDCPI_0$ is the United States Consumer Price Index (All Urban Consumers, All Items, US City Average, Not Seasonally Adjusted) for the month of December 2017 as published by United States Department of Labor – Bureau of Labor Statistics

$USDFx_i$ is the average USD- Peso Exchange Rate for the Billing Month m as published by Bangko Sentral of Pilipinas

$USDFx_0$ is the assumed USD- Peso Exchange Rate of USD1: PHP51

C. Computation of VOF_{Q_m}

$$VOF_{Q_m} = Fuel\ Costs_{Q_m} + Lube\ Costs_{Q_m}$$

Where,

VOF_{Q_m} is the Variable Overhead Fee of Quinalasag for Billing Month m , expressed in PHP

$Fuel\ Costs_{Q_m}$ is the actual total fuel costs of Quinalasag for Billing Month m , expressed in PHP

$Lube\ Costs_{Q_m}$ is the actual total lube cost of Quinalasag for Billing Month m , expressed in PHP

The $Fuel\ Costs_{Q_m}$ is solved for as in the equation below:

$$\text{Fuel Costs}_{Q_m} = \text{WAFP}_m \times \text{FC}_{Q_m}$$

Where,

Fuel Costs_{Q_m} is the total fuel cost of Quinalasag for the Billing Month *m*, expressed in PHP

WAFP_{Q_m} is the Weighted Average Fuel Price for the Billing Month *m*, computed based on the formula below, expressed in PHP/liter

FC_{Q_m} is the total amount of fuel consumed for the Billing Month *m* measured through fuel sounding (or at the flow meter as backup), expressed in liters, subject to **SFOC**_{Q_m}, of Quinalasag implemented as follows:

$$\text{If } \text{FC}_{Q_m} > \text{FC}_{capQ_m}, \quad \text{FC}_{Q_m} = \text{FC}_{capQ_m}$$

Where

$$\text{FC}_{capQ_m} = \text{SFOC}_{Q_m} \times \text{ED}_{QD_m}$$

FC_{capQ_m} is the maximum volume of fuel allowable for cost recovery for Quinalasag for the Billing month *m*, representing reasonably efficient fuel consumption

SFOC_{Q_m} is the Specific Fuel Oil Consumption Rate cap for the Billing Month *m* determined based on the average load factor of the diesel generator for the month as per the following table, subject to final diesel supplier heat rate guarantee and ERC approval.

Load Factor (%)	SFOC _{Q_m}
Below 49 %	0.44
50 – 64 %	0.34
65 – 79 %	0.33
Above 80%	0.31

Load Factor

$$= \frac{\text{ED}_{QD_m}}{\frac{\text{Theoretical Diesel Generator Maximum Load for Quinalasag}}{\frac{\text{Theoretical Diesel Generator Maximum Load for Quinalasag}}{\text{Total Diesel Running Hours for the Billing Month } m}}}$$

$$= \frac{\text{ED}_{QD_m}}{\text{Total Generator Capacity for the Billing Month } m}$$

ED_{QD_m} is the total energy delivered from the diesel component of the Generation Facilities for Quinalasag for the Billing Month *m* measured at the Diesel Meter

The **Lube Costs**_{Q_m} is solved for as in the equation below:

$$\text{Lube Costs}_{Q_m} = \text{WALP}_m \times \text{LC}_{Q_m}$$

Where,

Lube Costs_{Q_m} is the total lube cost for Quinalasag for the Billing Month *m*, expressed in PHP

WALP_{Q_m} is the Weighted Average Lube Price for the Billing Month *m*, computed based on the formula below, expressed in PHP/liter

LC_{Q_m} is the total amount of lube consumed for Quinalasag for the Billing Month m expressed in liters

D. Applicable Taxes

All of the foregoing shall be subject to all applicable taxes which may include Value Added Taxes.

V. Fuel and Lube Inventory

A. Computation of Weighted Average Fuel Price

$WAFP_m$ is the Weighted Average Fuel Price of (i) all fuel delivered during Billing Month m and (ii) fuel available for consumption as of the beginning of Billing Month m , expressed in PHP/liter, computed as,

$$WAFP_m = \frac{\text{Actual Costs of Beginning Fuel Inventory}_m + \text{Actual Costs of Total Fuel Deliveries}_m}{\text{Beginning Fuel Inventory Volume}_m + \text{Total Volume of Fuel Delivered}_m}$$

Where,

Actual Costs of Beginning Fuel Inventory $_m$ is the total cost of fuel available for consumption at the beginning of Billing Month m , expressed in PHP. It is equivalent to the $WAFP_m$ of the previous Billing Month multiplied by the **Beginning Fuel Inventory Volume** $_m$ of the Billing Month, m

Actual Costs of Total Fuel Deliveries $_m$ is the total receipted landed PHP costs of fuel delivered during Billing Month m , expressed in PHP

Beginning Fuel Inventory Volume $_m$, expressed in liters, is the volume of fuel available for consumption as of the beginning of Billing Month, m

Total Volume Fuel Delivered $_m$, expressed in liters, is the total volume of Fuel delivered during Billing Month, m

B. Computation of Weighted Average Lube Price

$WALP_m$ is the Weighted Average Lube Price of (i) all lube delivered during Billing Month m and (ii) lube available for consumption as of the beginning of Billing Month m , expressed in PHP, where,

$$WALP_m = \frac{\text{Actual Costs of Beginning Lube Inventory}_m + \text{Actual Costs of Total Lube Deliveries}_m}{\text{Beginning Lube Inventory Volume}_m + \text{Total Volume of Lube Delivered}_m}$$

Where,

Actual Costs of Beginning Lube Inventory $_m$ is the total cost of lube available for consumption at the beginning of Billing Month m , expressed in PHP. It is equivalent to the $WALP_m$ of the previous month multiplied by **Beginning Lube Inventory Volume** $_m$ of the Billing Month, m

Actual Costs of Total Lube Deliveries $_m$ is the total receipted landed PHP costs of lube delivered during Billing Month m , expressed in PHP

Beginning Lube Inventory Volume_m, expressed in liters, is the volume of lube available for consumption as of the beginning of Billing Month, *m*

Total Volume of Lube Delivered_m, expressed in liters, is the total volume of lube delivered to during Billing Month, *m*

22.1. The base rates for the aforementioned tariff are summarized as follows:

Island	Initial Capital Recovery Fee Rate	Initial Fixed Overhead Fee Rate	Fuel Fee
Haponan	P 34.1865/kWh	P 8.3249/kWh	Pass through subject to cap
Lahuy	P 16.8634/kWh	P 7.8690/kWh	
Quinalasag	P 15.7911/kWh	P 7.7057/kWh	

22.2. **Sample computation.** For reference, a sample computation of the rate is contained in Schedule 4 of the QSSC which is attached as Annex "B".

22.3. **Indicative and proposed SARR.** In accordance with Section 2, Article IV, ERC Resolution No. 22, Series of 2006, the indicative SARR for the QTP Service Area shall be the approved retail rate of CASURECO IV.

22.4. FP Island proposes a fixed SARR of P 11.00/kWh, which is reflective of the tariff currently paid by customers in the Islands, sans the monthly variation of CASURECO IV's retail rate.

22.5. **Basis for indexation.** As indicated in the formulas above, the monthly fees to be paid to FP Island are subject to adjustments based on various indices or factors in order to properly reflect the fluctuation of FP Island's costs in producing electricity.

22.6. The components of the fees representing foreign currency-denominated costs are adjusted based on the foreign exchange rate and the appropriate price indices; those representing local costs are adjusted based on local price indices. The fuel and lube costs vary based on the cost of fuel and lube purchases.

22.7. **Financial Model.** A copy of FP Island's financial model for the tariff is attached hereto as Annex "O." As discussed below, the financial model is the subject of a Motion for Confidential Treatment of Information.

23. Sources of Funds/Financial Plans.

23.1. Cost of Equity. The project was funded through loans and equity, with a debt-equity ratio of 60:40.

A breakdown of the computation of weighted average cost of capital is attached here to as **Annex "P."**

23.2. Project Cost. A breakdown of FP Island's total project cost is attached hereto as **Annex "Q."**

24. Cash Flow.

24.1. Breakdown of Operating and Maintenance Expenses. A breakdown of the projected operating expenses is attached hereto as **Annex "R."**

25. Availment of Incentives. To avail of the applicable incentives, FP Island obtained the approval of the Board of Investments (BOI) to register the generating facilities.

Copies of the approval letter issued by the BOI are attached hereto as **Annexes "S" and "S-1."**

26. Procurement of fuel supply. The fuel necessary for the operations of the diesel power stations will be supplied by the supplier who offered the best terms after offers were solicited from reputable suppliers in the area.

A copy of an affidavit detailing the process for procuring a fuel supplier is attached hereto as **Annex "T."**

27. Environmental Compliance Requirements. The Department of Environment and Natural Resources has issued Certificates on Non-Coverage ("CNC") for the QTP project.

Copies of the CNCs are attached hereto as **Annex "U," "U-1," and "U-2."**

28. DOE Certification. The DOE has issued Certificates of Endorsement for each of the Islands certifying that the generation facilities are consistent with the Missionary Electrification Development Plan of the government.

Copies of the certifications are attached hereto as **Annexes "V" and series.**

29. Solar Energy Service Contract. FP Island and the DOE have entered into Solar Energy Service Contracts for the generation of solar energy in each of the Islands.

Copies of the Certificates of Registration are attached hereto as Annexes "W" and series.

30. **Certificate of Compliance.** FP Island will secure the necessary certificates of compliance for the generating facilities of the project.

MOTION FOR CONFIDENTIAL TREATMENT OF INFORMATION

31. As mentioned above, the financial model attached as Annex "O" is hereby submitted under a motion to treat information confidential.

32. The financial model discloses the basis for the tariff under the QSSC. It includes all the formulas and calculations as well as the assumptions and values considered therein.

33. In accordance with Section 1, Rule 4 of this Honorable Commission's Rules of Practice and Procedure ("ERC Rules"), FP Island respectfully moves that the financial model be treated as confidential information for the following reasons:

33.1. The financial model qualifies as a "trade secret" as contemplated under existing jurisprudence.

33.2. In the case "*Air Philippines Corporation vs. Pennswell Inc.*" (G. R. No. 172835, 13 December 2007), the Supreme Court defined "trade secret" as follows:

"A trade secret is defined as a plan or process, tool, mechanism or compound known only to its owner and those of his employees to whom it is necessary to confide it. The definition also extends to a secret formula or process not patented, but known only to certain individuals using it in compounding some article of trade having commercial value. A trade secret may consist of any formula, pattern, device, or compilation of information that (1) is used in one's business; and (2) gives the employer an opportunity to obtain advantage over competitors who do not possess the information. Generally, a trade secret is a process or device intended for continuous operation of the business, for example, a machine or formula, but can be a price list or catalogue or specialized customer list. It is indubitable that trade secrets constitute proprietary rights."

34. Also, the financial model was prepared and developed by FP Island for the exclusive use of FP Island, and is designed for the

specific use of the company in its power business. Consequently, should the financial model be disclosed to the public, it could easily be copied or used by FP Island's competitors or other entities engaged in the power business for their own benefit, and to the prejudice of FP Island. Thus, the commercial value of the said model will be diminished significantly.

35. Given the foregoing, the financial model qualifies as "confidential information" as defined under Section 2, Rule 4 of the ERC Rules.

36. In accordance with Section 1 (b), Rule 4 of the ERC Rules, an electronic copy of the financial model is contained in one compact disc and submitted in a sealed envelope marked with the word "Confidential."

37. Further, all parties furnished copies of the present Application will not be furnished copies of the financial model.

38. In accordance with Sections 3 and 4, Rule 4 of the ERC Rules, FP Island reserves the right to use the financial model and its contents as evidence, and respectfully moves for the issuance of a Protective Order.

STATEMENTS IN SUPPORT OF
THE MOTION FOR PROVISIONAL AUTHORITY OR INTERIM
RELIEF

39. A provisional authority or interim relief is necessary in order to provide sufficient and reliable electricity services in the Islands at the soonest time possible.

39.1. At present, the consumers on the Islands are suffering from a severe insufficiency of electricity service. The islands of Lahuy and Quinalasag only have four (4) hours of electricity service daily. Haponan Island, on the other hand, has no power supply at all.

39.2. FP Island is ready, able and willing to provide electricity services in the Islands at the soonest time possible. The proposed electricity service will immediately improve the way of life of the consumers on the Islands, and spur the local economy.

39.3. FP Island may not, however, be able to immediately provide the service without provisional approval of the ERC.

40. In view of the foregoing, FP Island respectfully moves for the provisional or interim approval of the instant Application pursuant to Rule 14 of the ERC Rules of Practice and Procedure.

A copy of a sworn statement supporting the said motion is attached hereto as **Annex "X."**

INAPPLICABILITY OF CERTAIN REQUIREMENTS

41. Certain documentary requirements contained in this Honorable Commission's Checklist of Pre-Filing Requirements for Applications for Approval of Power Supply Agreements are not applicable to the present Application.

A written explanation on the inapplicability of the said requirements is attached hereto as **Annex "Y."**

PRAYER

WHEREFORE, premises considered, Applicant FP Island respectfully prays that this Honorable Commission:

1. issue an Order declaring the financial model attached hereto as **Annex "O"** as confidential information within the purview of Rule 4 of the ERC Rules, as well as directing that the financial model be treated with confidentiality and be protected from public disclosure;
2. issue the corresponding Protective Order in accordance with Section 2 and 4 of the said Rule 4;
3. immediately issue an Order provisionally approving the present Application or granting interim relief to Applicant FP Island, including the FCRR and SARR proposed therein; and
4. after due hearing, render judgment approving the QSSC subject of the instant Application, including the FCRR and SARR proposed therein, as well as the rates and adjustment mechanisms indicated therein.

Applicant FP Island prays for other just and equitable relief under the premises.

Pasig City, 7 March 2019.

LACHICA & ASSOCIATES

Suite 2304-B, West Tower
Philippine Stock Exchange Centre
Exchange Road, Ortigas Center
Pasig City
Tel. No.: (632) 654.9370
E-mail: contact@lachicaandassociates.com

By:


SUNDY LORENCE C. LACHICA

PTR No. 5228603; 1/7/19; Pasig City
IBP No. 063213; 1/4/19; Makati Chapter
MCLE Compliance No. VI-0008098; 4/25/18
Roll No. 51017


ABIGAIL T. MADANLO

PTR No. 5228604; 1/7/19; Pasig City
IBP No. 063212; 1/4/19; Davao City
MCLE Compliance No. VI-0008100; 4/25/18
Roll No. 60026

REPUBLIC OF THE PHILIPPINES)
CITY OF PASIG CITY) S.S.

VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING

I, **DENARDO M. CUAYO**, of legal age and with office address at 6th Floor, Rockwell Business Center Tower 3, Ortigas Avenue, Pasig City, after having been sworn in accordance with law, hereby depose and state:

1. I am the duly authorized representative of FP Island Energy Corporation (the "Corporation"). Attached hereto is proof of such authority.

2. Pursuant to and by virtue of such authority, I caused the preparation of the foregoing Application. I have read its contents and the allegations therein are true and correct, and of my personal knowledge or based on authentic documents.


3. I hereby certify that the Corporation has not commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency, and, to the best of my knowledge, no such other action or claim is pending therein. Should I thereafter learn that the same or a similar action or claim has been filed or is pending, I shall report such fact to this Honorable Commission within five (5) days therefrom.

IN WITNESS WHEREOF, I have set my hand this MAR 07 2019 day of 2019.


DENARDO M. CUAYO
Affiant

SUBSCRIBED AND SWORN to before me this MAR 07 2019 day of in the City of PASIG CITY, affiant exhibiting to me his passport # 94827414 issued at DIA Manila on June 8, 2018.

Doc. No. 166 ;
Page No. 95 ;
Book No. 11 ;
Series of 2019.


CARA MARIELA S. MAGLAYA
NOTARY PUBLIC
FOR AND IN THE CITY OF PASIG AND SAN JUAN
AND IN THE MUNICIPALITY OF PATEROS
UNTIL DECEMBER 31, 2019
PTR NO. 5232098; 1/5/2019; PASIG CITY
IBP NO. 080733; 1/3/2019; RSM
MCLE COMPLIANCE NO. VI-0011535; 4/14/2022
ROLL NO. 66519/ APPOINTMENT NO. 36 (2018-2019)
21/F Robinsons-Equitable Tower, 4 ADB Ave. cor. Poveda St.
1605 Ortigas Center, Pasig City