

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



IN THE MATTER OF THE
APPLICATION OF THE
NATIONAL GRID
CORPORATION OF THE
PHILIPPINES FOR THE
APPROVAL OF FORCE
MAJEURE (FM) EVENT
REGULATED FM PASS
THROUGH FOR SABOTAGE
INCIDENTS AND LANDSLIDE
DUE TO CONTINUOUS HEAVY
RAINS IN MINDANAO AND
TYPHOONS SANTI AND VINTA
IN LUZON IN ACCORDANCE
WITH THE RULES FOR
SETTING TRANSMISSION
WHEELING RATES, WITH
PRAYER FOR PROVISIONAL
AUTHORITY

ERC CASE NO. 2014-127 RC

NATIONAL GRID
CORPORATION OF THE
PHILIPPINES (NGCP),

Applicant.

X-----X

DOCKETED
Date: MAR 10 2015
By: M

ORDER

The Commission takes note of the "Urgent Motion" filed on March 2, 2015 by the National Grid Corporation of the Philippines (NGCP) praying that the Commission amend its Order and Notice of Public Hearing with respect to the scheduled hearing dates in order for it to comply with the publication requirements.

Finding said motion meritorious, the same is hereby **GRANTED**. Accordingly, the hearings set on March 11, 18, 25, and 26, 2015 are hereby **CANCELLED** and reset on the following dates and venues:

DATE	TIME	VENUE	PARTICULARS
April 22, 2015 (Wednesday)	Nine o'clock in the morning (9:00 A.M.)	ERC Hearing Room, 15 th Floor, Pacific Center Building, San Miguel Avenue, Pasig City	Jurisdictional Hearing and Expository Presentation
April 29, 2015 (Wednesday)	Nine o'clock in the morning (9:00 A.M.)	ERC Mindanao Field Office, Mezzanine Floor, Mintrade Building, Monteverde corner Sales Sts., Davao City	Expository Presentation for Mindanao Stakeholders
May 6, 2015 (Wednesday)	Nine o'clock in the morning (9:00 A.M.)	ERC Hearing Room, 15 th Floor, Pacific Center Building, San Miguel Avenue, Pasig City	Pre-Trial Conference and Evidentiary Hearing
May 7, 2015 (Thursday)	Nine o'clock in the morning (9:00 A.M.)		Continuation of Evidentiary Hearing

NGCP is hereby directed anew to cause the publication of the attached Notice of Public Hearing, at its own expense, twice (2x) for two (2) successive weeks in two (2) newspapers of general circulation in the Philippines, with the date of the last publication to be made not later than ten (10) days before the date of the scheduled initial hearing. It is also directed to inform the consumers, by any other means available and appropriate, of the filing of the instant application, its reasons therefor, and of the scheduled hearing thereon.

Let copies of the application, this Order and the attached Notice of Public Hearing be furnished the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire, to send their duly authorized representatives at the scheduled hearing.

Likewise, let copies of this Order and the attached Notice of Public Hearing be furnished the Offices of the Mayors of Quezon City

and Davao City for the appropriate posting thereof on its bulletin board.

NGCP is hereby directed to furnish all those making requests therefor with copies of the application and its attachments, subject to reimbursement of reasonable photocopying costs.

On the date of the initial hearing, NGCP must submit to the Commission its written Compliance with the jurisdictional requirements attaching therewith, methodically arranged and duly marked, the evidences on the actual posting and publication of the Notice of Public Hearing consisting of certifications issued to that effect, signed by the afore-mentioned Mayors or their duly authorized representatives, bearing the seals of their offices, and the affidavits of the Editors or Business Managers of the newspapers where the said Notice of Public Hearing were published together with the complete issues of the said newspapers, and such other proofs of compliance with the requirements of the Commission.

NGCP and all interested parties are directed to submit, at least five (5) days before the date of initial hearing and pre-trial conference, their respective Pre-trial Briefs containing, among others:

- a) A summary of admitted facts and proposed stipulation of facts;
- b) The issues to be tried or resolved;
- c) The documents or exhibits to be presented, stating the purposes and proposed markings therefore; and
- d) The number and names of the witnesses, with their written testimonies in an individual affidavit form, to be attached to the Pre-trial Brief.

Failure of NGCP to submit the required Pre-trial Brief and Judicial Affidavits of its witnesses within the prescribed period shall be a ground for cancellation of the scheduled hearing, and the resetting of which shall be six (6) months from said date of cancellation.

As part of the pre-trial conference, NGCP must also be prepared to make an expository presentation of its application, aided by whatever communication medium that it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, what the application is all about and the reasons and justifications being cited in support thereof.

SO ORDERED.

Pasig City, March 9, 2015.

FOR AND BY AUTHORITY
OF THE COMMISSION:


ZENAIDA G. CRUZ-DUCUT
Chairperson 4

Copy Furnished:

1. **Attys. Luis Manuel U. Bugayong, Ronald Dylan P. Concepcion, Mark Anthony S. Actub, Raycell D. Baldovino and Ari Vergil P. Fabros**
Counsels for Applicant
National Grid Corporation of the Philippines (NGCP)
NGCP Building, Quezon Avenue cor. BIR Road
Diliman, Quezon City, Metro Manila
2. **THE OFFICE OF THE SOLICITOR GENERAL**
234 Amorsolo Street, Legaspi Village, Makati City
Metro Manila
3. **THE COMMISSION ON AUDIT**
Don Mariano Marcos Avenue
Diliman, Quezon City, Metro Manila
4. **THE COMMITTEE ON ENERGY**
House of the Senate
GSIS Building, Roxas Blvd., Pasay City, Metro Manila
5. **THE COMMITTEE ON ENERGY**
House of Representatives
Batasan Hills, Quezon City, Metro Manila
6. **OFFICE OF THE CITY MAYOR**
Quezon City
7. **OFFICE OF THE CITY MAYOR**
Davao City
8. **Attys. Jose Ronald V. Valles, Rommel L. Yap, Francis Dino S. Antonio and Paul B. Soriño**
MANILA ELECTRIC COMPANY (MERALCO)
Lopez Building, Meralco Center
Ortigas Avenue, Pasig City