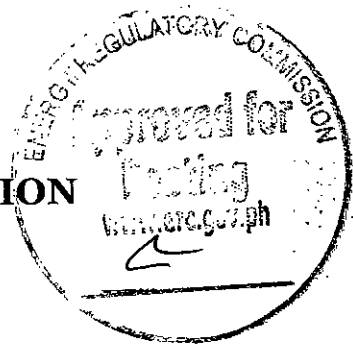


Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City



**IN THE MATTER OF THE
APPLICATION FOR THE
APPROVAL OF THE 1st
AMENDMENT TO THE
ELECTRICITY SUPPLY
AGREEMENT(ESA)
BETWEEN FIRST
CATANDUANES ELECTRIC
COOPERATIVE, INC.
(FICELCO) AND SUNWEST
WATER AND ELECTRIC
COMPANY (SUWECO), WITH
PRAYER FOR THE ISSUANCE
OF PROVISIONAL AUTHORITY**

ERC CASE NO. 2015-065 RC

**FIRST CATANDUANES
ELECTRIC COOPERATIVE,
INC. (FICELCO) AND
SUNWEST WATER AND
ELECTRIC COMPANY
(SUWECO),**

Applicants.

x- ----- x

DOCKETED
Date: **MAR 21 2016**
By: **M**

ORDER

On 02 March 2016, Applicant Sunwest Water and Electric Company (SUWECO) filed a *Motion to Reset Hearing*, praying for a resetting of the initial hearing, scheduled previously by the Commission on 15 March 2016, to a later date on the ground that the Certification attesting to Applicants' compliance with the required Competitive Selection Process (CSP) has not been released yet by the Department of Energy (DOE). Applicants explained that the said Certification is a prerequisite to a determination by the Commission of its compliance with the pre-filing requirements under ERC Resolution No. 21, Series of 2011.

Finding the Applicants' Motion to be meritorious, the same is hereby GRANTED.

Accordingly, the initial hearing in this case is reset to **15 June 2016 (Wednesday) at ten o'clock in the morning (10:00 A.M.) at FICELCO's Principal Office, Marinawa, Bato, Catanduanes.**

Applicants FICELCO and SUWECO are DIRECTED to cause the publication of the revised Notice of Public Hearing in two (2) newspapers of general circulation in the Philippines at their own expense, twice (2x) within two (2) successive weeks, the dates of publication not being less than seven (7) days apart, with the date of last publication made not later than ten (10) days before the date of the scheduled initial hearing.

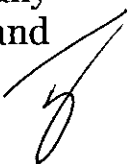
The Applicants are likewise directed to inform the consumers within the franchise area of FICELCO by any other means available and appropriate of the filing of the joint application, its reasons therefor, and of the scheduled hearing thereof.

Let copies of the Joint 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 to the Offices of the Provincial Governors and the Mayors of the Cities/Municipalities within FICELCO's franchise area for the appropriate posting thereof on their respective bulletin boards.

FICELCO and SUWECO are hereby directed to furnish all those making requests therefor with copies of the Joint Application and its attachments, subject to reimbursement of reasonable photocopying costs.

On the date of the initial hearing, FICELCO and SUWECO must submit to the Commission their 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 Governor and 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.

FICELCO, SUWECO 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:

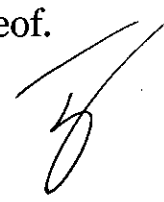
- a. A summary of admitted facts and proposed stipulation of facts;
- b. The issues to be tried or resolved;
- c. The documents or exhibits to be presented, stating the purposes and proposed markings therefore; and
- d. The number and names of the witnesses, with their written testimonies in an individual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

Failure of FICELCO and SUWECO to submit the required Pre-trial Brief and Judicial Affidavits of their 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, FICELCO and SUWECO must also be prepared to make an expository presentation of their Joint Application, aided by whatever communication medium that they 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 Joint Application is all about and the reasons and justifications being cited in support thereof.

SO ORDERED.

Pasig City, 11 March 2016.



FOR AND BY AUTHORITY
OF THE COMMISSION:

ERC
Office of the Chairman



C-2016-01-OC-01548

JOSE VICENTE B. SALAZAR
Chairman

gr. hw
ccr/gls/apv/FICELCO and SUWECO/2015-065 RC/resetting

Copy Furnished:

1. Atty. Cecilia R. Layug
Layug Law Office
Counsel for Joint Applicants
Unit 2904, One San Miguel Building
San Miguel Avenue corner Shaw Boulevard,
Ortigas Center, Pasig City, Metro Manila
2. First Catanduanes Electric Cooperative, Incorporated (FICELCO)
Marinawa, Bato, Catanduanes
3. Sunwest Water and Electricity Company, Incorporated (SUWECO)
Embarcadero de Legaspi, Port Area, Legaspi City
4. The Municipal Mayor
Bagamanoc, Catanduanes
5. The Municipal Mayor
Baras, Catanduanes
6. The Municipal Mayor
Bato, Catanduanes
7. The Municipal Mayor
Caramoan, Catanduanes
8. The Municipal Mayor
Gigmoto, Catanduanes
9. The Municipal Mayor
Pandan, Catanduanes
10. The Municipal Mayor
Panganiban, Catanduanes
11. The Municipal Mayor
Viga, Catanduanes

12. The Municipal Mayor
San Miguel, Catanduanes
13. The Municipal Mayor
San Andres, Catanduanes
14. The Municipal Mayor
Virac, Catanduanes
15. The Provincial Governor
Province of Catanduanes
16. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village
Makati City, Metro Manila
17. Commission on Audit
Commonwealth Avenue
Quezon City, Metro Manila
18. The Committee On Energy
Senate of the Philippines
GSIS Building, Roxas Blvd., Pasay City
19. The Committee On Energy
House of Representatives
Batasan Hills, Quezon City
20. Philippine Chamber of Commerce and Industry (PCCI)
3rd Floor, Chamber and Industry Plaza (CIP),
1030 Campus Avenue corner Park Avenue,
McKinley Town Center, Fort Bonifacio, Taguig City

