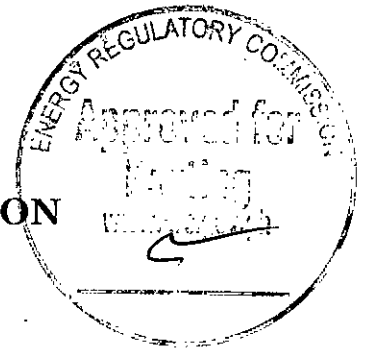


Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
San Miguel Avenue, Pasig City



**IN THE MATTER OF THE  
APPLICATION FOR  
AUTHORITY TO DEVELOP,  
AND OWN OR OPERATE  
DEDICATED POINT-TO-POINT  
LIMITED FACILITIES TO  
CONNECT THE 40.7MW SOLAR  
POWER PLANT TO THE  
VISAYAS GRID, WITH PRAYER  
FOR PROVISIONAL  
AUTHORITY**

**ERC CASE NO. 2015-057MC**

**NEGROS ISLAND SOLAR  
POWER, INC. (NISPI),  
Applicant.**

X-----X

**DOCKETED**  
Date: JUN 17 2016  
By: W

**ORDER**

On 10 September 2015, Negros Island Solar Power, Inc. (NISPI) filed with the Commission an Application for authority to develop and own or operate dedicated point-to-point limited facilities to connect its 40.7 MW solar power plant to the Visayas grid, with prayer for provisional authority.

On 13 November 2015, the Commission issued an Order and a Notice of Public Hearing setting the Application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on 20 January 2016.

In the same Order, NISPI was directed to cause publication once (1x) in a newspaper of general circulation in the Philippines, with the date of the publication to be made not later than ten (10) days before the date of the scheduled initial hearing. It was also directed to inform the consumers within its franchise area, by any other means available and appropriate, of the filing of the instant application, its reasons therefor, and of the scheduled hearing thereon.

During the hearing on 20 January 2016, the Commission declared, after verification, that the Applicant failed to comply with the Commission's jurisdictional requirements, particularly, the publication within the prescribed period of the Order and Notice of Public Hearing both dated 13 November 2015. Accordingly, the Commission cancelled the scheduled hearing and directed the Applicant to file the necessary motion to reset the hearing of the instant Application in order for the Applicant to fully comply with the necessary publication requirements within the prescribed period.

In compliance with the said directives of the Commission, NISPI filed on 21 January 2016 and on 12 May 2016, a "*Manifestation with Motion to Reset Hearing*" and "*Urgent Motion to Reset the Case for Hearing*", respectively for the resetting of the scheduled hearing of the instant Application.

Finding the said motions meritorious, the same are hereby **GRANTED**. Accordingly, the Commission hereby sets the instant Application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on **26 July 2016 (Tuesday) at ten o'clock in the morning (10:00 A.M.) at the ERC Hearing Room, 15<sup>th</sup> Floor, Pacific Center Building, San Miguel Avenue, Pasig City.**

NISPI is hereby directed to cause the publication of the attached Notice of Public Hearing, at its own expense, once (1x) in a newspaper of general circulation in the Philippines, with the date of the publication to be made not later than ten (10) days before the scheduled date of initial hearing. It is also directed to inform the consumers within its franchise area, 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 Office of the Governor of Negros Occidental and the Mayors and the Local Government Unit (LGU) Legislative Body of San Carlos City, Manapla and Cadiz City,



respectively for the appropriate posting thereof on their respective bulletin boards.

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

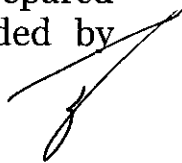
On the date of the initial hearing and pre-trial conference, NISPI must submit to the Commission its written Compliance with the jurisdictional requirements attaching therewith, methodically arranged and duly marked, the evidences on the actual posting and publication of the Notice of Public Hearing consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayors, and LGU Legislative Body, or their duly authorized representatives, bearing the seals of their offices, and the affidavit of the Editor or Business Manager of the newspaper where the said Notice of Public Hearing was published together with the complete issue of the said newspaper, and such other proofs of compliance with the requirements of the Commission.

NISPI 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 thereof; 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 NISPI to submit the required Pre-trial Brief and Judicial Affidavits of its witnesses within the prescribed period shall be a ground for the 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, NISPI must also be prepared to make an expository presentation of its application, aided by




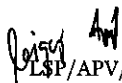
whatever communication medium that it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, what the application is all about and the reasons and justifications being cited in support thereof.

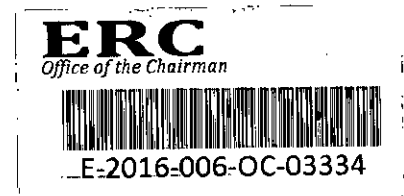
**SO ORDERED.**

Pasig City, 31 May 2016.

FOR AND BY AUTHORITY  
OF THE COMMISSION:

  
**JOSE VICENTE B. SALAZAR**  
*Chairman*

  
LSP/APV/2015-057 MC NISPI ORD.doc.



Copy Furnished:

1. **ATTY. ANNALEE JOYCE C. TODA**  
Counsel for Applicant NISPI  
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122 Gamboa Street, Legaspi Village, Makati City
2. **NEGROS ISLAND SOLAR POWER, INC. (NISPI)**  
Emerald Arcade, F.C. Ledesma St., San Carlos City  
Negros Occidental, Philippines
3. **THE OFFICE OF THE SOLICITOR GENERAL**  
134 Amorsolo Street, Legaspi Village, Makati City  
Metro Manila
4. **THE COMMISSION ON AUDIT**  
Don Mariano Marcos Avenue  
Diliman, Quezon City, Metro Manila
5. **THE SENATE COMMITTEE ON ENERGY**  
Senate of the Philippines  
GSIS Building, Roxas Blvd., Pasay City, Metro Manila

6. **THE HOUSE COMMITTEE ON ENERGY**  
House of Representatives  
Batasan Hills, Quezon City, Metro Manila
7. **OFFICE OF THE PRESIDENT**  
Philippine Chamber of Commerce and Industry (PCCI)  
3<sup>rd</sup> Floor, Chamber and Industry Plaza (CIP)  
1030 Campus Avenue corner Park Avenue  
McKinley Town Center, Fort Bonifacio, Taguig City
8. **OFFICE OF THE PROVINCIAL GOVERNOR and the  
OFFICE OF THE SANGGUNIANG PANLALAWIGAN**  
Province of Negros Occidental
9. **OFFICE OF THE CITY MAYOR and the  
OFFICE OF THE SANGGUNIANG PANGLUNGSOD**  
San Carlos City, Negros Occidental
10. **OFFICE OF THE MUNICIPAL MAYOR and the  
OFFICE OF THE SANGGUNIANG BAYAN**  
Manapla, Negros Occidental
11. **OFFICE OF THE CITY MAYOR and the  
OFFICE OF THE SANGGUNIANG PANGLUNGSOD**  
Cadiz City, Negros Occidental
12. **NATIONAL GRID CORPORATION OF THE PHILIPPINES  
(NGCP)**  
NGCP Building, Quezon Avenue corner BIR Road  
Diliman, Quezon City

