

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



**IN THE MATTER OF THE  
APPLICATION FOR  
AUTHORITY TO DEVELOP,  
OWN AND/OR OPERATE  
DEDICATED POINT-TO-  
POINT FACILITIES TO  
CONNECT THE ATIMONAN  
ONE ENERGY COAL-FIRED  
POWER PLANT TO THE  
NEW PAGBILAO  
SUBSTATION OF THE  
NATIONAL GRID  
CORPORATION OF THE  
PHILIPPINES (NGCP)  
WITH PRAYER FOR  
PROVISIONAL  
AUTHORITY**

**ERC CASE NO. 2016-013 MC**

**ATIMONAN ONE ENERGY,  
INC. (A1E),**

**Applicant.**

X- -----X

**D O C K E T E D**  
Date: OCT 21 2016  
By: [Signature]

**ORDER**

On 19 May 2016, Atimonan One Energy, Inc. (A1E) filed an application for authority to develop, own, and/or operate dedicated point-to-point limited transmission facilities to connect the Atimonan One Energy Coal - Fired Power Plant to the New Pagbilao Substation of the National Grid Corporation of the Philippines (NGCP), with prayer for the issuance of provisional authority.

In support of the said application, A1E alleged the following:

**THE APPLICANT**

1. A1E is a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines with

[Signature]

office address at 8<sup>th</sup> Floor Rockwell Business Center Tower 1, Ortigas Avenue, Pasig City.

A copy of A1E's Certificate of Incorporation, Articles of Incorporation, Certificate of Filing of Amended Articles of Incorporation, Amended Articles of Incorporation, By-Laws, General Information Sheet, and latest audited financial statement are hereto attached and made integral parts hereof as **Annexes "A," "B," "C", "D," "E," "F," and "G,"** respectively.

2. A1E may be served with orders and other processes of this Honorable Commission through the undersigned counsel.

### **NATURE OF THE APPLICATION**

3. This Application is submitted to this Honorable Commission pursuant to Section 9(f) of Republic Act No. 9136, or the Electric Power Industry Reform Act of 2001 ("**EPIRA**")<sup>1</sup>, Rule 5, Section 5 (a)(i)<sup>2</sup> of the EPIRA Implementing Rules and Regulations, and Section 4.2 of Resolution No. 16 Series of 2011, or the Resolution Adopting the Amended Rules on the Definition and Boundaries of Connection Assets for Customers of Transmission Provider<sup>3</sup> for its consideration and approval of A1E's proposed development, construction,

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<sup>1</sup> "Section 9. Functions and Responsibilities.

xxx

(f) xxx

A generation company may develop and own or operate dedicated point-to-point limited transmission facilities that are consistent with the TDP: Provided, That such facilities are required only for the purpose of connecting to the transmission system, and are used solely by the generating facility, subject to prior authorization by the ERC: xxx

<sup>2</sup> Section 5. Dedicated Point-to-Point Limited Transmission Facility of a Generation Company.

(a) Subject to prior authorization from ERC, TRANSCO or its Buyer or Concessionaire may allow a Generation Company to develop, own and/or operate dedicated point-to-point limited transmission facilities; *Provided*, That:

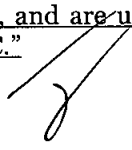
(i) Such dedicated point-to-point limited transmission facilities are required only for the purpose of connecting to the Grid which will be used solely by the Generation Facility, and are not used to serve End-users or Suppliers directly;"

<sup>3</sup> Section 4.2. Connection Assets for Generation Customers of Transmission Provider

"Connection Assets for Generation Customers of Transmission Provider include those assets from the last Single Mechanical Connection of a User System or Equipment of a Generator, at its Connection Point, to the last Single Mechanical Connection which is not shared with another Generator within the Grid.

xxx

"A generation company may develop and own or operate dedicated point-to-point limited facilities provided, that such facilities are required only for the purpose of connecting to the transmission system, and are used solely by the generating facility, subject to prior authorization by the ERC."



ownership and/or operation of an approximately twenty three (23) kilometers, 500 kV, bundle of four (4), 795 MCM ACSR conductor, double circuit, steel tower transmission line (the “**Dedicated Transmission Facility Project**”) which shall connect A1E’s 2x600 MW Coal-Fired Power Plant (the “**A1E CFPP**”) to the 500 kV Switchyard of the New Pagbilao Substation of the National Grid Corporation of the Philippines (“**NGCP**”).

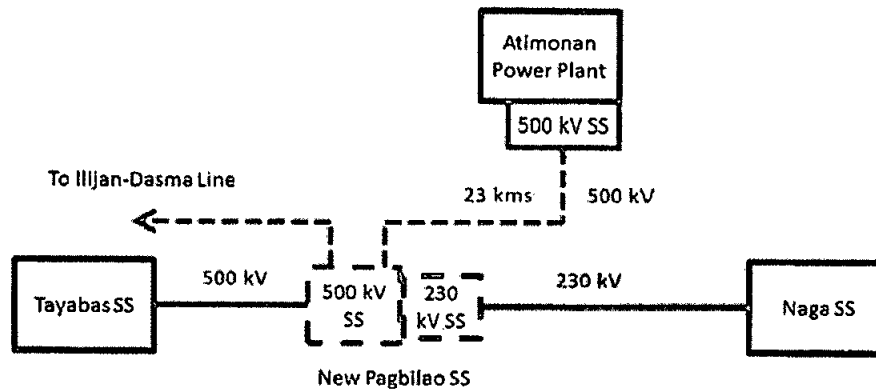
**STATEMENT OF FACTS**

4. A1E was originally incorporated as the Luzon Natural Gas Energy Corporation on 11 January 2013 until the amendment of its corporate name on 8 October 2014 to Atimonan One Energy, Inc. (earlier defined as “**A1E**”).
5. Under its Articles of Incorporation, as amended, A1E’s primary corporate purpose is *“to develop, design, acquire, build, construct, erect, assemble, commission, install, own, maintain, operate, rehabilitate and manage all necessary and convenient facilities, plants, buildings, structures, equipment, machineries, sub-stations, transmission lines, poles, wires, and other properties used in the generation, delivery and/or transmission of electricity, including but not limited to natural gas-fired power generating plants, gas receiving terminal, regasification facility, gas-turbine and other plants and facilities used in connection therewith; and to carry on the general business of generation, delivery and/or transmission of electric energy and other sources for lighting and power purposes and wholesale of electricity to power companies, distribution utility companies, electric cooperatives, retail electricity suppliers, aggregators, and other customers to such extent, and in such manner as may be permitted by applicable law and regulations; and to enter into contracts either alone or jointly with other companies or persons for the purpose of carrying out the foregoing.”*
6. In consonance with the foregoing purpose, the A1E CFPP involves the development, construction, operation, and maintenance of a 2x600 Megawatt (“**MW**”) Coal-Fired Power Plant located in Brgy. Villa Ibaba, Atimonan, Quezon Province. The project entails the construction of two (2) high-efficiency 600 MW units for a total net generating capacity of 1200 MW and which is projected for completion by 2021.
7. In accordance with the agreed connection scheme with the NGCP, the A1E CFPP will directly connect through the Dedicated Transmission Facility Project to the 500 kV Switchyard of the New Pagbilao Substation which the NGCP will construct.
8. As agreed with NGCP, the A1E CFPP will be connected to the NGCP’s Luzon Grid through the construction of a 500 kV

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Radial Connection to the New Pagbilao Substation. This proposed project, subject of the instant Application, involves the construction of a Dedicated Transmission Facility Project which is a twenty three (23) kilometer, 500 kV, bundle of four (4), 795 MCM ACSR conductor, double circuit, steel tower transmission line.

9. The configuration of this connection is shown as follows:



10. The Dedicated Transmission Facility Project is required only for the purpose of connecting the A1E CFPP to the New Pagbilao Substation of NGCP and will be used solely by the A1E CFPP.

A more detailed description of the Dedicated Transmission Facility Project is hereto attached and made an integral part hereof as **Annex "H."**

11. On January 2015, EAGLEngineering Solutions Corporation ("ESC") performed a System Impact Study ("SIS") to determine the impact of connecting the A1E CFPP to NGCP's transmission system. The SIS recommended the interconnection of A1E CFPP via a radial connection to the NGCP's New Pagbilao Substation.
12. Three (3) connection schemes were considered for the interconnection of the CFPP to the Grid, namely:
- 12.1. A 500 kV Radial Connection to NGCP's New Pagbilao Substation ("**Option A**");
  - 12.2. A Bus-In connection between New Pagbilao-Naga Transmission Line with lines going to the New Pagbilao Substation at 500 kV and lines going to the Naga Substation at 230 kV ("**Option B**"); and
  - 12.3. A Bus-In connection between Tayabas - Naga Transmission line with lines going to the Tayabas Substation at 500 kV and lines going to the Naga Substation at 230 kV ("**Option C**") as an interim connection only.

- 12.4. With respect to Option A, it was found that this option is best if the NGCP decides to construct the New Pagbilao Substation at 500 kV and 230 kV. The configuration for this option was shown above.<sup>4</sup>
- 12.5. With regard to Option B, this is preferred if the NGCP decides to construct the New Pagbilao Substation as a 500 kV substation. The connection facility will consist of 500 kV transmission line (8 km, 500 kV bundle of four (4), 795 MCM ACSR conductor, double circuit, steel towers). The New Pagbilao – Naga transmission line will be split at the tapping point so that the 500 kV Substation and the 230 kV line from the power plant to connect directly to the Naga Substation side of the New Pagbilao – Naga line.<sup>5</sup> The following figure shows the configuration of this connection option:<sup>6</sup>

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<sup>4</sup> See page 19 of the System Impact Study of 2 x 600 MW Coal-Fired Power Plant of Atimonan One Energy, Inc. (A1E) dated January 2015. Likewise, see page 13 of the NGCP SIS Review Report which provides as follows:

*Recommended Connection Scheme – Option A*

The conducted System Impact Study captures the NGCP's recommended connection scheme and grid reinforcement as indicated in "Option A. Radial connection to NGCP's New Pagbilao substation" for the interconnection of the 2x600 MW Atimonan Coal-Fire Power Plant together with the committed and other proposed power plants in Quezon province. As mentioned in the discussions of Option A page 18 of the SIS report, "This option is intended if NGCP decides to construct the New Pagbilao Substation at 500 kV and 230 kV."

The entry of the 2x600 MW A1ECFPP will involve the construction of a 23-km double circuit 500 kV line composed of 795 MCM ACSR conductors (bundle of four) on steel towers that will radially connect the A1ECFPP to the 500 kV switchyard of the New Pagbilao substation.

To reduce the power merging at the Tayabas 500 kV Substation, the 500 kV lines going to Ilijan and Dasmariñas will be terminated at the New Pagbilao 500 kV substation by constructing a 17-km double-circuit 500 kV (4-795 MCM ACSR) line extension. This scheme will reduce the criticality of the Tayabas 500 kV substation and will improve grid security and at the same time will provide room to accommodate other future generation capacity additions in the area.

The potential constraint during N-1 contingency at the Taguig-Paco 230 kV corridor within Metro Manila was also identified. The constraint is imminent when the existing and all the incoming power plants including the A1ECFPP in South Luzon, are at simultaneous dispatch. This problem will be addressed by the proposed Metro Manila backbone development project of NGCP.

As regards the voltage assessment, no issues have been identified as a result of the connection of A1ECFPP.

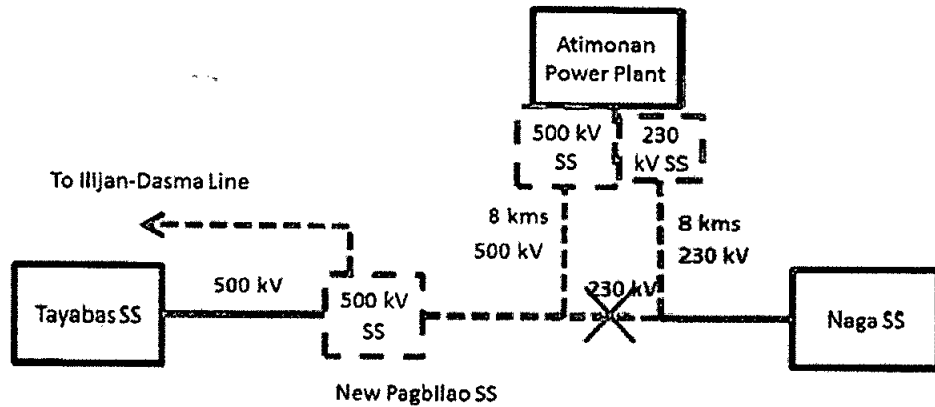
Using the network model provided by NGCP, the proposed power plant will contribute to the increase in the levels of fault current in nearby buses but is not significant to initiate upgrading of the existing power circuit breakers.

Transient stability simulation results show that with the New Pagbilao 500/230 kV substation constructed to cater the connection of A1ECFPP together with the other power plants in Quezon area, the system will remain stable and were able to regain synchronism for short circuit events that were cleared under normal and delayed fault clearing. During peak load scenario, only the outage of both two (2) 600 MW units of A1ECFPP will cause the frequency to drop causing activation of an ALD (Automatic Load Dropping) relay. Furthermore, during off-peak load scenario, outage of one 600 MW unit will already cause a frequency drop ALD activation is expected.

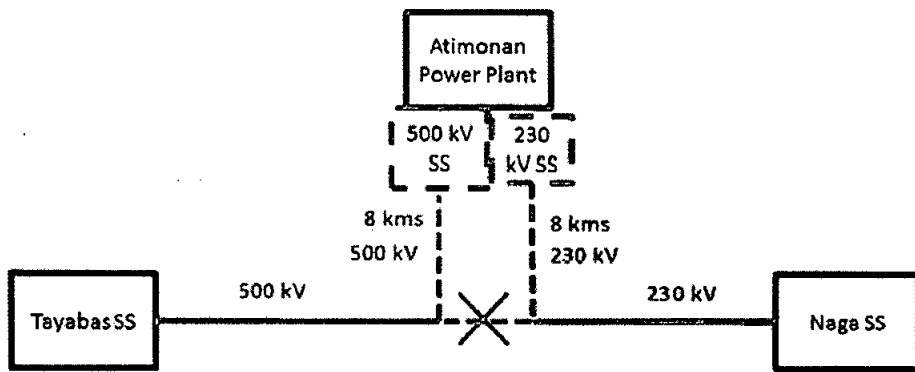
<sup>5</sup> See page 19 of the System Impact Study of 2 x 600 MW Coal-Fired Power Plant of Atimonan One Energy, Inc. (A1E) dated January 2015.

<sup>6</sup> *Id.*





12.6. As per the SIS, Option C is preferred if the NGCP does not construct the New Pagbilao Substation or as an interim connection if the A1E CFPP gets completed before the New Pagbilao Substation. The connection facility under this option will consist of a 500 kV transmission line and 230 kV transmission line. As with Option 2, under this option, the New Pagbilao – Naga transmission line will be split at the tapping point so that the 500 kV line from the A1E CFPP will connect directly to the Tayabas Substation side of the Naga – Tayabas line and the 230 kV line from the A1E CFPP to connect directly to the Naga Substation side. A 500/230 kV transformer must be installed to link both voltage levels.<sup>7</sup> The following is the configuration for this connection option:<sup>8</sup>



13. The SIS of ESC was submitted for evaluation to NGCP, which issued a Review of Third Party System Impact Study (“RTSIS”) in May 2015. In Section 2.3 of the said RTSIS, NGCP stated in part:

**“2.3 Recommended Connection Scheme – Option A**

The conducted System Impact Study captures the NGCP’s recommended connection scheme

<sup>7</sup> See page 20 of the System Impact Study of 2 x 600 MW Coal-Fired Power Plant of Atimonan One Energy, Inc. (A1E) dated January 2015

<sup>8</sup> Id.

and grid reinforcement as indicated in 'Option A. Radial connection to NGCP's New Pagbilao substation' for the interconnection of the 2x600 MW Atimonan Coal-Fired Power Plant together with the committed and other proposed power plants in Quezon province. As mentioned in the discussions of Option A page 18 of the SIS report, "This option is intended if NGCP decides to construct the New Pagbilao Substation at 500 kV and 230 kV."

A detailed discussion of the foregoing is provided in the SIS, a copy of which is hereto attached and made an integral part hereof as **Annex "I."** A copy of the RTSIS is hereto attached and made an integral part hereof as **Annex "J."** A summary of the Connection Options of A1E are attached hereto and made an integral part hereof as **Annex "K."**

14. It is well to note that the NGCP has already filed with this Honorable Commission an Application for the New Pagbilao Substation entitled "In the Matter of the Application for the Approval of the Pagbilao EHV Substation Project with Prayer for the Issuance of a Provisional Authority," docketed as ERC Case No. 2015-078 RC. In the said Application, the NGCP specifically stated in part:

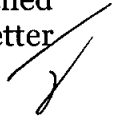
"5. Four (4) new power plants will be constructed in the Quezon province starting 2015, namely:

- a. 420 MW Pagbilao CFPP Expansion;
- b. 500 MW San Buenventura Power Ltd. Co. (SBPL) CFPP;
- c. 3X200 MW Energy World Corporation (EWC) Combined-Cycle Power Plant (CCPP); and
- d. 1,200MW Atimonan CFPP.

6. These incoming power will have a total capacity of **2,720MW**. However, the existing transmission facility at the Tayabas 500/230 kV Substation cannot accommodate this additional capacity. **Thus, NGCP proposes the implementation of the proposed Project in order to accommodate the incoming power plants.** (Emphasis ours.)

15. In a Letter dated 25 August 2015, NGCP informed A1E that it was technically feasible to connect the CFPP to the Luzon Grid. The Facilities Study on the Dedicated Transmission Facility Project was subsequently approved by the NGCP as evidenced by its letter dated 11 March 2016.

A copy of the Letter dated 25 August 2015 is hereto attached and made an integral part hereof as **Annex "L."** The letter



from the NGCP dated 11 March 2016 approving the Facilities Study for the Dedicated Transmission Facility Project is likewise attached and made an integral part hereof as **Annex "M."**

16. Based on the 2014-2015 Transmission Development Plan ("**TDP**") of NGCP, the A1E CFPP is included in the List of Luzon Generation Capacity Addition<sup>9</sup> and is considered in the Proposed Transmission Projects for 2016-2025.<sup>10</sup>

A copy of the 2014-2015 TDP are hereto attached and made an integral part hereof as **Annex "N."**<sup>11</sup>

17. The estimated cost of the transmission line reflected in the total capital investment, based on a twenty-three (23) kilometer transmission line, is equivalent to PhP1,706,681,095.58. It should be emphasized that the switchyard on the high side portion of the Dedicated Transmission Facility Project is owned by A1E.

A copy of the Project Cost Estimates is hereto attached and made an integral part hereof as **Annex "O."** A copy of the Projected Financial and Economic Cost Analysis of the A1E CFPP is attached hereto and made an integral part hereof as **Annex "P."**

18. A1E has a proposed timeline for the completion of the Dedicated Transmission Facility Project. A copy of the Gantt Chart illustrating such timeline is hereto attached and made an integral part hereof as **Annex "Q."** A copy of the Conceptual Engineering Design and Drawings are hereto attached and made an integral part hereof as **Annex "R."**

19. A1E has likewise submitted an Application with the Department of Environment and Natural Resources ("**DENR**"), through its internet based tool, for the issuance of an Environmental Compliance Certificate ("**ECC**") for the Dedicated Transmission Facility Project.

Copies of the documents evidencing such submission with the DENR are hereto attached and made an integral part hereof as **Annex "S" and series.**

20. A1E likewise respectfully manifests that it is in the process of securing the following documents pertinent to instant Application:

20.1. A1E is currently negotiating with the NGCP regarding the execution of a Connection Agreement with NGCP for the physical interconnection of the generation and connection facilities of the A1E CFPP to NGCP's

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<sup>9</sup> See page 24 of the TDP.

<sup>10</sup> See page 57 of the TDP.

<sup>11</sup> With the relevant page 56 tabbed for ease of reference.



transmission system. This is pursuant to the approval of the NGCP of the Interconnection Facilities Study as stated in the NGCP's letter dated 11 March 2016.<sup>12</sup>

- 20.2. A1E has determined that the Meralco Industrial Engineering Services Corporation ("**MIESCOR**") is considered a possible contractor to operate and maintain the Dedicated Transmission Facility Project. A1E undertakes to submit an Operations and Maintenance Agreement once it is executed.
- 20.3. A1E is also currently undergoing the bidding process for the Engineering Procurement and Construction ("**EPC**") Contracts and cannot as of yet submit the copies of the EPC Contracts and the Secretary's Certificate containing resolutions of A1E's Board of Directors approving the construction of the transmission line and execution of the EPC.
- 20.4. A1E also undertakes to file an Application for a Certificate of Compliance with this Honorable Commission.
- 20.5. A1E likewise attaches copies of the resolutions issued by the concerned local government units in support of the transmission line project of A1E as **Annexes "T" and series.**
21. A1E hereby undertakes to comply with the provisions of the Philippine Grid Code in relation to the operation of the Dedicated Transmission Facility Project as evidenced by the Statement of Compliance with the Philippine Grid Code, a copy of which is hereto attached and made an integral part hereof as **Annex "U,"** Compliance Plan, a copy of which is hereto attached and made an integral part hereof as **Annex "V"** and the Summary of the Compliance Plan, a copy of which is hereto attached and made an integral part hereof as **Annex "W."**
22. In summary, A1E hereby submits copies of the following documents, which are either identified as Annexes above or are additional documents in support of the Application:

<b>ANNEX REFERENCE</b>	<b>DOCUMENT</b>
"A"	Certificate of Incorporation
"B"	Articles of Incorporation
"C"	Certificate of Filing of Amended Articles of Incorporation
"D"	Amended Articles of Incorporation
"E"	By-Laws
"F"	General Information Sheet
"G"	Audited Financial Statements

<sup>12</sup> Please see **Annex "M"**

"H"	Project Description
"I"	System Impact Study
"J"	Review of Third Party System Impact Study
"K"	Summary of Connection Options
"L"	NGCP Letter dated 25 August 2015
"M"	NGCP Letter dated 11 March 2016
"N"	Transmission Development Plan
"O"	Project Cost Estimate
"P"	Projected Financial and Economic Cost Analysis
"Q"	Gantt Chart
"R"	Conceptual Engineering Design and Drawings
"S"	Online Application for A1E's Environmental Compliance Certificate
"T"	Local Government Resolutions in support of instant Application
"U"	A1E Statement of Compliance
"V"	Compliance Plan
"W"	Summary of Compliance Plan
"X"	Department of Energy Power Outlook for 2015-2020
"Y"	Endorsement of the Department of Energy
"Z"	Affidavit in Support of Provisional Authority

**ALLEGATIONS IN SUPPORT OF THE PRAYER FOR PROVISIONAL AUTHORITY**

23. Under Rule 14 of the ERC Rules of Practice and Procedures, the Honorable Commission is authorized to issue a provisional authority or interim relief prior to a final decision in the instant Application, provided that the facts and circumstances alleged warrant such remedy.
24. Applicant A1E respectfully submits that the following facts and circumstances clearly warrant the issuance by the Honorable Commission of a provisional authority or interim relief in the instant Application.
- 24.1. The need for the electric power generated by the A1E CFPP is beyond question and a matter that this Honorable Commission may take judicial notice of. Thus it is in the interest of the government to help A1E to achieve commerciality and commence operations at the soonest practicable time. Needless to state, the construction of the dedicated point-to-point transmission facility is a pre-requisite for the testing and commissioning, and ultimately, the commercial operations of A1E CFPP. Thus, a provisional authority

urgently needed to prevent the projected insufficiency of electric power in the affected area.

- 24.2. Moreover, the A1E CFPP will utilize high efficiency supercritical-pressure pulverized coal-fired boiler technology that will use coal from Indonesia and/or Australia as main fuel to produce power. State-of-the-art air pollution control devices such as electrostatic precipitator, seawater flue gas desulfurizer, and low NOx burners will be installed in the plant to comply with Philippine DENR standards. The sooner the A1E CFPP is operational, the sooner it can augment existing power supply to the Luzon grid.
- 24.3. To be sure, the issuance of a provisional authority by this Honorable Commission will enable A1E to immediately start with the construction of the transmission facility, thus preventing any delay in the commercial operations of A1E CFPP. In fact, the A1E CFPP is included in the Department of Energy's ("DOE") Power Outlook for 2015-2020 and forms part of the recognized power projects of the DOE as presented to the Senate Committee on Energy.<sup>13</sup>

A copy of the DOE Power Outlook for 2015-2020 is attached hereto as **Annex "X"** as well as the endorsement of the Department of Energy, a copy of which is attached hereto and made an integral part hereof as **Annex "Y."**

A copy of the Affidavit executed by Angelito Lantin and Daniel Neil in support of the prayer for issuance of provisional authority is hereto attached and made an integral part hereof as **Annex "Z."**

- 24.4. Considering the foregoing, there is clear and sufficient basis that the issuance of a provisional authority or interim relief pending the issuance of a final order or decision in the instant Application is imperative.
25. In view of all the foregoing, Applicant respectfully submits the instant Application for the Honorable Commission's urgent and utmost consideration.

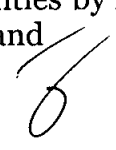
#### **PRAYER**

WHEREFORE, premises considered, it is respectfully prayed to the Honorable Commission that:

1. An Order be issued granting provisional authority for the implementation of the development, ownership and/or operation of the dedicated point-to-point facilities by A1E to connect to the transmission system of NGCP; and

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<sup>13</sup> Please see Slide No. 9 of **Annex "X"**



2. After hearing on the merits, a Decision be rendered approving the instant Application.

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

A further examination of the Application shows that applicant A1E verified and certified the same through a single document entitled Verification and Certification dated 17 May 2016, executed by its representatives, Angelito U. Lantin and Daniel Neil.


Based on the foregoing, when applicant A1E executed its Verification and Certification on 17 May 2016, the Application dated 18 May 2016 did not yet exist. Considering that the affiant in the Verification and Certification affirms, among other things, that he or she has read the entire contents of the Application, it is impossible for an affiant to attest to an Application that does not exist.

The Applicant is hereby directed to submit a valid Verification and Certification of Non-Forum Shopping executed by A1E's duly authorized representative, within fifteen (15) days from receipt hereof.

Applicant A1E must be reminded that the Commission's rules and procedures are in place to benefit all stakeholders appearing before the Commission and ensure equitable play in the field of energy regulation. A1E, its representative, and its counsel are warned that a repeat of this careless behavior in the submission of documents to the Commission will no longer be countenanced and will be dealt with full force of the law and pertinent regulations including the Code of Professional Responsibility and Canons of Professional Ethics.

The foregoing formal defect notwithstanding, the Commission finds the instant Application sufficient in substance with the required fees paid. Consequently, the same is hereby set for determination of compliance with the jurisdictional requirements, expository presentation, pre-trial conference, and presentation of evidence on **29 November 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.**

A1E is hereby directed to cause the publication of the attached Notice of Public Hearing, at its own expense, once (1x) in a newspaper of nationwide circulation in the Philippines, at least 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.

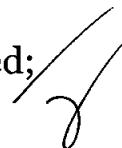
Likewise, let copies of this Order and the attached Notice of Public Hearing be furnished the Offices of the Governors, as well as the Mayors and Local Government Unit (LGU) Legislative Bodies within the Province of Quezon, and the municipalities of Atimonan and Pagbilao, Quezon for the appropriate posting thereof on their respective bulletin boards.

A1E 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, A1E must submit to the Commission their written Compliance with the jurisdictional requirements attaching therewith, methodically arranged and duly marked, the evidence of 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 Local Government Legislative Bodies, or their duly authorized representatives, bearing the seals of their offices, and the affidavits of the Editors or Business Managers of the newspapers where 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.

A1E, 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 thereof 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.

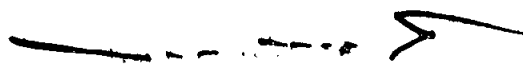

Failure of A1E to submit the required Pre-Trial Brief and Judicial Affidavits of their witnesses within the prescribed period shall be a ground for cancellation of the scheduled hearing, and the resetting of which shall be six (6) months from said date of cancellation.

A1E must also be prepared to make an expository presentation of their 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 application is all about and the reasons and justifications being cited in support thereof.

**SO ORDERED.**

Pasig City, 18 October 2016.

FOR AND BY AUTHORITY  
OF THE COMMISSION:

  
**JOSE VICENTE B. SALAZAR**  
Chairman and CEO 

**ERC**  
*Office of the Chairman*  
  
J-2016-019-OC-05235

  
LS: ps/ig/njm

Copy furnished:

- 1. Puyat Jacinto & Santos**  
*Counsel for Applicant A1E*  
10f 8 Rockwell, Rockwell Center  
Plaza corner Hidalgo Drive, Makati City
- 2. Atimonan One Energy, Inc. (A1E)**  
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Plaza corner Hidalgo Drive, Makati City
- 3. Office of the Solicitor General**  
134 Amorsolo Street, Legaspi Village  
Makati City, Metro Manila
- 4. Commission on Audit**  
Commonwealth Avenue  
Quezon City, Metro Manila
- 5. Senate Committee on Energy**  
GSIS Building, Roxas Boulevard  
Pasay City, Metro Manila
- 6. House Committee on Energy**  
Batasan Hills  
Quezon City, Metro Manila
- 7. Office of the Provincial Governor**  
Province of Quezon
- 8. Office of the LGU Legislative Body**  
Province of Quezon
- 9. Office of the Municipal Mayor**  
Atimonan, Quezon
- 10. Office of the LGU Legislative Body**  
Atimonan, Quezon
- 11. Office of the Municipal Mayor**  
Pagbilao, Quezon
- 12. Office of the LGU Legislative Body**  
Pagbilao, Quezon
- 13. National Grid Power Corporation of the Philippines**  
Quezon Avenue cor. BIR Road,  
Diliman, Quezon City, Philippines
- 14. Regulatory Operations Service**  
Energy Regulatory Commission  
17<sup>th</sup> Floor, Pacific Center Building,  
San Miguel Avenue, Ortigas Center 1600, Pasig City

