

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City



**IN THE MATTER OF THE
APPLICATION FOR
AUTHORITY TO RETIRE THE
LOS BAÑOS SUBSTATION
LOCATED AT BARANGAY
MAAHAS, LOS BAÑOS,
LAGUNA AND TO
WITHDRAW FROM SERVICE
CERTAIN EQUIPMENT AND
MACHINERY INSTALLED IN
SAID SUBSTATION, WITH
PRAYER FOR PROVISIONAL
AUTHORITY**

ERC CASE NO. 2021-015 RC

**MANILA ELECTRIC
COMPANY (MERALCO),
*Applicant.***

Promulgated:
March 19, 2021

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ORDER

On 09 March 2021, Manila Electric Company (MERALCO) filed an *Application* dated 22 February 2021, seeking the Commission's authority for the retirement of the Los Baños substation located at Barangay Maahas, Los Baños, Laguna, and the withdrawal from service of certain equipment and machinery installed in the said substation, with prayer for the issuance of provisional authority.

The pertinent portions of the said *Application* are hereunder quoted as follows:

1. Applicant is a private corporation duly organized and existing under the laws of the Republic of the Philippines, with principal office located at Lopez Building, Ortigas Avenue, Barangay Ugong, Pasig City. It may be served with notices and other processes of this Honorable Commission through its undersigned counsel at the address indicated herein.
2. Applicant has a legislative franchise to construct, operate and maintain an electric power distribution system for the conveyance of electric power to the end-users in the cities and

municipalities of Metro Manila, Bulacan, Cavite and Rizal, and certain cities/municipalities/barangays in Batangas, Laguna, Quezon and Pampanga, pursuant to Republic Act No. 9209.

3. Applicant is filing the instant application to ~~Applicant~~ to seek authority to retire the Los Baños Substation and withdraw certain equipment and machineries in said substation.
4. The instant Application is filed pursuant to the Section 1.7.1 of the Distribution Services and Open Access Rules (DSOAR), as amended.¹

BACKGROUND

5. The Los Baños Substation is located at National Highway, Barangay Maahas, Los Baños, Laguna. The substation has one (1) 12.5 MVA, 34.5 kV -13.8 kV power transformer bank. The substation is installed on a lot owned by the University of the Philippines and subject to a lease agreement.
6. Los Baños Substation is one of the oldest MERALCO odd voltage substations (with voltage other than 34.5 kV or 13.8 kV) and has been in service for more than twenty-four (24) years.
7. Applicant has programmed the gradual conversion of odd-voltage systems (distribution system with voltages other than 34.5 kV or 13.8 kV) to the ultimate standardized 20 kV/34.5 kV (line-to-neutral/line to line) distribution voltage system within its franchise area. The voltage standardization will reduce technical system loss, improve flexibility and reliability of electric service by phasing out isolated odd voltage systems and minimize equipment inventory types. Applicant continuously implements the Odd-Voltage Conversion Program with the aim of having standard voltage systems for its entire franchise area.
8. Hence, Applicant seeks authority from the Honorable Commission to retire the Los Baños Substation and withdraw

¹ The second paragraph of Section 1.7.1 of the amended DSOAR provides:

“1.7.1 AUTHORIZED EQUIPMENT

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The DU may increase, substitute or withdraw from service its authorized equipment and machinery in accordance with the Rules for Approval of Regulated Entities’ Capital Expenditure Projects, RDWR and other ERC Rules. If such undertaking is not covered by the RDWR or other rules, authorization shall be secured from the ERC in accordance with pertinent provision of the Rules for Approval of Regulated Entities’ Capital Expenditure Projects.”

from service the equipment and machinery installed therein in line with the said program.

9. With the retirement of the Los Baños Substation, the 13.8 kV loads will be transferred to the 34.5 kV circuit Dila 415DIA. The transfer of said loads will eliminate the redundant 34.5 kV-13.8 kV step-down stage. However, there will be no impact to the customers currently being served by the Los Baños Substation.
10. The retirement of the said power transformer bank and the complete conversion to 34.5 kV of the circuit in the Los Baños Substation, will result in technical system loss reduction of approximately 223,384 KWHR annually.
11. Currently, the equipment of Los Baños Substation forms part of Applicant's Regulatory Asset Base (RAB). Upon its retirement, some of the equipment and machinery will be reused for distribution services and others will be withdrawn from service. The total amount for equipment and machinery that will be withdrawn from service is Nineteen Million Five Hundred Ninety Seven Thousand Eight Hundred Forty Four and 55/100 Pesos **(PhP19,597,844.55)**.
12. In further support of the Application, attached hereto are the following documents:
 - a. Annex "A" – Schematic Diagram showing the exact location of Los Baños Substation and pictures thereof;
 - b. Annex "B" – Detailed List of Equipment and Machinery to be re-used and/or retired in Los Baños Substation, with corresponding specifications and values; and
 - c. Annex "C" – Load Flow Simulation/study conducted on the effect of withdrawal from service of said equipment and machinery.

Allegations in Support of the Prayer for Provisional Authority

13. The issuance of Provisional Authority is warranted under the circumstances considering that there is no reason to continue energizing the Los Baños substation as the loads thereof may be transferred to adjacent source circuits. More importantly, the conversion of the loads of Los Baños Substation to 34.5 kV will result in the reduction of technical system loss and improvement of the electric service by phasing out isolated odd-voltage system. Moreover, the lease agreement with the University of the Philippines is set to expire in May 2021. As such, Applicant will need sufficient time to effect the withdrawal and retirement of the assets in the Los Baños substation.
14. In further support of the Application and prayer for issuance of provisional authority, attached as **Annex "D"** is the Judicial Affidavit of Engr. Roberto D. Isip Jr., Assistant Vice

President and Manager of Applicant's Network Asset Planning Office.

PRAYER

WHEREFORE, it is respectfully prayed to this Honorable Commission that: (1) the Application for Retirement of the Los Baños Substation and withdrawal from service of equipment and machinery installed in said substation be **APPROVED**; and (2) Applicant be **ALLOWED** to re-use equipment in said substation that will not be retired.

Pending the hearing on the merits of the case, a Provisional Authority be issued to Applicant.

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

Finding the said *Application* to be sufficient in substance with the required fees having been paid, the Commission hereby sets the same for determination of compliance with the jurisdictional requirements, expository presentation, pre-trial conference and presentation of evidence on the following dates and online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020², dated 24 September 2020:

Date	Platform	Activity
25 May 2021 (Tuesday) at nine o'clock in the morning (9:00 A.M.)	Microsoft Teams Application	Determination of compliance with jurisdictional requirements and Expository Presentation
01 June 2021 (Tuesday) at nine o'clock in the morning (9:00 A.M.)		Pre-trial Conference and Presentation of Evidence

RELATIVE THERETO, MERALCO is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing* in two (2) newspapers of nationwide circulation in the Philippines at its own expense, twice (2x) within two (2) successive weeks, the dates of publication not being less

² A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

than seven (7) days apart, and the date of the last publication to be made not later than ten (10) days before the date of the scheduled initial hearing;

- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governor, the Municipal Mayors, and the Local Government Unit (LGU) legislative bodies within MERALCO's franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within MERALCO's franchise area, by any other means available and appropriate, of the filing of the *Application*, their reasons therefor, and of the scheduled virtual hearings thereon;
- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, 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 and attend the scheduled hearings; and
- 5) Furnish with copies of the *Application* and its attachments all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Within five (5) calendar days prior to the date of the scheduled initial virtual hearing, MERALCO must submit to the Commission via e-mail at docket@erc.ph, copy furnish the Legal Service through legal@erc.ph, its written compliance to the aforementioned directives by attaching therewith, methodically arranged and duly marked, the following:

- 1) The evidence of publication of the attached *Notice of Virtual Hearing* consisting of affidavits of the Editors or Business Managers of the newspapers where the said *Notice of Virtual Hearing* were published, and the complete issues of the said newspapers;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing* consisting of certifications issued to that effect, signed by the aforementioned Governors, Mayors, and LGU legislative

bodies or their duly authorized representatives, bearing the seals of their offices;

- 3) The evidence of other means employed by MERALCO to inform the consumers within its franchise area of the filing of the *Application*, its reasons therefor, and of the scheduled hearings thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing* by the OSG, COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Application* and its attachments by all those making requests therefor, if any; and
- 6) Such other proofs of compliance with the requirements of the Commission.

Moreover, MERALCO is hereby required to post on its bulletin boards, the scanned copies of the jurisdictional requirements, together with the newspaper publications and certifications issued by the concerned Office of the Mayors, Provincial Governor and Local Legislative Bodies and to submit proof of posting thereof.

MERALCO and all interested parties are also required to submit to the Commission via e-mail at docket@erc.ph, copy furnish the Legal Service through legal@erc.ph, at least five (5) calendar days before the date of the scheduled initial virtual hearing and Pre-trial Conference, their respective Pre-Trial Briefs containing, among others:

- 1) A summary of admitted facts and proposed stipulation of facts;
- 2) The issues to be tried or resolved;
- 3) The documents or exhibits to be presented, stating the purposes and proposed markings therefor, which should also be attached to the Pre-trial Brief; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

MERALCO must ensure that all the documents or exhibits proposed to be presented have already been duly submitted to the Commission at least five (5) calendar days before the date of the scheduled initial virtual hearing and Pre-trial Conference pursuant to the preceding paragraph.

Failure of MERALCO to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearings, and the resetting of which shall be six (6) months from the said date of cancellation.

MERALCO is hereby directed to file a copy of its Expository Presentation via e-mail at docket@erc.ph, copy furnish the Legal Service through legal@erc.ph, at least five (5) calendar days prior to the scheduled virtual hearing. MERALCO shall also be required, upon the request of any stakeholder, to provide an advance copy of its expository presentation, at least five (5) calendar days prior to the scheduled virtual hearing.

Any interested stakeholder may submit its comments and/or clarifications at least one (1) calendar day prior to the scheduled virtual hearing, via e-mail at docket@erc.ph, copy furnish the Legal Service through legal@erc.ph. The Commission shall give priority to the stakeholders who have duly submitted their respective comments and/or clarifications, to discuss the same and propound questions during the course of the expository presentation.

MERALCO is hereby directed to submit, either through personal service, registered or ordinary mail/private courier, one (1) set of the original or certified true hard/printed copy/ies of its Jurisdictional Compliance, Expository Presentation, Pre-trial Brief, and Judicial Affidavit/s of witness/es, within five (5) working days from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission. Similarly, all interested parties who filed their Petition for Intervention or Opposition are required to submit the hard/printed copy thereof within the same period through any of the available modes of service.

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Finally, MERALCO, including its authorized representative/s and witness/es, are hereby directed to provide the Commission, thru legal.virtualhearings@erc.ph, with their respective e-mail addresses upon receipt of this *Order*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearings.

SO ORDERED.

Pasig City, 17 March 2021.

FOR AND BY AUTHORITY
OF THE COMMISSION:


AGNES VST DEVANADERA
Chairperson and CEO

  
LS: RSPV/ARG/MCCG

COPY FURNISHED:

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9. Office the City Mayor
City of Las Piñas

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City of Las Piñas
11. Office of the City Mayor
City of Makati
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City of Malabon
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Angat, Bulacan
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Doña Remedios Trinidad, Bulacan
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San Ildefonso, Bulacan
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San Ildefonso, Bulacan
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San Jose del Monte, Bulacan
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Sta. Maria, Bulacan
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89. Office of the Municipal Mayor
Alfonso, Cavite
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Amadeo, Cavite
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93. Office of the City Mayor
Bacoor, Cavite
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95. Office of the Municipal Mayor
Carmona, Cavite
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99. Office of the City Mayor
Dasmariñas, Cavite
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101. Office of the Municipal Mayor
General Emilio Aguinaldo, Cavite
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103. Office of the Municipal Mayor
General Mariano Alvarez, Cavite
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Province of Rizal

- 240. Office of the LGU Legislative Body
Province of Rizal

- 241. Office of the Governor
Province of Batangas

- 242. Office of the LGU Legislative Body
Province of Batangas

- 243. Office of the Governor
Province of Laguna

- 244. Office of the LGU Legislative Body
Province of Laguna

- 245. Office of the Governor
Province of Quezon

- 246. Office of the LGU Legislative Body
Province of Quezon

- 247. Office of the Governor
Province of Pampanga

- 248. Office of the LGU Legislative Body
Province of Pampanga

- 249. Office of the President of PCCI
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

- 250. Regulatory Operations Service
17th Floor, Pacific Center Building, San Miguel Avenue,
Ortigas Center 1600, Pasig City