

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City



**IN THE MATTER OF THE
APPLICATION FOR
AUTHORITY TO DEVELOP
AND OWN OR OPERATE
DEDICATED POINT-TO-POINT
LIMITED TRANSMISSION
FACILITIES TO CONNECT
CAMOTES ISLAND POWER
GENERATION
CORPORATION'S (CAMPCOR)
1.280 MW LIGHT FUEL OIL
(LFO)-FIRED DIESEL POWER
GENERATING FACILITIES TO
THE CAMOTES ELECTRIC
COOPERATIVE, INC.'S
(CELCO) 13.8 KV
DISTRIBUTION SYSTEM
(PILAR GRID), WITH PRAYER
FOR PROVISIONAL
AUTHORITY OR INTERIM
RELIEF**

ERC CASE NO. 2021-014 MC

**CAMOTES ISLAND POWER
GENERATION CORPORATION
(CAMPCOR),**

Applicant.

X-----X

Promulgated:

June 08, 2021

ORDER

On 26 April 2021, Camotes Island Power Generation Corporation (CAMPCOR) filed an *Application* seeking the Commission's approval of its authority to develop and own or operate dedicated point-to-point limited transmission facilities to connect its 1.280 MW Light Fuel Oil (LFO) Fired-Diesel Power Plant to the Camotes Electric Cooperative, Inc.'s (CELCO) 13.8 kV distribution system (Pilar Grid), with prayer for the issuance for provisional authority or interim relief.

On 07 May 2021, the Commission issued an *Order* and *Notice of Virtual Hearing*, both dated 03 May 2021, setting the instant

Application for the determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference and presentation of evidence on the following dates:

Date	Activity
02 July 2021	Determination of Jurisdictional Compliance and Expository Presentation
09 July 2021	Pre-trial Conference and Presentation of Evidence

However, the Commission notes that it has inadvertently scheduled a hearing on 02 July 2021 which is the anniversary of the City of Pasig. To avoid the cancellation of the 02 July 2021 hearing and the unnecessary cost for republication due to the impending declaration of the Office of the President of the said date as a special non-working holiday in the City of Pasig, the Commission finds it in order to cancel the hearing on 02 July 2021 and set it on another date.

IN VIEW OF THE FOREGOING, the Commission hereby sets another hearing 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 2020¹ dated 24 September 2020:

Date	Platform	Activity
07 July 2021 (Wednesday) at nine o'clock in the morning (9:00 AM)	Microsoft Teams	Determination of compliance with the jurisdictional requirements and expository presentation
09 July 2021 (Friday) at nine o'clock in the morning (9:00 AM)	Microsoft Teams	Pre-trial Conference and presentation of evidence

RELATIVE THERETO, CAMPCOR is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing* once (1x) in a newspaper of nationwide circulation in the Philippines at its own expense, with the date of publication to be made not later than ten (10) days before the date of the scheduled initial hearing;

¹ Entitled: "A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission".

- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governor, the Mayors and the Local Government Unit (LGU) legislative bodies within the affected areas for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within the affected areas of the filing of the *Application*, its reasons therefor, and of the scheduled hearings thereon, by any other means available and appropriate;
- 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 hearing; and
- 5) Furnish with copies of the *Application* and its attachments all those making requests therefor, subject to the resolution of the prayer for confidential treatment of information, if any, and reimbursement of reasonable photocopying costs.²

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

- 1) The evidence of publication of the attached *Notice of Virtual Hearing* consisting of the affidavit of the Editor or Business Manager of the newspaper where the said *Notice of Virtual Hearing* was published, and the complete issue of the said newspaper;
- 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

² For the e-mail address of the applicant, please see page 7.

aforementioned Governor, Mayors and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;

- 3) The evidence of other means employed by CAMPCOR to inform the consumers within the affected area of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing* by the OSG, the 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 proof of compliance with the requirements of the Commission.

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

CAMPCOR and all interested parties are also required to submit 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 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.

CAMPCOR 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 CAMPCOR to comply with the above requirements 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 the said date of cancellation.

CAMPCOR must also be prepared to make an expository presentation of the instant *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, the nature of the *Application* with relevant information and pertinent details substantiating the reasons and justifications being cited in support thereof.

CAMPCOR 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. CAMPCOR 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.

CAMPCOR 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.

Finally, CAMPCOR, 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 hearing.

SO ORDERED.

Pasig City, 26 May 2021.

FOR AND BY AUTHORITY
OF THE COMMISSION:


AGNES VST DEVANADERA
Chairperson and CEO


LS: MVM/LSP/MCCG



ERC CASE NO. 2021-014 MC
ORDER/ 26 MAY 2021
PAGE 7 OF 7

Copy Furnished:

1. Camotes Island Power Generation Corporation (CAMPCOR)
Applicant
UGF Worldwide Corporate Center, Brgy. Highway Hills,
Shaw Blvd., Mandaluyong City
2. Attys. Mary Ann C. Diccion, Anna Tricia P. Evangelista and Ginalyn T. Maldos
Counsel for Applicant CAMPCOR
Diccion Law Firm
Unit 1708 Jollibee Plaza Building
F. Ortigas Jr. Road, Ortigas Center, Pasig City
diccionlawfirm@diccionlaw.com
diccionlawfirm08@gmail.com
3. Office of the Solicitor General (OSG)
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph
4. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
citizensdesk@coa.gov.ph
5. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City
senateenergycommittee@gmail.com
6. House Committee on Energy
Batasan Hills, Quezon City
committee.energy@house.gov.ph
7. Office of the Governor
Province of Cebu
8. Office of the Local Government Unit (LGU) Legislative Body
Province of Cebu
9. Office the Mayor
Municipality of Pilar
10. Office of the LGU Legislative Body
Municipality of Pilar
11. Office of the Mayor
Mandaluyong City
12. Office of the LGU Legislative Body
Mandaluyong City
13. Regulatory Operations Service
17th Floor, Pacific Center Building, San Miguel Avenue,
Ortigas Center 1600, Pasig City