



Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF
CAPITAL EXPENDITURE
PROGRAM FOR YEARS 2016
TO 2020**

ERC CASE NO. 2021-083 RC

**ZAMBOANGA DEL SUR I
ELECTRIC COOPERATIVE,
INC. (ZAMSURECO I),**
Applicant.

Promulgated:
October 25, 2021

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ORDER

On 12 October 2021, Zamboanga Del Sur I Electric Cooperative, Inc. (ZAMSURECO I) filed an *Application* dated 27 August 2021, seeking for the Commission's approval of its Capital Expenditure (CAPEX) program for years 2016 to 2020.

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

THE APPLICANT

1. ZAMSURECO I is a non-stock, non-profit electric cooperative, duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office at Gov. Vicente M. Cerilles St., Pagadian City, Zamboanga del Sur;
2. It holds an exclusive franchise issued by the National Electrification Commission to operate an electric light and power distribution service in the City of Pagadian and certain municipalities in the province of Zamboanga Del Sur, namely: Aurora, Dimataling, Dinas, Dumalinao, Dumingag, Guipos, Labangan, Lapuyan, Mahayag, Margosatubig, Midsalip, Molave, R. Magsaysay, San Miguel, San Pablo, Tabina, Tambulig, Tigbao, Tukuran, Sominot (formerly Don Mariano Marcos), Pitogo, Josefina and Vincenzo Sagun, and the municipality of Don Victoriano in the province of Misamis Occidental.

LEGAL BASES FOR THE APPLICATION

3. Pursuant to Republic Act No. 9136, ERC Resolution 26, Series of 2009 and other laws and rules, and in line with its mandate to provide safe, quality, efficient and reliable electric service to electricity consumers in its franchise area, ZAMSURECO I seeks approval and authority from this Honorable Commission regarding its implementation of its Capital Expenditure (CAPEX) Program for Years 2016 to 2020.

THE CAPEX PROJECTS

4. The projects under the CAPEX Program for Years 2016 to 2020 are summarized hereunder, as follows:

No.	PROJECT TITLE	PROJECT TYPE	PROJECT COST (PHP)					Total
			2016	2017	2018	2019	2020	
1	Procurement of four (4) units 69 kV Power Circuit Breaker to be installed at Tiguma, Balangasan, San Miguel, and Switch Substations	Safety			12,694,243.96			12,694,243.96
2	Installation of Automatic Circuit Reclosers at identified backbone and lateral lines	Safety					2,576,785.71	2,576,785.71
3	Construction of new 10MVA Substation located at Brgy. San Jose (Romarate), Aurora, Zamboanga del Sur	Capacity		31,500,954.70				31,500,954.70
4	Installation of additional 10MVA Power Transformer to the Existing 10MVA Santa Maria Substation	Capacity					33,139,654.00	33,139,654.00
5	Installation of additional 10MVA Power Transformer to the Existing 10MVA Tiguma Substation	Capacity					33,389,654.00	33,389,654.00
6	Construction of a new substation with 10 MVA Capacity located at the Municipality of Dumalinao, Zamboanga del Sur	Capacity				31,825,238.26		31,825,238.26
7	Uprating of Existing 3-phase Backbone Lines	Capacity	1,278,482.14		14,383,348.68	219,778.58		15,881,609.40
8	Procurement of Electronic kWh-Meters for New Connections	Capacity	8,315,535.27	7,510,331.35	9,882,767.91	5,706,625.75	24,784,298.46	56,199,558.74
9	Procurement of Service Drop Materials for New Connections	Capacity				9,473,458.52	6,766,334.04	16,239,792.56

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10	Procurement of Distribution Transformer and Accessories	Capacity		1,811,927.63	49,058.04	8,039,172.02	1,649,786.46	11,549,944.15
11	Establishment of 5 MVA Power Substation at Brgy. Upper Bayao, Tukuran, Zamboanga del Sur	Power Quality			25,851,132.33			25,851,132.33
12	Installation of 2x7.5 MVAR Capacitor Banks at San Miguel Substation	Power Quality					27,691,850.33	27,691,850.33
13	Replacement of old/damaged bushings/ insulators	Safety			891,964.29	55,880.00		947,844.29
14	Replacement of old, defective and stuck-up KWH Meters	System Loss	369,897.59	5,275,662.77	683,598.22	2,805,686.74	3,949,000.00	13,083,845.32
15	Procurement of Technical Testing Equipment	Service Efficiency						
	• Procurement of Ultrasonic Detector						1,996,000.00	1,996,000.00
	• Procurement of AC/DC Hi-Pot Tester						1,078,778.14	1,078,778.14
	• Procurement of Power Quality Analyzer						688,596.40	688,596.40
	• Procurement of Thermal Scanner			2,749,297.43				2,749,297.43
	• Procurement of kWh Meter Reference Standard			700,965.00				700,965.00
	• Repair of portable kWh Meter testing calibration			447,621.43				447,621.43
	TOTAL		9,963,915.00	49,996,760.31	64,436,113.43	58,125,839.87	137,710,737.54	320,233,366.15
SUBSIDY PROJECTS								
16	Implementation of Sitio Electrification Program (SEP) Projects	Rural Electrification		100,732,040.36		12,758,763.57	39,045,552.35	152,536,356.28
17	Implementation of NIHE Projects	Rural Electrification				57,341,387.37	5,907,462.37	63,248,849.74
	TOTAL		-	100,732,040.36	-	70,100,150.94	44,953,014.72	215,785,206.02
NON-NETWORK/ SERVICE EFFICIENCY PROJECTS								
18	Procurement of New Personal Protective Equipment (PPE)	Safety					7,222,521.24	7,222,521.24
19	Procurement of New Lineman's Tools and Equipment	Safety					3,191,846.00	3,191,846.00
20	Construction of ZAMSURECO-I Central Office Extension Building	Service Efficiency				23,420,039.88	3,233,214.29	26,653,254.17
21	Procurement of Digital Radio Communication System	Service Efficiency				5,214,760.00	2,901,857.14	8,116,617.14
22	Procurement of New Maintenance Vehicles	Service Efficiency		2,474,427.86	7,269,000.00	11,907,797.00	46,239,734.70	67,890,959.56
	TOTAL		-	2,474,427.86	7,269,000.00	40,542,596.88	62,789,173.37	113,075,198.11
Grand Total			9,963,915.00	153,203,228.53	71,705,113.43	168,768,587.69	245,452,925.63	649,093,770.28

CAPITAL EXPENDITURE PROGRAM

5. The CAPEX projects are discussed in detail in ZAMSURECO I's Capital Expenditure Program for Years 2016-2020 with technical, economic and financial analysis and supporting data presented in ERC-prescribed templates.

FINANCIAL AND ECONOMIC EVALUATION

5. **Financing Plan.** In the implementation of the projects, ZAMSURECO-I sourced out funds from its existing Reinvestment Fund for Sustainable Capital Expenditure (RFSC) as well as through loans from the National Electrification Administration (NEA) and other financing institutions that provided the most reasonable interest rates, thus, advantageous to the Cooperative and its stakeholders. The Cooperative also sought assistance from the Government for the provision of subsidy funds for the implementation of projects under Rural Electrification Program such as sitio line extension projects and household electrification initiatives. The sources of funds are presented in the Table below, as follows:

Fund Sources for the Projects

Source of Fund	2016	2017	2018	2019	2020	Total Amount
RFSC	9,963,915.00	25,559,464.97	71,705,113.43	98,668,436.74	156,242,318.87	362,139,249.01
NEA Loan		26,911,723.20				26,911,723.20
Other Institution					44,257,592.05	44,257,592.05
Subsidy		100,732,040.36		70,100,150.94	44,953,014.72	215,785,206.02
Total Amount	9,963,915.00	153,203,228.53	71,705,113.43	168,768,587.68	245,452,925.64	649,093,770.28

6. **Cash Flow and Rate Impact Analysis.** A rate impact analysis was made to properly measure the amount of rate increase needed to be able to fully implement the projects. The objective is to be able to present the rate impact in a way that is meaningful and easily understood in a transparent, consistent, and justified manner.
7. The table below shows that ZAMSURECO I's collections from RFSC were sufficient to cover the annual capital project costs, thus, adjustment in RFSC rate was not necessary to meet the obligations of the cooperative with respect thereto.

		2016	2017	2018	2019	2020	TOTAL
Forecasted / Actual Energy Sales, kWh		197,971,605.89	206,205,414.69	222,766,411.35	239,737,417.96	246,885,100.00	1,113,565,949.89
RFSC Rate, PhP / KWh		0.2904	0.2904	0.2904	0.2904	0.2904	0.2904
Beginning balance, PhP, excess / (shortfall)		57,490,954.35	59,882,052.43	64,691,365.86	69,619,746.18	71,695,433.04	323,379,551.85
	PER AFS	122,987,558.47	149,186,083.58	175,553,169.78	161,674,920.79	116,720,135.02	122,987,558.47
CASH INFLOWS							

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	Actual RFSC Collection, PhP	58,267,683.88	57,176,405.01	59,431,963.76	57,672,102.21	74,913,220.30	307,461,375.16
	50% income on leased properties, PhP	918,353.26	1,388,689.26	240,808.05	1,503,555.14	1,798,320.06	5,849,725.77
	Proposed Loan proceeds from financial institutions, PhP						
	- from subject Application		31,500,954.71			21,634,508.00	53,135,462.71
	Subsidy, for rural electrification projects, PhP		100,732,040.36		70,100,150.94	44,953,014.72	215,785,206.02
	- from subject Application						
	Interest earned from deposits, PhP	153,815.55	189,089.01	199,959.52	171,156.28	105,301.30	819,321.66
	Total Cash Inflows, PhP	59,339,852.69	190,987,178.35	59,872,731.33	129,446,964.57	143,404,364.38	583,051,091.32
Available Cash for Disbursement, PhP		182,327,411.16	340,173,261.93	235,425,901.11	291,121,885.36	260,124,499.40	706,038,649.79
CASH OUTFLOWS							
	Proposed CAPEX requirement, PhP						
	- from subject Application (proposed cost / total cost incurred)	9,963,915.00	153,203,228.53	71,705,113.43	168,768,587.68	245,452,925.63	649,093,770.27
	Approved CAPEX requirement, PhP						
	- from previous Approved CAPEX Application/s (approved total cost incurred)	21,714,840.29	11,373,111.62				33,087,951.91
CASH OUTFLOWS							
	Proposed Annual Amortization, PhP						0.00
	- from subject Application			1,434,081.99	2,369,844.66	2,841,108.01	6,645,034.66
	Approved Annual Amortization, PhP						0.00
	- from previous Approved CAPEX Application/s			611,784.90	3,263,318.00	3,392,376.00	7,267,478.90

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	Other fees relative to CAPEX application, PhP*	14,791.47	43,752.00			39,203.28	97,746.75
	Proposed ERC permit fees, PhP						0.00
	- from subject Application						0.00
	Approved ERC permit fees, PhP						0.00
	- from previous CAPEX Application/s**	1,447,780.82					1,447,780.82
	Total Cash Outflows, PhP	33,141,327.58	164,620,092.15	73,750,980.32	174,401,750.34	251,725,612.92	697,639,763.31
	Ending Cash Balance, PhP, excess/ (shortfall)	149,186,083.58	175,553,169.78	161,674,920.79	116,720,135.02	8,398,886.48	8,398,886.48
	Rate Impact on RFSC, PhP/ KWh, excess / (shortfall)	0.75	0.85	0.73	0.49	0.03	0.01

SUBMISSION OF DOCUMENTARY AND PRE-FILING REQUIREMENTS

8. Finally, in compliance with the documentary requirements under ERC Resolution 26, Series of 2009 and pre-filing requirements under the Revised ERC Rules of Practice and Procedure, ZAMSURECO I is submitting herewith the following documents which are being made integral parts hereof, to wit:

Annex Markings	Description of Documents
A	Capital Expenditure Program for Years 2016 to 2020
B	Affidavit of Posting of the Notice to Consumers
B-1	Notice To Consumers
C	Affidavit of Undertaking that the corresponding application for approval of concerned agencies shall be filed, when required
D series	Proof of furnishing of copies of the Application to the Offices of the Mayor and Sangguniang Panlungsod of Pagadian City and Offices of the Governor and Sangguniang Panlalawigan of Zamboanga del Sur
E series	Proof of publication of the Application in a newspaper of general circulation in ZAMSURECO I's franchise area or where it principally operates

PRAYER

WHEREFORE, premises considered, Applicant Zamboanga del Sur I Electric Cooperative, Inc. (ZAMSURECO I) respectfully prays of this Honorable Commission that after due notice and

hearing, its Capital Expenditure Program for Years 2016 to 2020 be approved and authorized accordingly.

Other reliefs, just and equitable in the premises, are likewise prayed for.

Finding the said *Application* to be sufficient in form 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 2020¹ dated 24 September 2020 and Resolution No. 01, Series of 2021, dated 17 December 2020 (ERC Revised Rules of Practice and Procedure)²:

Date	Platform	Activity
26 November 2021 (Friday) at nine o'clock in the morning (9:00 A.M.)	Microsoft Teams	Determination of compliance with jurisdictional requirements, and Expository Presentation
10 December 2021 (Friday) at nine o'clock in the morning (9:00 A.M.)	Microsoft Teams	Pre-Trial Conference and Presentation of Evidence

Accordingly, ZAMSURECO I is hereby directed to host the virtual hearing at **ZAMSURECO I's Principal Office at Gov. Vicente M. Cerilles St., Pagadian City, Zamboanga del Sur**, as the designated venue for the conduct thereof, and ensure that the same is open to the public and the community quarantine guidelines are observed at all times. Moreover, ZAMSURECO I shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

RELATIVE THERETO, ZAMSURECO I 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

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

² A Resolution Adopting the Revised Rules of Practice and Procedure of 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 virtual hearing;

- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governor, Mayors and the respective Local Government Unit (LGU) legislative bodies within ZAMSURECO I's franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within ZAMSURECO I's franchise area, by any other means available and appropriate, of the filing of the *Application*, its 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 the resolution of the prayer for confidential treatment of information, if any, and reimbursement of reasonable photocopying costs.³

Within five (5) calendar days prior to the date of the virtual hearings, ZAMSURECO I 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 affidavit of the Editors or Business Managers of the newspapers where the said *Notice of Virtual Hearing* was published, and the complete issues of the said newspapers;

³ For the e-mail address of the applicant, please see page 12.

- 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 Provincial Governors, City and Municipal Mayors, and their LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by ZAMSURECO I to inform the consumers within the affected 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, 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 proofs of compliance with the requirements of the Commission.

Moreover, ZAMSURECO I 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 Provincial Governors, City and Municipal Mayors and their Local Legislative Bodies, and to submit proof of its posting thereof.

ZAMSURECO I 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; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

ZAMSURECO I 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 ZAMSURECO I 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.

ZAMSURECO I 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.

ZAMSURECO I 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. ZAMSURECO I 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.

ZAMSURECO I 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, ZAMSURECO I, 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, 18 October 2021.

FOR AND BY AUTHORITY
OF THE COMMISSION:



AGNES YST DEVANADERA
Chairperson and CEO

ERC

Office of the Chairperson



AVSTD-2021-10-510-0076


LS: MVM/ LSP/MCCG

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COPY FURNISHED:

1. Zamboanga del Sur I Electric Cooperative, Inc. (ZAMSURECO I)
Applicant
Gov. Vicente M. Cerilles St. Pagadian City, Zamboanga del Sur
2. Atty. Ditas A. Lerios-Amboy
DECHAVEZ SAGAYO & LERIOS-AMBOY LAW OFFICES
Counsel for Applicant ZAMSURECO I
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Ortigas Center, Pasig City, Metro Manila
powerlawfirm@gmail.com
3. Office of the Mayor
City of Pagadian
4. Office of the LGU legislative body
City of Pagadian
5. Office of the Mayor
Tukuran, Zamboanga del Sur
6. Office of the LGU legislative body
Tukuran, Zamboanga del Sur
7. Office of the Mayor
Labangan, Zamboanga del Sur
8. Office of the LGU legislative body
Labangan, Zamboanga del Sur
9. Office of the Mayor
Dumalinao, Zamboanga del Sur
10. Office of the LGU legislative body
Dumalinao, Zamboanga del Sur
11. Office of the Mayor
Tigbao, Zamboanga del Sur
12. Office of the LGU legislative body
Tigbao, Zamboanga del Sur
13. Office of the Mayor
Tambulig, Zamboanga del Sur
14. Office of the LGU legislative body
Tambulig, Zamboanga del Sur
15. Office of the Mayor
Molave, Zamboanga del Sur
16. Office of the LGU legislative body
Molave, Zamboanga del Sur
17. Office of the Mayor
Mahayag, Zamboanga del Sur
18. Office of the LGU legislative body
Mahayag, Zamboanga del Sur
19. Office of the Mayor
Dumingag, Zamboanga del Sur
20. Office of the LGU legislative body
Dumingag, Zamboanga del Sur

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21. Office of the Mayor
Josefina, Zamboanga del Sur
22. Office of the LGU legislative body
Josefina, Zamboanga del Sur
23. Office of the Mayor
Aurora, Zamboanga del Sur
24. Office of the LGU legislative body
Aurora, Zamboanga del Sur
25. Office of the Mayor
Ramon Magsaysay, Zamboanga del Sur
26. Office of the LGU legislative body
Ramon Magsaysay, Zamboanga del Sur
27. Office of the Mayor
Sominot, Zamboanga del Sur
28. Office of the LGU legislative body
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Midsalip, Zamboanga del Sur
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San Pablo, Zamboanga del Sur
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V. Sagun, Zamboanga del Sur
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V. Sagun, Zamboanga del Sur

43. Office of the Mayor
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Tabina, Zamboanga del Sur
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Tabina, Zamboanga del Sur
49. Office of the Mayor
Pitogo, Zamboanga del Sur
50. Office of the LGU legislative body
Pitogo, Zamboanga del Sur
51. Office of the Mayor
Don Victoriano, Misamis Occidental
52. Office of the LGU legislative body
Don Victoriano, Misamis Occidental
53. Office of the Governor
Province of Zamboanga del Sur
54. Office of the LGU legislative body
Province of Zamboanga del Sur
55. Office of the Governor
Province of Misamis Occidental
56. Office of the LGU legislative body
Province of Misamis Occidental
57. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village, Makati City
Email: docket@osg.gov.ph
58. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
Email: citizensdesk@coa.gov.ph
59. Senate Committee on Energy
GSIS Bldg. Roxas Blvd., Pasay City
Email: senateenergycommittee@gmail.com
60. House Committee on Energy
Batasan Hills, Quezon City
Email: committee.energy@house.gov.ph
61. Regulatory Operations Service (ROS)
17th Floor, Pacific Center Bldg., San Miguel Avenue, Pasig City