

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

**INTERIM GUIDELINES GOVERNING ELECTRONIC  
APPLICATION, FILINGS AND VIRTUAL HEARINGS BEFORE  
THE ENERGY REGULATORY COMMISSION**

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# **INTERIM GUIDELINES GOVERNING ELECTRONIC APPLICATION, FILINGS AND VIRTUAL HEARINGS BEFORE THE ENERGY REGULATORY COMMISSION**

## **RULE I – Objectives**

**Section 1.** These Guidelines seek:

- (1) To comply with the policy of the National Government that all government agencies shall provide uninterrupted public service to all relevant stakeholders;
- (2) To allow the Energy Regulatory Commission (ERC) a safe means of continuously performing its mandate amidst the current Public Health Emergency (PHE) due to COVID-19;
- (3) To protect the health and safety of all stakeholders in the Electric Power Industry while availing the public services provided by the ERC;
- (4) To protect the health of all the ERC's employees while performing their respective tasks; and
- (5) To allow the electronic system of system of filing and transacting with the ERC during this PHE.

## **RULE II – Scope and Coverage**

**Section 1.** These Guidelines shall cover the following acts:

- (1) Filing of new quasi-judicial applications or petitions;
- (2) Filing of pleadings for cases pending before the ERC;
- (3) Conduct of virtual hearings and mediations;
- (4) Filing of Application for Certificate of Compliance, Retail Electricity Supplier's License, Meter Type Approval and Authority to Maintain Meter Shops;
- (5) Filing of Consumer Complaints;
- (6) Submission of Reportorial Requirements; and
- (7) Sending of request letters to the ERC.

**Section 2. Duration of Effectivity.** – These Guidelines shall remain in full force and effect for the duration of the State of Public Health Emergency and/or State of Calamity, until and unless either or both declaration/s is/are lifted (the “Covered Period”); Provided, that any further extension thereof shall automatically be included as part of the Covered Period.

The ERC may subsequently adopt the Guidelines on electronic filing and pre-filing as well as the conduct of virtual hearings herein provided, by incorporating the same in its RPP which is currently undergoing revision.

## **RULE III – Registry of E-mail Address**

**Section 1. E-mail Registration.** – Any person who seeks to avail of the ERC’s processes provided under these Guidelines must create a designated e-mail address and register the same with the ERC’s Official E-mail Registry.

The same requirement is imposed upon the following:

- (1) All Distribution Utilities;
- (2) Transmission Utility; and
- (3) All persons who have a pending case before the ERC which includes but is not limited to the applicants, petitioners, respondents, intervenors, oppositors, and counsels of record.

**Section 2. Registration Process.** – Any person who would like to register their designated e-mail address must send a Request for E-mail Registration (RER) to [\(email address designated for registration\)](#). The RER must be accompanied by a Secretary Certificate or a Special Power of Attorney containing the following:

- (1) Designated e-mail address to be used by the prospective applicant/petitioner or applicant/petitioner, intervenor, oppositor, and/or counsels of record.
- (2) Designated two (2) mobile numbers wherein the ERC’s personnel can call during working hours.
- (3) The names of the dedicated two (2) liaison officers that will be authorized to manage and operate the designated mobile number and e-mail address.
- (4) Copy of government identification cards (IDs) of the personnel who will handle the designated mobile numbers.

**Section 3. Issuance of Certificate of Registration.** – After verification and if the RER is found to be in order, the ERC shall send a Certificate of Registration (CR) to the e-mail address designated in the RER.

The CR shall reflect the information stated in the RER.

All submissions and/or filings made pursuant to these Guidelines shall only be accepted if the same is filed using the duly registered e-mail address.

**Section 4. Change of Electronic Mail Address.** – Any person who wishes to change the registered e-mail address on the ERC’s Official E-Mail Registry shall, using its existing registered e-mail address, send an e-mail notice to [\(email address designated for registration\)](#) with the subject heading “Request for Change of Registered E-Mail Address”. The e-mail notice shall indicate the new designated e-mail address and shall be accompanied with all the requirements provided in Section 2 hereof.

The person, who sends such request, shall be responsible in informing the other parties of any pending case to which the former is a party.

The new e-mail address can only be used when the same has already been issued with a CR pursuant to Section 3 hereof. Pending the issuance of a CR for the new e-mail address, all notices, orders, and decisions of the ERC shall be sent through the original registered e-mail address.

## **RULE IV – Pre-Filing Process**

**Section 1. Compliance with Pre-Filing Process.** – Any person who intends to file a new application and/or petition with the ERC must first comply with the pre-filing requirements per case type.

Completeness of the pre-filing requirements shall be verified by the ERC assigned personnel through an electronic pre-filing process provided under this Rule.

**Section 2. Application for Verification of Completeness of Pre-Filing Requirements.** – Any person who intends to undergo the pre-filing process must comply with Rule III hereof and send a Pre-Filing Request via electronic-mail (e-mail) to [prefiling@erc.gov.ph](mailto:prefiling@erc.gov.ph) and [prefiling.erc.gov.ph@gmail.com](mailto:prefiling.erc.gov.ph@gmail.com) using the format provided in Annex “A-1” hereof.

For Applications for the Approval of Capital Expenditure Projects, prior to undergoing pre-filing process, Applicant should comply first with Section 5 Rule IV hereof.

For purposes of this Rule, the person who sent the Pre-filing Request shall be referred to as the Pre-Filer.

The Pre-Filing Request E-mail must comply with the following conditions:

- a. The e-mail subject of the request must indicate that it is an Electronic Pre-Filing Request, the full name of the Applicant/Petitioner and, the type of case being filed;

An example of the e-mail subject for a Pre-Filing Request e-mail is as follows: “Electronic Pre-Filing Request / XYZ Company / Application for Approval of PSA”

- b. The e-mail request must be accompanied by copies of the Application, its annexes, other supporting documents, and pre-filing requirements as provided herein in Annex “A-1”;
- c. The pre-filing requirements must be segregated into a legal pre-filing requirements folder and a technical pre-filing

requirement folder. The files must be in **Microsoft Word and PDF formats**;

- d. The filenames of the soft/electronic copies of the applications/ petitions, annexes, other supporting documents, pre-filing requirements shall be the same as the document title;
- e. It must be accompanied by verified declaration that: (i) the authority of the sender that he/she is the duly authorized representative to undertake the pre-filing process; and (ii) the documents submitted electronically are complete and true copies of the original documents

Within one (1) day from receipt of the said Pre-Filing Request E-mail, the ERC shall send a reply acknowledging receipt of such request. Such acknowledgment, however, does not signify completeness of the submission made.

The ERC's assigned Technical and Legal Personnel (TLP) shall verify the completeness of the pre-filing requirements submitted in the e-mail request. Within one day from the date of the acknowledgement receipt email, the ERC shall inform the applicant of the result of said verification.

If the ERC finds the submission complete, the ERC shall notify the Pre-Filer through a Confirmation of Completeness E-mail (CCE) stating that the submission is complete and that the sender may proceed to the payment process. Attached to the CCE is the ERC-issued Statement of Account (SOA) bearing the applicable filing fees in accordance with the Schedule of ERC Fees and Charges, as amended.

If the ERC finds the submission incomplete, the ERC shall notify the Pre-Filer through a Notice of Incomplete Submission Email (NISE). Attached to the NISE is the list of non-compliant or lacking pre-filing requirements specifically indicating therein the reason why it is considered as non-compliant.

**Section 3. Returning Pre-Filer.** - Within sixty (60) days from receipt of a NISE, the Pre-Filer may continue the previously commenced pre-filing process through the submission via e-mail of the complete and compliant pre-filing requirements.

After the lapse of sixty (60) days from receipt of the NISE, the Pre-Filer can no longer continue the previously commenced pre-filing process. The Pre-Filer must now send a new pre-filing request.

**Section 4. Cut-Off Period.** – Sending of the Pre-Filing E-mail Request must be made between eight o'clock in the morning (8:00 A.M.) up to two o'clock in the afternoon (2:00 P.M.) from Tuesdays to Thursdays.

Any application or petition, annexes and other documents, including the pre-filing requirements electronically submitted beyond the cut-off period, shall be considered received on the next pre-filing day which shall be the reckoning period within which it will be subjected to initial verification.

**Section 4. Payment Process.** – Using the ERC-issued SOA which was attached to the CCE, the Pre-Filer shall process the payment for the applicable filing fees through the ERC’s Cashier Division, or via Online Collection (On-Coll) through the following authorized banks:

Land Bank of the Philippines (LBP)  
Account No. 3402-2525-95  
Use On-Coll payment slip  
Indicate ERC as Merchant/Agency Name  
Indicate SOA No. as Ref. No. 1  
Indicate 26-008-0000000 (7 zeroes) as Ref. No. 2  
Indicate Revenue Code as Ref. No. 3

United Coconut Planters Bank (UCPB)  
UCPB Account No. 138-002-4113  
UCPB Code: 0336  
Use payment slip  
Indicate ERC as Payee  
Indicate SOA No. and Filing Fees as nature of payment

If payment is done via On-Coll, the pre-filer shall send the scanned copy of the issued SOA and the bank validated Online Collection (On-Coll) or Payment Slip (PS) to [\(ERC Cashier’s official e-mail address\)](#).

Upon confirmation of the payment, the ERC-Cashier will issue the Official Receipt (OR) in the name of the Applicant. Electronic copy of the OR shall be sent via e-mail to the Applicant’s registered e-mail address.

**Section 5. Initial Review for Application for approval of Capital Expenditure (CAPEX) Projects.** – For prospective Applicants who will be filing Application for Approval of their CAPEX Projects, an initial review of their applications shall be conducted by the ERC through the Regulatory Operations Service – Standards Division (ROS-SD) for verification of the compliance of the application in accordance with the ERC’s CAPEX Guidelines.

The initial review of the applications shall be conducted either through teleconferencing or videoconferencing or through any other means at the convenience of the prospective applicant provided the same is conducted during working hours. An email notification will be provided by the ERC for the scheduling of the conference.

CAPEX Applications subject for initial review may also be processed through email. Corresponding review/comment from the ERC, under this process shall be provided to the Applicant within 10 working days upon receipt thereof.

The initial review is provided in order to guide the DUs in coming up with a CAPEX Program that is compliant with the respective rules and guidelines of the ERC and responsive to the needs of their consumers.

No Application for approval of CAPEX Projects shall be filed without the clearance from the ROS-SD.

## **RULE V – Filing and Service of Pleadings**

**Section 1. Initiatory Pleadings.** – Once the applicable fees have been paid by the Pre-Filer, the Pre-Filer must send a reply e-mail to the CCE attaching thereto the copy of OR as proof of payment.

**Section 2. Endorsement of Pre-Filing Requirements.** – Upon receipt of the proof of payment, the application/petition, its annexes, documents and other pre-filing requirements shall be endorsed by the TLP via e-mail to the CRD.

**Section 3. Issuance of Official Case Docket Number.** – Within one (1) day from receipt of the endorsement, the CRD shall issue an official case number by sending the same to Applicant’s/Petitioner’s registered e-mail address. The date of the issuance of the Official Case Number shall be deemed to be the date of filing of the said Application/Petition.

**Section 4. Post Submission of Hard Copies for New Cases.** – Within five (5) days from receipt of the official case docket number, the Applicant/Petitioner shall submit to the ERC’s CRD one (1) set of hard copies of its Application, its annexes, documents, and other pre-filing requirements by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted for the Pre-Filing Process. The verified declaration shall be in the format provided in Annex “A-1” hereof.

**Section 5. Filing of Pleadings for Pending Cases.** – Any person who intends to file a motion, petition, compliance, manifestation, submission, or any other pleading relative to a pending case before the ERC may file the same via e-mail using its registered e-mail to [records@erc.gov.ph](mailto:records@erc.gov.ph) and [records.erc.gov.ph@gmail.com](mailto:records.erc.gov.ph@gmail.com).

The said motion, petition, compliance, manifestation, submission, or any other pleading must be filed in **Microsoft Word and PDF formats** and shall be accompanied by proof of service to all parties of the case. Service



to other parties of the case may be done by service in person, registered or ordinary mail/private courier or by electronic service under Section 8 of this Rule.

Within one (1) day from receipt of the said filings via e-mail, the ERC's CRD shall send via e-mail an acknowledgement receipt. The date of the acknowledgement receipt shall be the date of filing, subject to the Cut-Off Time as provided in Section 7 of this Rule.

**Section 6. Post Submission of Pleadings for Pending Cases. -** Within five (5) days from the date of the acknowledgement receipt e-mail received from the ERC's CRD, the Applicant/Petitioner shall submit to the ERC's CRD one (1) set of hard copies of its motion, petition, compliance, manifestation, submission, or any other pleading by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted via e-mail. The verified declaration shall be in the format provided in Annex "A-1" hereof.

**Section 7. Cut-Off Time. -** All petitions, pleadings, motions and other documents sent via e-mail beyond working hours and days shall be considered received by the ERC on the following day, except if the said day falls on a Saturday, Sunday or legal holiday, in which case, the date of receipt thereof shall be the next working day.

**Section 8. Service by Electronic Means. -** Service by electronic means shall be made by sending the application/petition, pleading/s, motion/s and/or other documents via e-mail to the registered e-mail address/es of the person/s to be served. Parties who would like to inquire on the registered e-mail address of a party may send its inquiry to [records@erc.gov.ph](mailto:records@erc.gov.ph) and [records.erc.gov.ph@gmail.com](mailto:records.erc.gov.ph@gmail.com).

Service by electronic means shall be deemed complete upon transmittal of the application/petition, pleading/s, motion/s and/or other document/s via e-mail to the person/s served, and upon confirmation that said e-mail has been duly sent to the recipient or other party as reflected in the sender's e-mail "Sent" Folder or other e-mail confirmation of sending, such as an e-mail reply from recipient confirming receipt of said service.

Proof of electronic service shall thus be made through an affidavit which shall be accompanied by a PDF format containing either: a) a screenshot/print-out shot of the e-mail from the sender's "Sent" Folder indicating successful electronic transmission/sending of the email to the recipient; or b) the e-mail thread of any other e-mail confirmation showing receipt of the receipt of such electronic service.

Electronic service shall be deemed ineffective or incomplete if the sender, or the party serving, learns electronically that the email has not been successfully sent or did not reach the addressee or person to be served.

The use of the sender or the person serving the application/petition, pleading/s, motion/s and/or other document/s of the e-mail address of the person served or other party, for purposes of service by electronic means, shall not be deemed as the designation or registration of the e-mail address of such person served/other party's e-mail with this ERC, subject to Rule III hereof.

**Section 9. Service to Person/s with No Registered E-mail Address.** – In case the person to be served with application/petition, pleading/s, motion/s and/or other documents is not registered with the ERC's E-mail Registry, service of pleadings may only be done by personal service, registered or ordinary mail/private courier.

## **RULE VI – Service of Orders and Decisions**

**Section 1. Service to Persons with Registered E-mail Address.** – For persons whose e-mail address or its counsel of record's e-mail address is duly registered with the ERC's E-mail Registry, Service of Orders and Decisions of the ERC shall be served through their registered e-mail address.

Person/s, duly served with the Order or Decision through their registered e-mail address/es or that of their counsel of record, shall immediately acknowledge receipt of such Order or Decision.

**Section 2. Service to Persons with No Registered E-mail Address.** – Person/s whose e-mail address/es or their counsel of record's e-mail address is not duly registered with the ERC's E-mail Registry, Service of Orders and/or Decisions of the ERC shall be served through registered or ordinary mail/private courier.

## **RULE VII – Virtual Hearings**

**Section 1. Extraordinary Cases.** – Except in extraordinary cases, all hearings of the ERC shall be conducted through videoconferencing as provided for under this Rule. This type of hearing shall be herein referred to as Virtual Hearing.

**Section 2. Notice of Virtual Hearing.** – The ERC shall set hearings through the issuance of an Initial Order and a Notice of Virtual Hearing. The said notice shall indicate the following information:

- (a) Date and Time of the Hearing;
- (b) Venue of the Hearing;
- (c) Online Platform that will be used for the hearing;

- (d) The procedure on how to access the said online platform;
- (e) That any Petition for Intervention, Opposition, or Notice to Act as Observer in Virtual Hearings shall be filed at least ten (10) days prior to the scheduled Virtual Hearing;
- (f) That Copy of Expository Presentation, Pre-trial Brief, Judicial Affidavits of Applicants and Intervenors shall be filed at least ten (10) days prior to the scheduled Virtual Hearing; and
- (g) Any other relevant information necessary for the party to attend the said virtual hearing.

On the other hand, the Initial Order shall include among others the following information:

- (a) Jurisdictional Requirements;
- (b) Notice that any Petition for Intervention, Opposition, or Notice to Act as Observer in Virtual Hearings shall be filed at least ten (10) days prior to the scheduled Virtual Hearing;
- (c) Notice that Copy of Expository Presentation, Pre-trial Brief, Judicial Affidavits of Applicants and Intervenors shall be filed at least ten (10) days prior to the scheduled Virtual Hearing; and
- (d) Notice that Comment/Answer of the impleaded respondent shall be filed at least ten (10) days prior to the scheduled Virtual Hearing.

Notice of Virtual Hearing shall be posted in the ERC's website and shall be served pursuant to Rule VI hereof.

The date of the virtual hearing shall not be earlier than one (1) month from receipt of the hard copies provided for in Section 4 (for initiatory pleadings) or Section 6 (for pending cases) of Rule V of these Guidelines. However, in its discretion, the ERC may set the virtual hearing earlier if the situation requires the immediate hearing of the application/petition.

**Section 3. Advance Submission of Jurisdictional Requirements.** – For newly filed applications or petitions, hard/printed copies of the documents showing compliance with the jurisdictional requirements, shall be filed before the ERC at least ten (10) days prior to the scheduled virtual initial hearing to give the ERC ample time to peruse the documents and verify compliance with the Order setting the application or petition for hearing.

For new applications/petitions, the date of the publication or the date of the last publication in rate cases shall be made not later than fifteen (15) days before the date of the scheduled initial virtual hearing.

**Section 4. Filing of Petition for Intervention.** – Any person having an interest in the subject matter of any application or petition pending before the ERC may become a party thereto by filing Verified Petition for Intervention (VPI) within the period prescribed in the Notice of Virtual Hearing and must indicate the following:

- (1) The applicable docket number and title of the case;
- (2) The petitioner’s name, address, and e-mail address;
- (3) The nature of petitioner’s interest in the subject matter of the proceeding, and the way and manner in which such interest is affected by the issues involved in the proceeding; and
- (4) A statement of the relief desired.

The filing of the VPI shall be in accordance with Section 5, of Rule 5 hereof. An intervenor is required to undergo the registration of e-mail process as a requisite for the valid of filing of his/her/its VPI. The VPI shall be accompanied by an RER pursuant to Rule III.

The acknowledgement receipt to be sent by the ERC’s CRD following the above-cited provision shall be accompanied with a Certificate of Registration.

**Section 5. Participation of Oppositors.** - Any person other than a party of record who objects to the approval of an application, petition, or other matter which is, or will be, under consideration by the ERC, or wishes to comment thereon, may file an opposition or comment at any stage of the proceedings before the applicant or petitioner rests its case.

No particular form of opposition or comment is required, but the document, letter or writing should contain the name and e-mail address of such person and a concise statement of the opposition or comment and the grounds relied upon. An Oppositor is likewise required to undergo the registration of e-mail process as a requisite for the valid of filing of his/her/its Opposition. The Opposition shall be accompanied by an RER pursuant to Rule III.

**Section 6. Participation of Observers during Virtual Hearing.** – In applications/petitions set for initial virtual hearing, any person who would like to participate in the said hearing may do so through the following means:

- (1) By sending within the period prescribed in the Notice of Virtual Hearings, a Request to Participate (RTP) as an Observer to [records@erc.gov.ph](mailto:records@erc.gov.ph) and [records.erc.gov.ph@gmail.com](mailto:records.erc.gov.ph@gmail.com).
- (2) By physically attending the virtual hearing in the venue stated in the Notice of Virtual Hearing with due observance

of the protocols imposed by the National and Local Government Units during this PHE.

**Section 7. Presence of Counsels of Record and Witnesses during Virtual Hearings.** – In applications/petitions set for initial virtual hearing, the counsel of record and his/her witnesses shall attend the virtual hearing in the venue stated in the Notice of Virtual Hearing with due observance of the protocols imposed by the National and Local Government Units during this PHE.

**Section 8. Virtual Hearing.** – The Virtual Hearings shall be conducted through videoconferencing and convened by the ERC on the date, time, and online platform indicated in the Notice of Virtual Hearing. The ERC shall also post the live stream of said hearings through its website, whenever possible.

For the conduct of the initial virtual hearing, the applicant or petitioner shall be required to host in its principal office, as its designated venue, the virtual hearing. Applicant or petitioner shall ensure that: a) the initial virtual hearing is open and/or accessible to and by the public; and b) community quarantine guidelines are observed at all times.

Moreover, the applicant or petitioner shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

All parties, including their authorized representative/s and witness/es, and all other interested persons who signified their intention to participate, shall be required to be in front of their respective laptop monitors, screens or cameras, at all times during the virtual hearing.

In the event of any technical issue that may affect the conduct of the virtual hearing, the ERC or presiding officer may, on its own initiative or upon motion by a party, suspend the proceedings until the technical issue has been resolved.

Virtual hearings shall be recorded in accordance with Rule 18 of the ERC Rules of Practice and Procedure available in the ERC's official website.

**Section 8. Access Link to Virtual Hearing Platform.** – In all scheduled virtual hearings, the ERC shall send access link/s to the virtual hearing platform, within five (5) days prior to the scheduled virtual hearing, through the registered e-mail addresses provided by all the parties to the case, including their respective authorized representative/s and witness/es, and such other interested persons allowed to participate therein.

## **RULE VIII – Consumer Complaints**

### **Section 1. Filing of New Letter Complaint (LC) via E-mail –**

Any consumer who intends to file a complaint against a Distribution Utility (DU) shall electronically file their LC to the ERC's Consumer Service Division through its official e-mail address: [consumer@erc.gov.ph](mailto:consumer@erc.gov.ph).

The subject of the LC E-mail shall indicate the full name of the complainant and the name of DU being complained of.

An example of the E-mail subject for LC is as follows: “Juan Dela Cruz / XYZ Electric Company, Inc.”

The body of the LC E-mail shall include the following information:

- (1) Name of the distribution utility against which the complaint is made;
- (2) The name of the customer or his/her authorized representative;
- (3) The customer's service address; and
- (4) a description of the complaint.

In case where LC was filed by a representative on behalf of the complainant, the LC E-mail must be accompanied by a Special Power of Attorney attached to the E-mail.

The e-mail address used by the Complainant in sending the LC E-mail shall be considered as his/her registered e-mail address. All communications of the ERC shall be sent through such e-mail address.

**Section 2. Action on the New LC filed via E-mail.** – Within one (1) day from receipt of the said LC E-mail, the ERC shall send an E-mail to the complainant (through its e-mail address used to file the LC E-mail) and the concerned DU (through its registered E-mail address) informing them of the following:

- (1) Acknowledgement of the Letter Complaint; and
- (2) Inquiry on whether the complainant has previously referred his/her/its complaint to the DU's Consumer Welfare Desk (CWD).

If the Complainant has not yet referred the complaint to the DU's CWD, the ERC will send the Complainant a Notice of Referral E-mail (NRE) advising the Complainant to refer the complaint first to the DU's CWD officer. For easier reference of Complainants, the registered e-mail address of DUs shall be copy-furnished with the NRE.

Instead of sending the NRE, the ERC may directly send a Request to Comment E-mail (RCE) to the concerned DU's registered E-mail directing

the latter to submit its comment to the said complaint within three (3) days from the date of the RCE. The complainant shall be copy-furnished of such RCE. The RCE shall also be sent if the LC has already been referred to the DU's CWD.

In submitting its reply to the directive of the ERC, the concerned DU shall send its DU Comment E-mail (DUCE) through "reply-to-all" option thereby automatically furnishing the Complainant of the former's DUCE. The DUCE shall state the action already taken by the DU over the complaint or its proposed action to address the complaint.

Upon receipt of such DUCE, the ERC shall issue a Letter addressed to the Complainant asking the latter whether it is satisfied with the action taken by the DU or it is amenable to the DU's proposed action. The said letter shall be referred to as Request to Reply to DU's Comment (RRDC). The RRDC shall be sent to the Complainant via E-mail with copy furnished the DU.

If the Complainant is amenable to the DU's action or proposed action, the ERC shall issue a letter considering the LC E-mail "close and terminated" (CT). The signed CT shall be sent by the CRD via email to the Complainant and DU.

For the expeditious resolution of the complaint, the ERC may direct the submission of copies of bills, billing statements, field reports, photographs, documents, or other information in the Complainant's possession that may be necessary, thru email or via courier.

**Section 3. Videoconference for LCs.** – The ERC may schedule a videoconference for mediation or conciliation proceedings or other alternative modes of dispute resolution acceptable to the ERC. A maximum of three (3) videoconferences will be conducted between the parties per set date and time.

Videoconferences shall only be conducted using the officially provided online platform of the ERC which includes, among others, the Zoom application and the Microsoft Teams application.

Videoconferences shall be scheduled by the ERC through the issuance of Notice of Informal Conference (NIC) whenever the Complainant is not amenable to the DU's action or proposed action as stated in the latter's DUCE. The ERC shall send a Notice of Informal Conference (NIC) to both the Complainant and the DU. The signed NIC shall be sent by the CRD via email to Complainant and DU.

The parties shall be notified through their respective registered e-mail addresses. The NIC shall indicate the following information:

- (1) time and date when the videoconference shall be held;
- (2) the online platform to be used; and

- (3) whenever applicable the invitation link (access code) and password which the parties shall use to join the videoconference.

The proceedings during the videoconference shall be recorded by the ERC. Other than the ERC, no one else is allowed to record the proceedings.

During the videoconference, the HO may direct the submission of copies of bills, billing statements, field reports, photographs, documents, or other information in the participants' possession. HO may propose a resolution of the complaint, if necessary.

All documents may be submitted to the ERC, copy furnished all the parties, through email or via registered mail/private courier.

All persons participating in the videoconference shall maintain proper decorum at all times and shall be in proper attire. The said videoconference shall as far as practicable, resemble regular conferences conducted by the ERC.

**Section 3. Procedure for Pending LCs.** – The ERC shall issue an official Notice informing the parties that the processing/handling of the LCs shall be continued through e-mail. The ERC may request for further information/clarification from the Complainant and/or the DU, by correspondence through e-mails.

**Section 4. Endorsement for filing of Verified Complaint.** – After three (3) sets of Videoconferencing and the Complainant and the DU fail to reach an amicable settlement or do not agree with the ERC staff's proposed resolution, the Complainant shall be advised to file a Verified Complaint (VC) which shall be endorsed for hearing and dispute resolution by the ERC.

**Section 5. Filing of New Verified Complaints (VC).** – Any consumer may file his/her verified complaint (VC) through his/her designated lawyer or through the use of the ERC's ERC Verified Complaint Form<sup>1</sup> with attached duly notarized Verification and Certification against Forum Shopping.

If filed through his/her designated Counsel, the Counsel of Record shall comply with the e-mail registration process pursuant to Rule III hereof. Once the Counsel of Record's e-mail address is already registered, he shall file the VC via e-mail using its registered e-mail at [records@erc.gov.ph](mailto:records@erc.gov.ph) and [records.erc.gov.ph@gmail.com](mailto:records.erc.gov.ph@gmail.com).

The E-mail must comply with the following conditions:

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<sup>1</sup> ERC Verified Complaint Form provided in the ERC Official Website.



- (1) The e-mail subject of the request must indicate that it is a Verified Consumer Complaint, the full name of the Complainant and, DU concerned;

An example of the e-mail subject for a VC is as follows:  
“Verified Consumer Complaint / Juan dela Cruz / XYZ Electric Light and Power, Inc. (XELPI)”

- (2) The e-mail request shall be accompanied by copies of the VC, its annexes, and other supporting documents;
- (3) The e-mail request shall be accompanied by verified declaration stating that the documents submitted electronically are complete and true copies of the original documents
- (4) The VC and its annexes shall be in **Microsoft Word and PDF formats**; and
- (5) The filenames of the soft/electronic copies of the applications/ petitions, annexes, other supporting documents, pre-filing requirements shall be the same as the document title.

Within one (1) day from receipt of the said filings via e-mail, the ERC’s CRD shall send via e-mail an acknowledgement receipt. The acknowledgement receipt shall also contain the CRD’s designated case docket number. The date of the acknowledgement receipt shall be the date of filing, subject to the Cut-Off Time as provided in Section 8 of this Rule.

**Section 6. Post Submission of Pleadings for Pending Cases. -** Within five (5) days from the date of the acknowledgement receipt e-mail from the ERC’s CRD, the Complainant or his/her Counsel of Record shall submit to the ERC’s CRD one (1) set of hard copies of its VC and annexes by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted via e-mail. The verified declaration shall be in the format provided in Annex “A-1” hereof.

**Section 7. Cut-Off Time. –** All petitions, pleadings, motions and other documents sent via e-mail beyond working hours and days shall be considered received by the ERC on the following day, except if the said day falls on a Saturday, Sunday or legal holiday, in which case, the date of receipt thereof shall be the next working day.

**Section 8. Filing of Pleadings for pending VCs.** – Filing of Pleadings for pending VCs shall be governed by Sections 5 and 6 of Rule V hereof.

**Section 9. Service of Pleadings, Orders and Decisions.** – Service of pleadings between parties shall be governed by Sections 8 and 9 of Rule V hereof. Service of Orders and Decisions shall be governed by Rule VI hereof.

**Section 10. Action of the ERC on the VC.** - Within three (3) days from the date of the Acknowledgement Receipt, the ERC shall issue an Order setting the VC for virtual hearing and requiring the Respondent DU to file its Answer thereto within fifteen (15) days from receipt of the Order.

If the Respondent-DU fails to file its Answer within the prescribed period, the ERC shall render a decision based on the documents submitted.

After receipt of the Respondent’s Answer, the ERC shall determine if the case can be tried under the summary procedure in Section 2 of Rule 17 of the ERC Rules of Practice and Procedure (RPP).<sup>2</sup> If the ERC determines that this procedure is applicable, it shall issue an order to this effect as stated in Section 2 of Rule 17 of the RPP.

**Section 11. Virtual Hearing for VCs.** – If the ERC determines that the VC does not fall under summary procedure, the ERC shall issue a Notice of Initial Virtual Hearing for the conduct of Pre-trial Conference.

The Notice of Virtual Hearing shall indicate the following information:

- (1) The deadline for the submission of Pre-trial Brief and Judicial Affidavit of Witnesses;
- (2) The date and time for the conduct of pre-trial conference
- (3) The online platform to be used; and
- (4) Whenever applicable the invitation link (access code) and password which the parties shall use to join the videoconference.

All succeeding Orders issued by the ERC setting the VC for virtual hearings shall contain the following:

- (1) The date and time of the virtual hearing;
- (2) The online platform to be used; and
- (3) Whenever applicable the invitation link (access code) and password which the parties shall use to join the videoconference.

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<sup>2</sup> ERC Resolution No. 38, Series of 2006 – “A Resolution Promulgating the Energy Regulatory ERC's Rules of Practice and Procedures”.

The conduct of virtual hearings shall follow the sequence provided for under the RPP for Pre-trial and Hearings.

Virtual hearings shall only be conducted using the officially provided online platform of the ERC which includes, among others, the Zoom application and the MS Teams application.

Virtual hearings shall be scheduled by the ERC. The parties shall be notified through their respective registered email addresses. The notification email shall indicate the time and date when the videoconference hearing shall be held, and contain a link (access code) and password which the parties shall use to join the conference.

Virtual hearings shall include all stages of trial of newly-filed and pending VC cases, including pre-trial and trial proper.

All persons participating in the videoconference hearings shall maintain proper decorum at all times and shall be in proper attire. The said videoconference hearings shall as far as practicable, resemble regular hearings conducted by the ERC.

When there are technical issues affecting the conduct of the videoconference hearings, the hearing officer may, at his or her discretion, suspend the proceedings. In such an event, the reason/s for such suspension shall be properly recorded.

**Section 12. Persons whose Online Presence is Required during the Virtual Hearing.** – The online presence of the following persons shall be required during the Virtual Hearing:

- (1) ERC's Hearing Officer
- (2) Clerk of the ERC
- (3) ERC's Stenographer
- (4) Counsel of Record of both parties or the parties themselves if not represented by counsels;
- (5) Witnesses scheduled to be subjected to direct examination, cross-examination, re-direct examination, re-cross-examination, and so on.

During the presentation of witness and identification of object and documentary evidence, both the counsel of record and the witness shall be present in one venue participating through one computer. Both the counsel and the witness should be seen in front of the computer camera.

**Section 13. Recording of Proceedings conducted through Virtual Hearings.** – The Virtual Hearing proceedings shall be recorded by the ERC through the features available in the designated online platform. The ERC's Stenographer, however, shall still transcribe the stenographic notes to be attached to the records of the case, certify as to the correctness of

the transcript, and indicate that the hearing was conducted through videoconferencing.

As such, said Stenographer shall be bound by the same strict confidentiality regarding the above access details and information. No one else is allowed to record the proceedings. Any unauthorized recording of the proceedings by any of the parties may be considered as contempt of court.

**Section 14. Effect of Non-Appearance during Virtual Hearings.** – The unjustified non-appearance of the Complainant in three (3) videoconference hearings scheduled by the ERC, despite due notice thereof, shall be a ground for the dismissal of the case with prejudice.

## **RULE IX – Application for Meter Type Approval**

**Section 1. Compliance with Pre-Filing Process.** – Any manufacturer or its authorized dealer of meter products who intends to file a new application for Meter Type Approval (MTA) with the ERC must first complete all requirements provided under the ERC Resolution No. 22, Series of 2010, entitled “*Rules Governing the Type Approval of Meter Products to be used in Revenue Metering by Distribution Utilities and Redistributors*”, as supplemented by ERC Resolution No. 15, Series of 2015; and ERC Resolution No. 16, Series of 2017, entitled “*Rules Governing the Type Approval of Smart Meters to be used in Advance Metering Infrastructure (AMI) System of Distribution Utilities and ERC Authorized Entities*”.

Completeness of the application requirements shall be verified by the ERC assigned personnel through an electronic filing process provided under this Rule.

**Section 2. Application for Meter Type Approval.** – Any person who intends to file an Application for MTA must comply with Rule III hereof.

Once applicant has been issued with a Certificate of Registration, pursuant to Section 3, Rule III, the applicant, using its registered e-mail address, may file the said Application by sending its MTA E-mail Application to the following: [meterlab@erc.gov.ph](mailto:meterlab@erc.gov.ph) and [meterlab.erc.gov.ph@gmail.com](mailto:meterlab.erc.gov.ph@gmail.com).

### **Internal Protocol:**

Meter Division must have separate e-mail address dedicated for reception of MTA and MS Applications.

A designated e-mail address for the application process of MTA and MS must be created for the Meter Division. This e-mail shall be referred to as Designated Meter Application E-mail Address (DMAEA). The said e-mail address shall be under the control and supervision of CAS. Access to the said e-mail address shall be given to the OED.

The MTA E-mail Application shall comply with the following conditions:

- (1) The e-mail subject must indicate that it is an Application for MTA, and the full name of the Applicant/Petitioner;

An example of the e-mail subject for a Pre-Filing Request e-mail is as follows: “Application for MTA / XYZ Company”

- (2) It shall be accompanied with the accomplished MTA Application Form;

### **Internal Protocol**

MTA Application Forms should be available as Fillable Forms. Fillable Forms can be created using Microsoft Word 2016.

- (3) The e-mail request must be accompanied by electronic copies of application requirements in PDF Format;
- (4) The filenames of the soft/electronic copies of the supporting documents shall be the same as the document title;
- (5) It must be accompanied by verified declaration stating: (i) the authority of the sender that he/she is the duly authorized representative to undertake the MTA Application process; and (ii) the documents submitted electronically are complete and true copies of the original documents

Within one (1) day from receipt of the said MTA E-mail Application, the ERC shall send a reply acknowledging receipt of such request. Such acknowledgment, however, does not signify completeness of the submission made.

### **Internal Protocol:**

There should be an assigned personnel from CAS who will manage and operate the DMAEA. The same personnel shall be in-charge to send the acknowledge receipt email and all other e-mail messages required to be sent under the Guidelines on Electronic Application, Filing & Virtual Hearings.

Within thirty (30) minutes from receipt of the e-mail request, the personnel assigned to manage and operate the DCAEA shall inform CAS-MD officer that there is a pending MTA/MS Application.

The ERC's assigned Meter Division Officer (MDO) shall assess the completeness of the application requirements submitted in the e-mail request. Within one day from the date of the acknowledgement receipt email, the ERC shall inform the applicant of the result of said assessment.

If the ERC finds the submission complete, the ERC shall notify the Applicant through a Confirmation of Completeness E-mail (CCE) stating that the submission is complete and that the Applicant may proceed to the payment process. Attached to the CCE is the ERC-issued Statement of Account (SOA) bearing the applicable filing fees in accordance with the Schedule of ERC Fees and Charges, as amended.

If the ERC finds the submission incomplete, the ERC shall notify the Applicant through a Notice of Incomplete Submission Email (NISE). Attached to the NISE is the list of non-compliant or lacking application requirements indicating therein the reason why it is considered as non-compliant.

**Section 3. Cut-Off Period.** – Sending of the MTA E-mail Application must be made between eight o'clock in the morning (8:00 A.M.) up to five o'clock in the afternoon (5:00 P.M.).

Any application submitted beyond the cut-off period, shall be considered received on the next working day which shall be the reckoning period within which it will be subjected to initial verification of completeness of application requirements.

**Section 4. Payment Process.** – Using the ERC-issued SOA which is attached to the CCE, the Applicant shall process the payment for the applicable filing fees through the ERC's Cashier Division, or via Online Collection (On-Coll) through the following authorized banks:

Land Bank of the Philippines (LBP)  
Account No. 3402-2525-95  
Use On-Coll payment slip  
Indicate ERC as Merchant/Agency Name  
Indicate SOA No. as Ref. No. 1  
Indicate 26-008-0000000 (7 zeroes) as Ref. No. 2  
Indicate Revenue Code as Ref. No. 3

United Coconut Planters Bank (UCPB)  
UCPB Account No. 138-002-4113  
UCPB Code: 0336  
Use payment slip  
Indicate ERC as Payee  
Indicate SOA No. and Filing Fees as nature of payment

If payment is done via On-Coll, the pre-filer shall send the scanned copy of the issued SOA and the bank validated Online Collection (On-Coll) or Payment Slip (PS) to [\(ERC Cashier's official e-mail address\)](#).

Upon confirmation of the payment, the ERC-Cashier will issue the Official Receipt (OR) in the name of the Applicant. Electronic copy of the OR shall be sent via e-mail to the Applicant's registered e-mail address.

**Section 5. Proof of Payment.** – Once the applicable fees have been paid by the Applicant, the Applicant must send a reply e-mail to the CCE attaching thereto the copy of proof of payment.

**Section 6. Endorsement of Application.** – Upon receipt of the proof of payment, the MDO shall endorse the application requirements via e-mail to the CRD.

**Section 7. Issuance of Official Case Docket Number.** – Within one (1) day from receipt of the endorsement, the CRD shall issue an official case docket number by sending the same to Applicant's registered e-mail address. The date of the e-mail designating the Official Case Docket Number shall be deemed to be the date of filing of the said MTA Application.

**Section 8. Post Submission of Hard Copies of MT Application Requirements.** – Within three (3) days from sending the proof of payment, the Applicant shall submit to the ERC's CRD one (1) set of hard copies of its application and supporting documents by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted via e-mail. The verified declaration shall be in the format provided in Annex "A-1" hereof.

**Section 9. Submission of Sample of the Meter Type Product.** – Within three (3) days from sending the proof of payment, the Applicant for the Type Approval of Meter Products shall be required to submit the three (3) samples of each type of meter product to the ERC-Meter Division within three (3) days from notice.

**Section 10. Stability Performance and Accuracy Tests.** – The MTA Application shall be evaluated based on ERC Resolution No. 22, Series of 2010, entitled "*Rules Governing the Type Approval of Meter Products to be used in Revenue Metering by Distribution Utilities and Redistributors*", as supplemented by ERC Resolution No. 15, Series of 2015; and ERC Resolution No. 16, Series of 2017, entitled "*Rules Governing the Type Approval of Smart Meters to be used in Advance Metering Infrastructure (AMI) System of Distribution Utilities and ERC Authorized Entities*".

As part of the evaluation of the application, the ERC's Meter Laboratory shall conduct the stability performance and accuracy testing on the three (3) samples meter products submitted by the Applicant for a period of fifteen (15) days from receipt of the samples.

**Section 11. Additional Requirement for Smart Meters.** – For smart meter product, the Applicant will be required to demonstrate before the Meter Division-Handling Officer the following features of its meter product: a) two-way communication capability; b) remote connection; and c) remote disconnection and remote reconnection. The applicant will be advised on the schedule of the meter demonstration immediately upon completion of the accuracy test.

In case of Smart Meters, the Meter Certification Test Report shall be accompanied with Notice of Schedule for Demonstration. The Notice of Schedule for Demonstration shall indicate the date, time and venue of the demonstration.

The demonstration shall be performed within (3) days from the completion of the stability performance and accuracy tests provided that the samples Pass the said tests.

The demonstration of the ability of the subject meter to interface with the Home Area Network (HAN), per Item 2.1.3.3 of Section 2.1.3 of ERC Resolution 16, series of 2017, will not be conducted if there is no request from a Distribution Utility or a Retail Electricity Supplier.

**Section 12. Meter Certification Test Report.** – Upon completion of the stability performance and accuracy tests and the demonstration, if applicable, the ERC will prepare a Meter Certification Test Report (MCTR) which will form part of the evaluation of the application.

**Section 13. Failure to Pass the Stability Performance and Accuracy Tests.** - If a sample meter failed to pass the required stability performance and accuracy tests, the ERC will immediately prepare the MCTR indicating the result of the tests.

The Applicant will be notified by the ERC of the result of the tests conducted within three (3) days from completion of the stability performance and accuracy tests. In the said notice, the Applicant will be directed to submit a new set of three (3) sample meters to the Meter Division within three (3) days from the date of the email notice.

If the new set of sample meters submitted still failed to pass the stability performance and accuracy tests, the ERC will immediately prepare the MCTR indicating the result of the second round of tests. Within three (3) days from completion of the second round of tests, the applicant shall be notified of the result of the second round of tests.



Failure of the sample meters to pass the stability performance and accuracy tests for the second round shall cause the denial of the MTA Application.

**Section 14. Approval of MTA Application.** – Upon approval of MTA Application, the ERC shall send to the Applicant’s registered e-mail address, a Notice of Approval together with the electronic copy of the Certificate of Meter Type Approval.

There shall be two (2) original copies of the Certificate of Meter Type Approval. The first original copy shall be kept by the ERC’s CRD. The second original copy shall be sent through registered or ordinary mail/private courier.

## **RULE X – Application for Certificate of Authority to Maintain a Meter Shop**

**Section 1. Compliance with Pre-Filing Process.** – Any person who intends to file an application for Authority to Maintain a Meter Shop (MS) with the ERC must first complete all requirements provided under the ERC Resolution No. 12, Series of 2009, entitled “*A Resolution Adopting the Rules and Procedures for the Test and Maintenance of Electric Meters of Distribution Utilities*”, as amended by ERC Resolution No. 21, Series of 2013.

Completeness of the application requirements shall be verified by the ERC assigned personnel through an electronic filing process provided under this Rule.

**Section 2. Application for Authority to Maintain a Meter Shop.** – Any person who intends to file an Application for MS must comply with Rule III hereof.

Once applicant has been issued with a Certificate of Registration, pursuant to Section 3, Rule III, the applicant, using its registered e-mail address, may file the said Application by sending its MS E-mail Application to the following: [meterlab@erc.gov.ph](mailto:meterlab@erc.gov.ph) and [meterlab.erc.gov.ph@gmail.com](mailto:meterlab.erc.gov.ph@gmail.com).

The MS E-mail Application shall comply with the following conditions:

- (1) The e-mail subject must indicate the type of Application, and the full name of the Applicant/Petitioner;

An example of the e-mail subject for a Pre-Filing Request e-mail is as follows: “Application for Authority to Maintain a Meter Shop / XYZ Company”

- (2) It shall be accompanied with the accomplished MS Application Form;

- (3) The e-mail request must be accompanied by electronic copies of application requirements in PDF Format;
- (4) The filenames of the soft/electronic copies of the supporting documents shall be the same as the document title;
- (5) It must be accompanied by verified declaration stating: (i) the authority of the sender that he/she is the duly authorized representative to undertake the MS Application process; and (ii) the documents submitted electronically are complete and true copies of the original documents

Within one (1) day from receipt of the said MS E-mail Application, the ERC shall send a reply acknowledging receipt of such request. Such acknowledgment, however, does not signify completeness of the submission made.

The ERC's assigned MDO shall evaluate the completeness of the application requirements submitted in the e-mail request. Within one day from the date of the acknowledgement receipt email, the ERC shall inform the applicant of the result of said evaluation.

If the ERC finds the submission complete, the ERC shall notify the Applicant through a Confirmation of Completeness E-mail (CCE) stating that the submission is complete and that the Applicant may proceed to the payment process. Attached to the CCE is the ERC-issued Statement of Account (SOA) bearing the applicable filing fees in accordance with the Schedule of ERC Fees and Charges, as amended.

If the ERC finds the submission incomplete, the ERC shall notify the Applicant through a Notice of Incomplete Submission Email (NISE). Attached to the NISE is the list of non-compliant or lacking application requirements indicating therein the reason why it is considered as non-compliant.

**Section 3. Cut-Off Period.** – Sending of the MS E-mail Application must be made between eight o'clock in the morning (8:00 A.M.) up to five o'clock in the afternoon (5:00 P.M.).

Any application submitted beyond the cut-off period, shall be considered received on the next working day which shall be the reckoning period within which it will be subjected to initial verification of completeness of application requirements.

**Section 4. Payment Process.** – Using the ERC-issued SOA which is attached to the CCE, the Applicant shall process the payment for the applicable filing fees through the ERC's Cashier Division, or via Online Collection (On-Coll) through the following authorized banks:

Land Bank of the Philippines (LBP)  
Account No. 3402-2525-95  
Use On-Coll payment slip  
Indicate ERC as Merchant/Agency Name  
Indicate SOA No. as Ref. No. 1  
Indicate 26-008-0000000 (7 zeroes) as Ref. No. 2  
Indicate Revenue Code as Ref. No. 3

United Coconut Planters Bank (UCPB)  
UCPB Account No. 138-002-4113  
UCPB Code: 0336  
Use payment slip  
Indicate ERC as Payee  
Indicate SOA No. and Filing Fees as nature of payment

If payment is done via On-Coll, the pre-filer shall send the scanned copy of the issued SOA and the bank validated Online Collection (On-Coll) or Payment Slip (PS) to [\(ERC Cashier's official e-mail address\)](#).

Upon confirmation of the payment, the ERC-Cashier will issue the Official Receipt (OR) in the name of the Applicant. Electronic copy of the OR shall be sent via e-mail to the Applicant's registered e-mail address.

**Section 5. Proof of Payment.** – Once the applicable fees have been paid by the Applicant, the Applicant must send a reply e-mail to the CCE attaching thereto the copy of proof of payment.

**Section 6. Endorsement of Application.** – Upon receipt of the proof of payment, the MDO shall endorse the application requirements via e-mail to the CRD.

**Section 7. Issuance of Official Case Docket Number.** – Within one (1) day from receipt of the endorsement, the CRD shall issue an official case docket number by sending the same to Applicant's registered e-mail address. The date of the e-mail designating the Official Case Docket Number shall be deemed to be the date of filing of the said MS Application.

**Section 7. Post Submission of Hard Copies of MS Application and Application Requirements.** – Within three (3) days from sending the proof of payment, the Applicant shall submit to the ERC's CRD one (1) set of hard copies of its application and supporting documents by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted via e-mail. The verified declaration shall be in the format provided in Annex "A-1" hereof.

**Section 9. Evaluation of the MS Application.** – The MS Application shall be evaluated based on ERC Resolution No. 12, Series of 2009, entitled “*A Resolution Adopting the Rules and Procedures for the Test and Maintenance of Electric Meters of Distribution Utilities*”, as amended by ERC Resolution No. 21, Series of 2013.

**Section 10. Ocular Inspection through Videoconferencing.** – The ocular inspection is hereby suspended during the community quarantine.

The required inspection of Meter Shops shall be conducted through videoconferencing.

The ERC shall issue a Notice of Ocular Inspection through Videoconferencing. The Notice of Ocular Inspection through Videoconferencing shall indicate the following:

- (1) The date and time of the virtual hearing;
- (2) the online platform to be used; and
- (3) whenever applicable the invitation link (access code) and password which the parties shall use to join the videoconference.

All persons participating in the videoconferencing shall maintain proper decorum at all times and shall be in proper attire. The said videoconferencing shall as far as practicable, resemble regular conferences conducted by the ERC.

Nothing in this section shall prevent the ERC in conducting actual physical ocular inspection of the Meter Shop subject of the application when warranted according to its assessment.

**Section 10. Approval of MS Application.** – Upon approval of MTA Application, the ERC shall send to the Applicant’s registered e-mail address, a Notice of Approval and a SOA for the required License Fee.

Upon payment of the License Fee following the procedure in Sections 4 and 5 of this Rule, the ERC shall to the Applicant’s registered e-mail address, the electronic copy of the Certificate of Authority to Maintain Meter Shop.

There shall be two (2) original copies of the Certificate of Authority to Maintain Meter Shop. The first original copy shall be kept by the ERC’s CRD. The second original copy shall be sent through registered or ordinary mail/private courier.

## **RULE XI – Application for Certificate of Compliance**

**Section 1. Compliance with Pre-Filing Process.** – Any person who intends to file a new application or renewal application for Certificate of Compliance (COC) with the ERC must first complete all requirements provided under the *2014 Revised Rules for the Issuance of COC for Generation Companies, Qualified End-Users and Entities with Self-Generation Facilities (2014 Revised COC Rules)*.

Completeness of the pre-filing requirements shall be verified by the ERC assigned personnel through an electronic pre-filing process provided under this Rule.

**Section 2. Application for Certificate of Compliance.** – Any person who intends to file an Application for Certificate of Compliance (COC) must comply with Rule III hereof.

Once applicant has been issued with a Certificate of Registration, pursuant to Section 3, Rule III, the applicant, using its registered e-mail address, may file the said Application by sending its COC E-mail Application to the following: [licensing@erc.gov.ph](mailto:licensing@erc.gov.ph) and [licensing.erc.gov.ph@gmail.com](mailto:licensing.erc.gov.ph@gmail.com).

The COC E-mail Application shall comply with the following conditions:

- (6) The e-mail subject must indicate that it is an Application for COC, the full name of the Application/Petitioner and, the type of COC being applied;

An example of the e-mail subject for a Pre-Filing Request e-mail is as follows: “New Application for COC / XYZ Company / GenCo”

- (7) It must be accompanied with the accomplished COC Forms: (i) COC Form Nos. 1 to 7 for Generation Company (GenCo); (ii) COC Form Nos. 1 to 3 for Entities with Self-Generation Facilities (SGFs); or (iii) COC Form No. 1 for Qualified End-Users (QE);
- (8) The e-mail request must be accompanied by electronic copies of supporting documents in PDF Format as required under the 2014 Revised COC Rules;
- (9) The filenames of the soft/electronic copies of the supporting documents shall be the same as the document title;
- (10) It must be accompanied by verified declaration stating: (i) the authority of the sender that he/she is the duly

authorized representative to undertake the COC Application process.

Within one (1) day from receipt of the said COC E-mail Application, the ERC shall send a reply acknowledging receipt of such request. Such acknowledgment, however, does not signify completeness of the submission made.

The ERC's assigned Personnel shall evaluate the completeness of the application requirements submitted in the e-mail request. Within one (1) day from sending of the acknowledgement receipt email, the ERC shall inform the applicant of the result of said evaluation.

If the ERC finds the submission complete, the ERC shall notify the Applicant through a Confirmation of Completeness E-mail (CCE) stating that the submission is complete and that the Applicant may proceed to the payment process. Attached to the CCE is the ERC-issued Statement of Account (SOA) bearing the applicable filing fees in accordance with the Schedule of ERC Fees and Charges, as amended.

If the ERC finds the submission incomplete, the ERC shall notify the Applicant through a Notice of Incomplete Submission Email (NISE). Attached to the NISE is the list of non-compliant or lacking pre-filing requirements indicating therein the reason why it is considered as non-compliant.

**Section 3. Cut-Off Period.** – Sending of the COC E-mail Application must be made between eight o'clock in the morning (8:00 A.M.) up to five o'clock in the afternoon (5:00 P.M.).

Any application submitted beyond the cut-off period, shall be considered received on the next working day which shall be the reckoning period within which it will be subjected to initial verification.

**Section 4. Payment Process.** – Using the ERC-issued SOA which is attached to the CCE, the Applicant shall process the payment for the applicable filing fees through the ERC's Cashier Division, or via Online Collection (On-Coll) through the following authorized banks:

Land Bank of the Philippines (LBP)  
Account No. 3402-2525-95  
Use On-Coll payment slip  
Indicate ERC as Merchant/Agency Name  
Indicate SOA No. as Ref. No. 1  
Indicate 26-008-0000000 (7 zeroes) as Ref. No. 2  
Indicate Revenue Code as Ref. No. 3

United Coconut Planters Bank (UCPB)  
UCPB Account No. 138-002-4113

UCPB Code: 0336  
Use payment slip  
Indicate ERC as Payee  
Indicate SOA No. and Filing Fees as nature of payment

If payment is done via On-Coll, the pre-filer shall send the scanned copy of the issued SOA and the bank validated Online Collection (On-Coll) or Payment Slip (PS) to [\(ERC Cashier's official e-mail address\)](#).

Upon confirmation of the payment, the ERC-Cashier will issue the Official Receipt (OR) in the name of the Applicant. Electronic copy of the OR shall be sent via e-mail to the Applicant's registered e-mail address.

**Section 5. Proof of Payment.** – Once the applicable fees have been paid by the Applicant, the Applicant must send a reply e-mail to the CCE attaching thereto the copy of proof of payment.

**Section 6. Endorsement of Application.** – Upon receipt of the proof of payment, the assigned personnel who issued the CCE shall endorse the application requirements via e-mail to the CRD.

**Section 7. Issuance of Official Case Docket Number.** – Within one (1) day from receipt of the endorsement, the CRD shall issue an official case docket number by sending the same to Applicant's/Petitioner's registered e-mail address. The date of the e-mail designating the Official Case Docket Number shall be deemed to be the date of filing of the said COC Application.

**Section 7. Post Submission of Hard Copies and COC Application and Supporting Documents.** – Within five (5) days from sending the proof of payment, the Applicant shall submit to the ERC's CRD one (1) set of hard copies of its application and supporting documents by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted via e-mail. The verified declaration shall be in the format provided in Annex "A-1" hereof.

**Section 8. Evaluation of the COC Application.** – The COC E-mail Application shall be evaluated based on the *2014 Revised COC Rules*.

**Section 9. Notice of ERC Action.** – Within the period prescribed as follows, the applicant shall receive through its registered e-mail address a Notice from the ERC indicating therein the latter's action on the COC Application:

- (1) For COC Application of GenCos, within sixty (60) days from conduct of technical inspection, unless the ERC

requires the submission of additional information, or orders the postponement of final action on an application on reasonable grounds;

- (2) For COC Application of SGFs, within sixty (60) days from the date of the CCE, unless the ERC requires the submission of additional information, or orders the postponement of final action on an application on reasonable grounds; and
- (3) For COC Application of QEs, within sixty (60) days from the date of the CCE, unless the ERC requires the submission of additional information, or orders the postponement of final action on an application on reasonable grounds.

**Section 10. Approval of COC Application.** – Upon approval of COC application, the ERC shall send to the Applicant’s registered e-mail address, a Notice of Approval together with the electronic copy of the COC with Annexes A (Terms and Conditions) and B (Technical Specifications).

There shall be two (2) original copies of the Certificate of Compliance together with its Annexes. The first original copy shall be kept by the ERC’s CRD. The second original copy shall be sent through registered or ordinary mail/private courier.

## **RULE XII – Application for Retail Electricity Supplier’s License**

**Section 1. Compliance with Pre-Filing Process.** – Any person who intends to file a new application for Retail Electricity Supplier’s License (RESL) with the ERC must first complete all requirements provided under the applicable rules.

Completeness of the pre-filing requirements shall be verified by the ERC assigned personnel through an electronic pre-filing process provided under this Rule.

**Section 2. Application for Retail Electricity Supplier’s License (RESL).** – Any person who intends to file an Application for RESL must comply with Rule III hereof.

Once applicant has been issued with a Certificate of Registration, pursuant to Section 3, Rule III, the applicant, using its registered e-mail address, may file the said Application by sending its COC E-mail Application to the following: [contestable@erc.gov.ph](mailto:contestable@erc.gov.ph) and [contestable.erc.gov.ph@gmail.com](mailto:contestable.erc.gov.ph@gmail.com).

The RESL E-mail Application shall comply with the following conditions:



- (1) The e-mail subject must indicate that it is an Application for RESL, the full name of the Application/Petitioner;

An example of the e-mail subject for a Pre-Filing Request e-mail is as follows: “Application for COC / XYZ Company”

- (2) It must be accompanied with the following accomplished forms: (i) RES Form 1 (Checklist of Requirements), (ii) RES Form 2 (Application Form), and (iii) RES Form 3 (Five-Year Business Plan).
- (3) The e-mail request must be accompanied by electronic copies of supporting documents in PDF Format as required under applicable rules;
- (4) The filenames of the soft/electronic copies of the supporting documents shall be the same as the document title;
- (5) It must be accompanied by verified declaration stating: (i) the authority of the sender that he/she is the duly authorized representative to undertake the RESL Application process.

Within one (1) day from receipt of the said RESL E-mail Application, the ERC shall send a reply acknowledging receipt of such request. Such acknowledgment, however, does not signify completeness of the submission made.

The ERC’s assigned Personnel shall evaluate the completeness of the application requirements submitted in the e-mail request. Within one (1) day from sending of the acknowledgement receipt email, the ERC shall inform the applicant of the result of said evaluation.

If the ERC finds the submission complete, the ERC shall notify the Applicant through a Confirmation of Completeness E-mail (CCE) stating that the submission is complete and that the Applicant may proceed to the payment process. Attached to the CCE is the ERC-issued Statement of Account (SOA) bearing the applicable filing fees in accordance with the Schedule of ERC Fees and Charges, as amended.

If the ERC finds the submission incomplete, the ERC shall notify the Applicant through a Notice of Incomplete Submission Email (NISE). Attached to the NISE is the list of non-compliant or lacking application requirements indicating therein the reason why it is considered as non-compliant.

**Section 3. Cut-Off Period.** – Sending of the COC E-mail Application must be made between eight o'clock in the morning (8:00 A.M.) up to five o'clock in the afternoon (5:00 P.M.).

Any application submitted beyond the cut-off period, shall be considered received on the next working day which shall be the reckoning period within which it will be subjected to initial verification.

**Section 4. Payment Process.** – Using the ERC-issued SOA which is attached to the CCE, the Applicant shall process the payment for the applicable filing fees through the ERC's Cashier Division, or via Online Collection (On-Coll) through the following authorized banks:

Land Bank of the Philippines (LBP)  
Account No. 3402-2525-95  
Use On-Coll payment slip  
Indicate ERC as Merchant/Agency Name  
Indicate SOA No. as Ref. No. 1  
Indicate 26-008-0000000 (7 zeroes) as Ref. No. 2  
Indicate Revenue Code as Ref. No. 3

United Coconut Planters Bank (UCPB)  
UCPB Account No. 138-002-4113  
UCPB Code: 0336  
Use payment slip  
Indicate ERC as Payee  
Indicate SOA No. and Filing Fees as nature of payment

If payment is done via On-Coll, the pre-filer shall send the scanned copy of the issued SOA and the bank validated Online Collection (On-Coll) or Payment Slip (PS) to [\(ERC Cashier's official e-mail address\)](#).

Upon confirmation of the payment, the ERC-Cashier will issue the Official Receipt (OR) in the name of the Applicant. Electronic copy of the OR shall be sent via e-mail to the Applicant's registered e-mail address.

**Section 5. Proof of Payment.** – Once the applicable fees have been paid by the Applicant, the Applicant must send a reply e-mail to the CCE attaching thereto the copy of proof of payment.

**Section 6. Endorsement of Application.** – Upon receipt of the proof of payment, the assigned personnel, who issued the CCE, shall endorse the application requirements via e-mail to the CRD.

**Section 7. Issuance of Official Case Docket Number.** – Within one (1) day from receipt of the endorsement, the CRD shall issue an official case docket number by sending the same to Applicant's/Petitioner's registered e-mail address. The date of the issuance of the Official Case

Number shall be deemed to be the date of filing of the said Application/Petition.

**Section 8. Post Submission of Hard Copies of RESL Application and Supporting Documents.** – Within five (5) days from sending the proof of payment, the Applicant shall submit to the ERC’s CRD one (1) set of hard copies of its application and supporting documents by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted via e-mail. The verified declaration shall be in the format provided in Annex “A-1” hereof.

**Section 9. Evaluation of the RESL Application.** – The ERC shall approve, disapprove, or reject an application within sixty (60) working days from the date of the acknowledgment receipt unless ERC requires the submission of additional information, or ordered on reasonable grounds, the postponement of final action on an application.

**Section 10. Approval of RESL Application.** – Upon approval of RESL application, the ERC shall send to the Applicant’s registered e-mail address, a Notice of Approval together with its Terms and Conditions.

There shall be two (2) original copies of the RESL together with its Terms and Conditions. The first original copy shall be kept by the ERC’s CRD. The second original copy shall be sent through registered or ordinary mail/private courier.

### **RULE XIII – Submission of Reportorial Requirements**

**Section 1. Sending of Letter Requests.** – All reportorial requirements under existing resolutions of the ERC may be submitted through the following e-mail addresses: [records@erc.gov.ph](mailto:records@erc.gov.ph) and [records.erc.gov.ph@gmail.com](mailto:records.erc.gov.ph@gmail.com).

Within one (1) day from receipt of the said Letter Request via e-mail, the ERC’s CRD shall send via e-mail an acknowledgement receipt. The date of the acknowledgement receipt shall be the date of filing, subject to Cut-Off Time as provided for under Section 7 of Rule V.

The sender of Reportorial Requirements shall comply with the provisions of Rule III of these Guidelines.

**Section 2. Post Sending of Hard Copies.** – Within five (5) days from the date of acknowledgement receipt e-mail, the Applicant/Petitioner shall submit to the ERC’s CRD one (1) set of hard copies of its reportorial requirements by registered or ordinary mail/private courier.

The submitted hard copies shall be accompanied by a verified declaration stating that the set of submitted hard copies is the same printed version of the electronic documents submitted via e-mail. The verified declaration shall be in the format provided in ANNEX “A-1” hereof.

#### **RULE XIV – Letter Requests**

Section 1. **Sending of Letter Requests.** – The ERC shall receive all letter requests through the following e-mail addresses: [records@erc.gov.ph](mailto:records@erc.gov.ph) and [records.erc.gov.ph@gmail.com](mailto:records.erc.gov.ph@gmail.com).

Within one (1) day from receipt of the said Letter Request via e-mail, the ERC’s CRD shall send via e-mail an acknowledgement receipt. The date of the acknowledgement receipt shall be the date of filing subject to Cut-Off Time as provided for under Section 7 of Rule V.

The sender need not comply with the provisions of Rule III of these Guidelines, unless the letter request is related to a case pending before the ERC.

#### **RULES XV – Miscellaneous Provisions**

**Section 1. Interpretation.** – For clarity, if anything in these Guidelines is found to be inconsistent with its Annexes, the provision in these Guidelines shall prevail.

**Section 2. Exception Clause** – Where good cause appears, the ERC may allow an exception from any provisions of these Guidelines if such exception is found to be for the interest of the public and is not contrary to law or any other related rules and regulations.

**Section 3. Separability Clause.** – If for any reason, any part or section of these Guidelines is declared unconstitutional or invalid, the other parts or sections hereof which are not affected thereby shall continue to be in full force and effect.

**Section 4. Applicability of Existing Rules of Practice** – The ERC’s Rules of Practice and Procedure (RPP) shall remain in full force and effect.

The pertinent provisions of the RPP inconsistent herewith are hereby temporarily suspended until further notice.

Section 62. **Effectivity** – These Guidelines shall take effect on the 15<sup>th</sup> day following its publication the ERC’s website [www.erc.gov.ph](http://www.erc.gov.ph).

Pasig City, \_\_\_\_ May 2020.

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| <b>ANNEX A-1 Electronic Pre-Filing E-mail Format</b> |
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**To:** [prefiling@erc.gov.ph](mailto:prefiling@erc.gov.ph) and [prefiling.erc.gov.ph@gmail.com](mailto:prefiling.erc.gov.ph@gmail.com)

**From:** (e-mail address of authorized representative/s of the applicant/petitioner)

**Subject:** ELECTRONIC PRE-FILING – (CASE NATURE OF APPLICATION OR PETITION [i.e. PSA, CAPEX, etc.]), FILING PARTY

**Body of e-mail:**

Case Nature

Case Title: *(insert complete title)*

Name of Filing Party: *(insert complete name of party and authorized representative/s with corresponding position)*

Contact person for technical matters: *(insert complete name of contact person for technical matters)*

E-mail address: *(insert e-mail address of contact person for technical matters)*

Contact Number/s: *(02) 8333-3333 (landline), 0999-9999999 (cp)*

Contact person for legal matters: *(insert complete name of contact person for legal matters)*

E-mail address: *(insert e-mail address of contact person for legal matters)*

Contact Number/s: *(02) 8333-3333 (landline), 0999-9999999 (cp)*

Other Contact Number/s: *(02) 8333-3333 (landline), 0999-9999999 (cp)*

Other e-mail address/es, if any: *(insert authorized representative's other e-mail address/es; e-mail address of applicant/petitioner [NOTE: For regulated entities, this should be the e-mail address of the Regulatory Compliance Officer (RCO) or President/General Manager]; e-mail addresses of the contact persons for technical and legal matters)*

**ANNEX A-2 Verified Declaration**

I, \_\_\_\_\_ (*name and position*), hereby declare that all the document/s hereto submitted electronically in accordance with Resolution No. \_\_\_\_\_, series of 2020, is/are complete and true copy/ies of the original document/s (and annexes).

Signature  
Printed Name  
Position  
Date

SUBSCRIBED AND SWORN TO before me on this \_\_\_ day of \_\_\_\_\_, 2020, affiant exhibiting his/her competent evidence of identity, to wit:

\_\_\_\_\_

Person Administering Oath

Doc. No. \_\_\_\_  
Page No. \_\_\_\_  
Book No. \_\_\_\_  
Series of 2020