

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



IN THE MATTER OF THE
APPLICATION FOR
CONFIRMATION AND
APPROVAL OF FORCE
MAJEURE EVENT CAPITAL
EXPENDITURE PROJECT, RE:
REPAIR, RESTORATION,
REPLACEMENT AND/OR
REHABILITATION OF
DISTRIBUTION LINES AND
FACILITIES DAMAGED BY
SUPER TYPHOON YOLANDA

ERC CASE NO. 2014-038 RC

OCCIDENTAL MINDORO
ELECTRIC COOPERATIVE, INC.
(OMEKO),

Applicant.

X ----- X

DOCKETED
Date: JUL 15 2014
By: *[Signature]*

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on April 7, 2014, Occidental Mindoro Electric Cooperative, Inc. (OMEKO) filed an application for confirmation and approval of force majeure event capital expenditure project, re: repair, restoration, replacement and/or rehabilitation of distribution lines and facilities damaged by Super Typhoon Yolanda.

In the said application, OMEKO alleged, among others, the following:

1. It is an electric cooperative duly organized and existing under and by virtue of the laws of the Republic of the

Philippines, with principal offices at San Jose, Occidental Mindoro;

2. It is the holder of an exclusive franchise issued by the National Electrification Commission (NEC), to operate an electric light and power distribution system in the municipalities of Abra de Ilog, Calintaan, Magsaysay, Mamburao, Paluan, Rizal, Sablayan, San Jose and Santa Cruz, all in the province of Occidental Mindoro. With respect to the municipality of Paluan, its power distribution service is being provided by the municipal government;

THE FORCE MAJEURE EVENT
(Super Typhon Yolanda)

3. Sometime on November 8, 2013, at around 5:00 P.M, Super Typhoon Yolanda entered the province of Occidental Mindoro with a maximum sustained wind of 268.8 kph, placing the whole province under Typhoon Signal No. 4. The Municipalities of San Jose, Magsaysay, Rizal and Calintaan were hardly hit, while the Municipalities of Mamburao, Abra de Ilog, Sta. Cruz and Sablayan on the northern part of the province suffered lesser damage. Its distribution system was never spared. Poles were fallen while the accessories were damaged together with transformers, protections, consumers' service drops and kWh meters;

DESCRIPTION OF THE PROJECT

4. The force majeure event capital expenditure project consists of the repair, restoration, replacement and/or rehabilitation of its damaged poles and accessories, transformers and protection, kWh meters and consumers' service drops;

ESTIMATED PROJECT COST

5. Total estimated cost of repair, restoration, replacement and/or rehabilitation of the damaged properties is Six Million Seven Hundred Forty Thousand Seven Hundred Eighty-Seven Pesos and Seventy-Five Centavos (PhP6,740,787.75);

PROJECT SCHEDULE

6. Repair and restoration works were immediately undertaken after the typhoon left the province and was finished by December 10, 2013. However, with respect to poles and assembly which were temporarily re-erected and re-enforced, full rehabilitation will be undertaken upon release of the government subsidy and procurement of poles and materials;

JUSTIFICATIONS OR BENEFITS TO BE DELIVERED

7. The project was necessitated in order to restore electric power and achieve a safe and reliable power supply in the affected areas;

PROJECT FINANCING PLAN

8. The total estimated project cost of PhP6,740,787.75 shall be funded fully out of the Yolanda Recovery and Rehabilitation Program (YRRP) subsidy of the national government;

RATE IMPACT OF THE PROPOSED PROJECT

9. Since the total project cost will be funded by government subsidy, the project shall not have any impact on the rates of its customers;

COMPLIANCE WITH DOCUMENTARY AND PRE-FILING REQUIREMENTS

10. In compliance with the documentary and pre-filing requirements for the instant application, it submitted the following documents:

Annex	Nature of Document
A	OMECCO Board Resolution approving the filing of the instant application and authorizing its General Manager to cause its filing and to sign and execute all the necessary documents
B to B-1	Transmittal Letter to ERC dated January 2, 2014 with Board Resolution No. 225, Series of 2013
C	Amended and Supplemental Notice of Force Majeure Event (Typhoon Yolanda) dated January 30, 2014
D	Executive Summary of the Project
E to E-1	Proof of furnishing copies of the Application to the Sangguniang Bayan of San Jose and the Sangguniang Panlalawigan of Occidental Mindoro
F to F-2	Publication of the Application in a newspaper of general circulation within OMECCO's franchise area or where it principally operates, with Affidavit of Publication

11. It prays for the confirmation and approval by the Commission, after due notice and hearing, of the repair, restoration, replacement and/or rehabilitation works undertaken on its distribution lines and facilities damaged by the ravages of Super Typhoon Yolanda which hit its franchise area on November 8, 2013.

The Commission has set the application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on **August 14, 2014 (Thursday) at two o'clock in the afternoon (2:00 P.M.) at Sikatuna Beach Hotel, San Roque 1, San Jose, Occidental Mindoro.**

All persons who have an interest in the subject matter of the proceeding may become a party by filing, at least five (5) days prior to the initial hearing and subject to the requirements in the ERC's

Rules of Practice and Procedure, a verified petition with the Commission giving the docket number and title of the proceeding and stating: (1) the petitioner's name and address; (2) 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 (3) a statement of the relief desired.

All other persons who may want their views known to the Commission with respect to the subject matter of the proceeding may file their opposition to the application or comment thereon at any stage of the proceeding before the applicant concludes the presentation of its evidence. No particular form of opposition or comment is required, but the document, letter or writing should contain the name and address of such person and a concise statement of the opposition or comment and the grounds relied upon.

All such persons who may wish to have a copy of the application may request the applicant, prior to the date of the initial hearing, that they be furnished with a copy of the application. The applicant is hereby directed to furnish all those making such request with copies of the application and its attachments, subject to reimbursement of reasonable photocopying costs. Likewise, any such person may examine the application and other pertinent records filed with the Commission during the usual office hours.

WITNESS, the Honorable Chairperson, **ZENAIDA G. CRUZ-DUCUT**, and the Honorable Commissioners, **ALFREDO J. NON**, **GLORIA VICTORIA C. YAP-TARUC**, and **JOSEFINA PATRICIA A. MAGPALE-ASIRIT**, Energy Regulatory Commission, this 14th day of July, 2014 at Pasig City.


ATTY. FRANCIS SATURNINO C. JUAN
Executive Director III


LBB/NJS