

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



**IN THE MATTER OF THE  
APPLICATION FOR  
APPROVAL OF THE SALE  
FOR RESALE AGREEMENT  
BY AND BETWEEN FIRST  
BUKIDNON ELECTRIC  
COOPERATIVE, INC.  
(FIBECO) AND COTABATO  
ELECTRIC COOPERATIVE,  
INC. (COTELCO), WITH  
PRAYER FOR THE ISSUANCE  
OF PROVISIONAL  
AUTHORITY**

**ERC CASE NO. 2015-171 RC**

**FIRST BUKIDNON ELECTRIC  
COOPERATIVE, INC.  
(FIBECO) AND COTABATO  
ELECTRIC COOPERATIVE,  
INC. (COTELCO),**

**Applicants.**

**X-----X**

**D O C K E T E D**  
Date: JUN 21 2016  
By: [Signature]

**NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that on 1 October 2015, First Bukidnon Electric Cooperative, Inc. (FIBECO) and Cotabato Electric Cooperative, Inc. (COTELCO) filed an Application for Approval of the heir Sale for Resale Agreement, with Prayer for Provisional Authority.

On 12 October 2015, the Commission issued an Order and a Notice of Public Hearing setting the Application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing on 12 November 2015.

In the same Order, FIBECO and COTELCO were directed to cause the publication of the attached Notice of Public Hearing, at their own expense, twice (2x) for two (2) successive weeks in two (2) newspapers of general circulation in the Philippines, with the date of the last publication to be made not later than ten (10) days before the date of the scheduled initial hearing. They are also directed to inform the consumers within their respective franchise area, by any other means available and appropriate, of the filing of the instant application, its reasons therefor, and of the scheduled hearing thereon.

FIBECO and COTELCO were likewise directed to furnish copies of the Application, the Order and the attached Notice of Public Hearing the Office of the Solicitor General (OSG), the Commission on Audit (COA), the Committees on Energy of both Houses of Congress, the Offices of the Governors of the Province of Bukidnon, Lanao del Sur and North Cotabato and the Mayors of the respective cities or municipalities within the franchise areas of FIBECO and COTELCO for the appropriate posting thereof on their bulletin boards.

On 26 October 2015, FIBECO and COTELCO filed an "*Urgent Motion for Resetting*", praying that an Order be issued cancelling and resetting the scheduled hearing of the instant Application due to lack of material time for the Applicant to comply with the Commission's publication requirements.

On 3 February 2016, FIBECO and COTELCO filed an "*Urgent Motion for Leave to Set Cases for Hearing and Issuance of Provisional Authority*", praying, among others, the issuance of an Order setting the Application for hearing.

On 23 February 2016, FIBECO and COTELCO filed a "*Manifestation*", praying that the Applicant be allowed the urgent implementation of sale for resale agreement, having been undertaken in good faith, necessity and being the only available and feasible remedy, without being subjected to any sanctions or penalty.

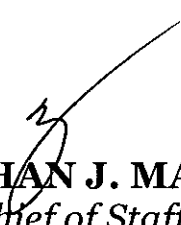
Finding the said motions meritorious, the same are hereby **GRANTED**. Likewise, the Commission duly notes the Manifestation filed by the Applicant. Accordingly, the Commission hereby sets the instant Application for jurisdictional hearing, expository presentation, pre-trial conference and evidentiary hearing **11 July 2016 (Monday) at two o'clock in the afternoon (2:00 P.M.) at the Principal Office of FIBECO, Maramag, Bukidnon.**

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

**WITNESS**, the Honorable Chairman, **JOSE VICENTE B. SALAZAR**, and the Honorable Commissioners, **ALFREDO J. NON**, **GLORIA VICTORIA C. YAP-TARUC**, **JOSEFINA PATRICIA A. MAGPALE-ASIRIT**, and **GERONIMO D. STA. ANA**, Energy Regulatory Commission, this 2<sup>nd</sup> day of June, 2016 at Pasig City.

  
**ATTY. NATHAN J. MARASIGAN**  
*Chief of Staff*  
Office of the Chairman and CEO

**ERC CASE NO. 2015-171 RC**  
**Notice of Public Hearing/02 June 2016**  
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Copy Furnished:

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134 Amorsolo Street, Legaspi Village  
Makati City, Metro Manila
3. **Commission on Audit**  
Commonwealth Avenue  
Quezon City, Metro Manila
4. **Senate Committee on Energy**  
GSIS Bldg. Roxas Blvd., Pasay City  
Metro Manila
5. **House Committee on Energy**  
Batasan Hills, Quezon City, Metro Manila
6. **Office of the President**  
**Philippine Chamber of Commerce and Industry (PCCI)**  
3<sup>rd</sup> Floor, Chamber and Industry Plaza (CIP)  
1030 Campus Avenue corner Park Avenue  
McKinley Town Center, Fort Bonifacio, Taguig City
7. **Cotabato Electric Cooperative, Inc. (COTELCO)**  
Matalam, North Cotabato
8. **Office of the Provincial Governor and the**  
**Office of the Sangguniang Panlalawigan**  
Province of North Cotabato
9. **Office of the Municipal Mayor and the**  
**Office of the Sangguniang Bayan**  
Banisilan, North Cotabato
10. **First Bukidnon Electric Cooperative, Inc., (FIBECO)**  
Maramag, Bukidnon
11. **Office of the City Mayor and the**  
**Office of the Sangguniang Panglungsod**  
Valencia, Bukidnon
12. **Office of the Municipal Mayor and the**  
**Office of the Sangguniang Bayan**  
San Fernando, Bukidnon
13. **Office of the Municipal Mayor and the**  
**Office of the Sangguniang Bayan**  
Maramag, Bukidnon

- 14. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
Quezon, Bukidnon
- 15. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
Don Carlos, Bukidnon
- 16. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
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- 19. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
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- 20. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
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- 21. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
Pangantucan, Bukidnon
- 22. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
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- 23. Office of the Municipal Mayor and the Office of the Sangguniang Bayan**  
Wao, Lanao del Sur
- 24. Office of the Provincial Governor and the Office of the Sangguniang Panlalawigan**  
Province of Bukidnon
- 25. Office of the Provincial Governor and the Office of the Sangguniang Panlalawigan**  
Province of Lanao del Sur