

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR
CONFIRMATION AND
APPROVAL OF
CALCULATIONS OF
OVER/UNDER
RECOVERIES BASED ON
THE FORMULAE ON THE
VARIOUS AUTOMATIC
COST ADJUSTMENTS AND
TRUE-UP MECHANISMS
AND CORRESPONDING
CONFIRMATION PROCESS
FOR THE PERIOD 2017 TO
2019, PURSUANT TO ERC
RESOLUTION NO. 16,
SERIES OF 2009, AS
AMENDED BY ERC
RESOLUTION NO. 21,
SERIES OF 2010,
RESOLUTION NO. 23,
SERIES OF 2016 AND
RESOLUTION NO. 10,
SERIES OF 2018**

ERC CASE NO. 2025-026 CF

**PAMPANGA II ELECTRIC
COOPERATIVE, INC.
(PELCO II),**

Applicant.

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Promulgated:
September 12, 2025

ORDER

On 08 September 2025, the Pampanga II Electric Cooperative, Inc. (PELCO II) filed an *Application*, dated 29 July 2025, seeking the Commission’s confirmation and approval of calculations of over/under recoveries based on the formulae on the various automatic cost adjustments and true-up mechanisms and corresponding confirmation process for the period 2017 to 2019, pursuant to ERC Resolution No. 16, Series of 2009, as amended by ERC Resolution No.

21, Series of 2010, Resolution No. 23, Series of 2016, and Resolution No. 10, Series of 2018.

The docketed copy of the *Application*, excluding its annexes, is attached as Annex “A” of the *Notice of Virtual Hearing*.

Finding the *Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for hearing for the determination of compliance with the jurisdictional requirements, expository presentation, Pre-Trial Conference, and presentation of evidence on **02 October 2025 (Thursday) at two o’clock in the afternoon (2:00 PM)**, through **MS Teams Application** as the online platform for the conduct thereof, pursuant to the pertinent rules of the Commission.

Accordingly, Applicant is hereby directed to mirror the virtual hearing, to be hosted by the Commission, at **PELCO II’s Principal Office located at Sta. Filomena, Guagua, Pampanga**, as the designated venue for the conduct thereof and ensure that the same is open to the public. Moreover, Applicant shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

RELATIVE THERETO, Applicant is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing*, including Annex “A” thereof, once (1x) in a newspaper of nationwide circulation in the Philippines, at its own expense, the date of publication to be made not later than ten (10) days before the date of the scheduled virtual hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, the Offices of the Provincial Governor, the Mayors, and their respective Local Government Unit (LGU) legislative bodies within Applicant’s franchise area, for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within Applicant’s franchise area, by any other means available and appropriate, of the filing *Application*, the reasons therefor, and of the scheduled virtual hearing;

- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire, to send their duly authorized representatives and attend the scheduled hearing; and
- 5) Furnish with copies of the *Application* and its attachments, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

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

- 1) The evidence of publication of the attached *Notice of Virtual Hearing*, including Annex “A” thereof, consisting of affidavit of the Editor or Business Manager of the newspaper where the same was published, and the complete issue of the said newspaper;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayors and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by Applicant to inform the consumers within its franchise area of the filing of the *Application*, the reasons therefor, and of the scheduled hearing;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, by the OSG, the COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Application* and its attachments, by all those making requests therefor, if any; and

- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, Applicant is hereby required to post on its bulletin boards, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

Applicant and all interested parties are also required to submit via e-mail at doCKET@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** before the date of the scheduled virtual hearing and Pre-Trial Conference, their respective Pre-Trial Briefs containing, among others:

- 1) A summary of admitted facts and proposed stipulation of facts;
- 2) The issues to be tried or resolved;
- 3) The documents or exhibits to be presented, stating the purposes and proposed markings thereof, which must be attached to the Pre-Trial Brief; and
- 4) The names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-Trial Brief.

Failure of Applicant to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearing.

Applicant must also be prepared to make an expository presentation of the *Application*, aided by whatever communication medium that it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, the nature of the *Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Application* must be cited in support thereof.

Applicant is hereby directed to file a copy of its Expository Presentation via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicant is also required to provide a copy of its Expository Presentation to any stakeholder requesting

therefor **at least five (5) calendar days** prior to the scheduled virtual hearing.

Applicant and interest parties are hereby directed to submit, either through personal service, registered or ordinary mail/private courier, all the pleadings and required submissions, **within five (5) working days** from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission.

Finally, Applicant, including its authorized representatives and witnesses, and interested parties who wish to attend the scheduled virtual hearing are hereby directed to provide the Commission, through legal.virtualhearings@erc.ph, their respective e-mail addresses upon receipt of this *Order*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearing.

SO ORDERED.

Pasig City.

FOR AND BY AUTHORITY
OF THE COMMISSION:


MARIA CORAZON C. GINES*
Director III, Legal Service


LS: JPS/ARG

* Authority granted during the Commission Meeting on 20 August 2025.

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Copy Furnished:

1. Pampanga II Electric Cooperative, Inc. (PELCO II)
Applicant
Sta. Filomena, Guagua, Pampanga
corplan@pelco2.com
2. Atty. Gregorio L. Ofalsa
Counsel for PELCO II
Email: greg_ofalsa@yahoo.com
3. Office of the Solicitor General (OSG)
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph
4. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
citizensdesk@coa.gov.ph
5. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City
senateenergycommittee@gmail.com
6. House Committee on Energy
Batasan Hills, Quezon City
committee.energy@house.gov.ph
7. Office of the Governor
Province of Pampanga
8. Office of the LGU Legislative Body
Province of Pampanga
9. Office of the Mayor
Bacolor, Pampanga
10. Office of the LGU Legislative Body
Bacolor, Pampanga
11. Office of the Mayor
Guagua, Pampanga
12. Office of the LGU Legislative Body
Guagua, Pampanga
13. Office of the Mayor
Lubao, Pampanga
14. Office of the LGU Legislative Body
Lubao, Pampanga
15. Office of the City Mayor
Mabalacat, Pampanga
16. Office of the LGU Legislative Body
Mabalacat, Pampanga
17. Office of the Mayor
Porac, Pampanga
18. Office of the LGU Legislative Body
Porac, Pampanga
19. Office of the Mayor
Sasmuan, Pampanga

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20. Office of the LGU Legislative Body
Sasmuan, Pampanga
21. Office of the Mayor
Sta. Rita, Pampanga
22. Office of the LGU Legislative Body
Sta. Rita, Pampanga
23. Office of the Mayor
Floridablanca, Pampanga
24. Office of the LGU Legislative Body
Floridablanca, Pampanga
25. Office of the Mayor
Magalang, Pampanga
26. Office of the LGU Legislative Body
Magalang, Pampanga
27. Regulatory Operations Service (ROS)
14th Floor, Exquadra Tower,
1 Jade Drive, San Antonio, Ortigas Center Pasig City
ros@erc.ph