Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

IN THE MATTER OF THE APPLICATION: (A) TO CONFIRM THE GENERATION RATE OVER/UNDER RECOVERY (GOUR); TRANSMISSION RATE OVER/UNDER RECOVERY (TOUR); SYSTEM LOSS RATE OVER/UNDER RECOVERY (LSOUR); LIFELINE SUBSIDY OVER/UNDER RECOVERY (LSOUR); SENIOR CITIZEN DISCOUNT AND SUBSIDY OVER/UNDER RECOVERY (SRDSOUR) PASS-THROUGH CHARGES FROM JANUARY 2020 TO DECEMBER 2022, AND PASS-THROUGH TAXES (REAL PROPERTY AND LOCAL FRANCHISE) OVER/UNDER RECOVER FROM JANUARY 2021 TO DECEMBER 2022; AND (B) FOR AUTHORITY TO REFUND/RECOVER CONFIRMED OVER/UNDER RECOVERIES, WITH PRAYER FOR PROVISIONAL AUTHORITY,

MERALCO
RECEIVED
02 MAR 2026
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ERC CASE NO. 2023-046 CF

MANILA ELECTRIC COMPANY (MERALCO)
Applicant.
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Promulgated:
March 02, 2026

ORDER

On 01 June 2023, Manila Electric Company (MERALCO) filed an *Application* dated 26 April 2023, seeking the Commission's confirmation of its (1) Generation Rate Over/Under Recovery (GOUR), Transmission Rate Over/Under Recovery (TOUR), System Loss Rate Over/Under Recovery (SLOUR), Lifeline Subsidy Over/Under

Recovery (LSOUR), Senior Citizen Discount and Subsidy Over/Under Recovery (SrDSOUR) pass-through charges from January 2020 to December 2022, and pass-through taxes (real property and local franchise) over/under recovery from January 2021 to December 2022, and (2) authority to refund/recover confirmed over/under recoveries, with prayer for provisional authority.

On 13 June 2023, the Commission issued an *Order* and a *Notice of Virtual Hearing*, both of even date, setting the instant *Application* for hearing on the following dates: (1) on 24 August 2023 for the determination of compliance with the jurisdictional requirements and expository presentation; and (2) on 31 August 2023 for the Pre-trial Conference and presentation of evidence.

On various dates, the hearings for the determination of compliance with the jurisdictional requirements and expository presentation proceeded, as scheduled.[1]

In the course of the proceedings, the following parties filed their respective interventions:

1. National Association of Electricity consumers for Reforms, Inc. (NASECORE);[2]

2. Mr. Brigido R. Simon, Jr. (Mr. Simon);[3] and

3. Boses ng Konsyumer Alliance, Inc. (BNK).[4]

On 03 October 2023, MERALCO filed its *Motion for Leave to Admit Supplement Application* with the attached *Supplemental Application,* both dated 29 September 2023.

On 20 September 2024, MERALCO filed its *Urgent Omnibus Motion (1) to Resolve Applicant's Motion for Leave to Admit Attached Supplemental Application dated 29 September 2023; and (2) to Resume Hearings on the Application*, dated 20 September 2024.

In its instant *Omnibus Motion*, MERALCO alleged that in the Commission's *Decision* dated 08 March 2023 in ERC Case No. 2022-

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1 Hearings were held on 24 August 2023 and 31 August 2023. On the other hand, the hearings for the pre-trial conference and presentation of evidence were held in abeyance pending the resolution of the various Petitions for Intervention filed in the instant case.
2 NASECORE filed its *Petition for Intervention* dated 18 August 2023 on even date.
3 Mr. Simon filed his *Petition for Intervention* dated 29 August 2023 o even date.
4 BNK filed its *Petition for Intervention* dated 29 August 2023 on even date

001 RC[5], it was directed to include in its present true-up confirmation the recovery of Panay Energy Development Corporation's (PEDC) actual fuel losses from 02 April 2022 to 25 September 2022 due to Change in Circumstances in the amount of Eight Hundred Eighty Four Million Five Hundred Forty Five Thousand Four Hundred Seventeen and 09/100 Pesos (PhP 884,545,417.09). Thus, MERALCO filed its *Motion for Leave to Admit Attached Supplemental Application* with attached *Supplemental Application*.

On 07 November 2025, MERALCO filed its *Second Urgent Omnibus Motion (A) to Resolve Motion for Leave to Admit Attached Supplemental Application; (B) Resume Proceedings in the Case; and (C) Grant Provisional Authority and/or Interim Relief,* of even date.

On 16 February 2026, the Commission issued an *Order* directing MERALCO to furnish a copy of the *Supplemental Application* to the Office of the City Mayor and the concerned local legislative body, where MERALCO principally operates, and to cause the publication of the *Supplemental Application* in a newspaper of general circulation, and to submit its proof of compliance with the said directives.

On 23 February 2026, MERALCO filed its *Compliance (Re: Order dated 16 February 2026),* of even date.

Finding the *Supplemental Application* to be sufficient in form, the Commission hereby sets the same for hearing for the determination of compliance with the jurisdictional requirements and expository presentation, as well as the Pre-trial Conference and presentation of evidence for both the original *Application* and *Supplemental Application*, pursuant to the pertinent rules of the Commission, on **18 March 2026 (Wednesday) at nine o'clock in the morning (9:00 A.M.), through Microsoft Teams**, as the online platform for the conduct thereof.

Accordingly, Applicant is hereby directed to mirror the virtual hearings, to be hosted by the Commission, at **MERALCO's principal office at Lopez Building, Ortigas Avenue, Barangay Ugong, Pasig City** 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.

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5 Entitled *"In the Matter of the Joint Application for Approval of the Power Supply Agreement between Manila Electric Company and Panay Energy Development Corporation with Prayer for Provisional Authority or Interim Relief and Motion for Confidential Treatment"* with Manila Electric Company and Panay Development Corporation as applicants.

RELATIVE THERETO, MERALCO 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 the publication to be made not later than ten (10) days before the date of the scheduled hearing;

2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing,* including Annex "A" thereof, the Offices of the Governors, Mayors, and the respective Local Government Unit (LGU) legislative bodies within MERALCO's franchise area for the appropriate posting thereof on their respective bulletin boards;

3) Inform the consumers within MERALCO's franchise area, by any other means available and appropriate, of the filing of the *Supplemental Application*, its reasons therefor, and of the scheduled hearings thereon;

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 hearings; and

5) Furnish with copies of the *Supplemental Application* and its attachments, except those subject of a motion for confidential treatment of information, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Within five (5) calendar days prior to the date of the initial hearing, MERALCO 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 newspapers;

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 Governors, Mayors and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;

3) The evidence of other means employed by MERALCO to inform the consumers within MERALCO's franchise area of the filing of *Supplemental Application*, its 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 *Supplemental Application* and its attachments, except those subject of a motion for confidential treatment of information, if any, by all those making requests therefor; and

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

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

Applicant MERALCO, NASECORE, BNK and Mr. Simon, 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 MERALCO to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearings.

Applicant MERALCO must also be prepared to make an expository presentation of the *Supplemental 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 *Supplemental Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Supplemental Application* must be cited in support thereof.

Applicant MERALCO 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 initial hearing. MERALCO 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 hearing.

Applicant MERALCO, NASECORE, BNK, Mr. Simon, and all interested 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, MERALCO, including its authorized representatives and witnesses, NASECORE, BNK, Mr. Simon and all interested parties who wish to attend the scheduled virtual hearings 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 hearings.

SO ORDERED.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines

ATTY. MARIA CORAZON C. GINES*
Director III, Legal Service

LS: MVM

* Authority granted during Commission Meeting on 20 August 2025.

Copy Furnished:

1. Manila Electric Company (MERALCO)
Applicant
MERALCO Compound, Lopez Building,
Ortigas Avenue, Pasig City
regulatory.legal.admin@meralco.com.ph
regaffairs@meralco.com.ph

2. Attys. Francis Dino S. Antonio, Hazel Rose B. See, Adrian Rex C. Dimalanta, Isagani C. Coruna II, and Edgar Michael C. Robles
Counsel for the Applicant
7th Floor, Lopez Building,
Ortigas Avenue, Pasig City
fdsantonio@meralco.com.ph; hrbsee@meralco.com.ph;
arcdimalanta@meralco.com.ph; iccorunaii@meralco.com.ph;
emcrobles@meralco.com.ph

3. National Association of Electricity Consumers for Reforms, Inc. (NASECORE)
Thru: Ms. Petronilo L. Ilagan
Petitioner-Intervenor
Roxas Seafront Garden, Roxas Blvd. cor. Ortigas St.,
Pasay City
pete49ilagan@gmail.com

4. Mr. Brigido R. Simon, Jr.
Petitioner-Intervenor
69 St. Louis Compound 7 Baesa,
Quezon City
junsi7312@yahoo.com

5. Boses ng Konsyumer Alliance, Inc. (BNK)
Thru: Mr. Rogelio G. Reyes
64 Unit D Aguirre Ave. Zon 11 Pilar Village
Las Piñas City
hansje.reyes@gmail.com

6. Office of the Solicitor General (OSG)
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph

7. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
citizensdesk@coa.gov.ph

8. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City
senateenergycommittee@gmail.com

9. House Committee on Energy
Batasan Hills, Quezon City
committee.energy@house.gov.ph

10. Regulatory Operations Service
Energy Regulatory Commission
14F Exquadra Tower, Jade 1 Drive, Pasig City
ros@erc.ph

11. Office of the City Mayor
City of Caloocan

12. Office of the Local Government Unit (LGU) Legislative Body
City of Caloocan

13. Office of the City Mayor
City of Las Piñas

14. Office of the LGU Legislative Body
City of Las Piñas

15. Office of the City Mayor
City of Makati

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City of Malabon

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35. Office of the Municipal Mayor
Municipality of Pateros

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City of Quezon

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City of Valenzuela

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Angat, Bulacan

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Angat, Bulacan

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Balagtas, Bulacan

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Calumpit, Bulacan

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Doña Remedios Trinidad, Bulacan

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Guiguinto, Bulacan

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San Jose del Monte, Bulacan

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San Miguel, Bulacan

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San Rafael, Bulacan

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Sta. Maria, Bulacan

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Alfonso, Cavite

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Alfonso, Cavite

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Amadeo, Cavite

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Amadeo, Cavite

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Bacoor City, Cavite

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Carmona City, Cavite

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Dasmariñas City, Cavite

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Dasmariñas City, Cavite

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General Emilio Aguinaldo, Cavite

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General Emilio Aguinaldo, Cavite

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General Mariano Alvarez, Cavite

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General Trias, Cavite

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Noveleta, Cavite

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Rosario, Cavite

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Silang, Cavite

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Tagaytay, Cavite

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Tanza, Cavite

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Ternate, Cavite

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Trece Martires, Cavite

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Teresa, Rizal

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Batangas, Batangas

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San Pascual, Batangas

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Sto. Tomas, Batangas

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Alaminos, Laguna

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Bay, Laguna

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Biñan, Laguna

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Cabuyao, Laguna

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Calamba, Laguna

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Liliw, Laguna

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Los Baños, Laguna

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Luisiana, Laguna

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Magdalena, Laguna

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San Pablo, Laguna

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San Pedro, Laguna

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Sta. Cruz, Laguna

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City of Sta. Rosa, Laguna

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Victoria, Laguna

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Candelaria, Quezon

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Candaba, Pampanga

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San Simon, Pampanga

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Province of Bulacan

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