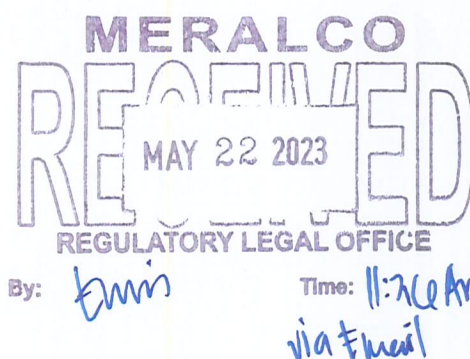


Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF THE
EMERGENCY
REPLACEMENT OF ONE (1)
83-MVA POWER
TRANSFORMER AT NEW
MARILAO SUBSTATION



ERC CASE NO. 2023-036 RC

MANILA ELECTRIC
COMPANY (MERALCO),
Applicant.
X-----X

Promulgated:
May 09, 2023

ORDER

On 02 May 2023, Manila Electric Company (MERALCO) filed an *Application* dated 30 March 2023, seeking the Commission's approval of the emergency replacement of one (1) 83-MVA power transformer at New Marilao Substation.

The pertinent allegations of the *Application* are hereunder quoted, as follows:

1. Applicant is a private corporation duly organized and existing under the laws of the Republic of the Philippines, with principal office located at Lopez Building, Ortigas Avenue, Barangay Ugong, Pasig City. It may be served with notices and other processes of this Honorable Commission through its undersigned counsel at the address indicated therein.
2. Applicant has a legislative franchise to construct, operate and maintain an electric power distribution system for the conveyance of electric power to the end-users in the cities and municipalities of Metro Manila, Bulacan, Cavite and Rizal, and certain cities/municipalities/barangays in Batangas, Laguna, Quezon and Pampanga, pursuant to Republic Act No. 9209.
3. Applicant seeks the Honorable Commission's approval of its emergency installation of one (1) 83 MVA, 110 kV-34.5 kV, three (3)-phase power transformer with On-Load Tap

Changer (OLTC) with an available spare at its New Marilao Substation to replace the defective Power Transformer Bank No. 3 and repurchase of one (1) 83 MVA spare power transformer.

4. The Application is filed pursuant to Section 10 of Republic Act No. 11659, otherwise known as "An Act Amending Commonwealth Act No. 146 Otherwise Known as the Public Service Act, as Amended", which provides:

Section 10. Section 20 of Commonwealth Act No. 146, as amended, is hereby further amended to read as follows:

xxx

- b. To establish, construct, maintain, or otherwise operate new units or extend existing facilities or make any other addition to or general extension of the service: Provided, That only assets that are useful and necessary for the provision of the public service shall form part of the rate base as determined and approved by the Administrative Agency: Provided, further, That construction of such asset and implementation of such project may be allowed for emergency and other extraordinary cases: Provided, finally, That the public service provider files for approval of such extension or construction of facilities within sixty (60) days from implementation of the project, and without prejudice to the final determination by the Administrative Agency if the said asset is useful and necessary for inclusion in the rate base.
5. Moreover, the instant Application is consistent with the Honorable Commission's Resolution No. 26, Series of 2009, entitled: "Resolution Amending the Rules for Approval of Regulated Entities' Capital Expenditure Projects". Emergency Capital Expenditure projects are those that require immediate implementation during an event that is not a force majeure or fortuitous event in order to maintain safe, reliable, secure and efficient operation of the power system.
6. However, for purposes of recovering the capital cost of the said emergency project through Applicant's rates, the same will go through the process of evaluation by the Honorable Commission during the regulatory reset process, unless there is basis for a rate-reopening in the current regulatory period, in accordance with the Rules for the Setting of Distribution Wheeling Rates (RDWR) for Distribution Utilities (DUs).

BACKGROUND

7. The New Marilao Substation is located at M. Villarica Road in Marilao, Bulacan, where it serves the power requirements of customers in the Municipality of Marilao. The New Marilao Substation has one (1) 110kV-34.5kV power transformer bank.
8. On 31 January 2023, the New Marilao Power Transformer Bank No. 3 was tripped out due to an internal fault which was manifested by the activation of the transformer differential relay, Buchholz relay, and oil flow relay.
9. The New Marilao Power Transformer Bank No.3, a Siemens 83MVA 110-34.5kV, was first energized last 15 December 2010. Upon tripping, MERALCO was constrained to temporarily transfer all its loads to the adjacent banks, namely: Saog Bank No. 1, San Jose Bank No. 3, Sta. Maria Bank Nos. 2 and 3, North Caloocan Bank No. 1 and Meycauayan Bank No. 2.
10. On 31 January 2023, the transformer was subjected to a series of tests to determine its condition after the incident. The test results on the power transformer showed that it was no longer safe to be re-energized and was declared for replacement due to the following significant findings: a) Accumulation of high level combustible gases as showed in Buchholz relay (i.e. Hydrogen, Acetylene, Ethylene, Ethane, Carbon Monoxide, and Methane); b) Accumulation of the same gases in the extracted oil from the transformer main tank, which were indicative of a high energy fault sustained by the transformer; c) The ratio test results were found to be no longer within the expected tolerance based on IEEE Standards which is also being used by MERALCO as reference on Electrical tests; d) The winding resistance test results were relatively lower than the initial commissioning values; and e) High excitation current was observed which tripped the Electrical Test equipment.
11. As a result of accommodating the loads of the defective transformer, the Meycauayan Bank No. 2 and Sta. Maria Bank No. 3 were both operating at critical levels of 85% and 80%, respectively. Similarly, because of the accommodation of the loads of the New Marilao Power Transformer Bank No. 3, the following banks registered the following actual loadings: Sta. Maria Bank No. 2 was at 63% loading, Saog Bank No. 1 at 65%, San Jose Bank No. 3 at 64%, and North Caloocan Bank No. 1 at 59%.
12. The critical loading of the Meycauayan Bank No. 2 and Sta. Maria Bank No. 3 may result to an outage which will cause prolonged and massive interruption in the said areas thereby affecting the supply of electricity of customers in the Municipality of Marilao, such as, but not limited to, the Philippine Arena, Royale Cold Storage Marilao, Vitarich Corp., Alpha Alleanza Mfg. Inc., Philippine Packaging Corp.,

and Sterling Business Park as well as other areas in the Province of Bulacan, such as Bocaue, San Jose Del Monte, Sta. Maria, and Meycauayan.

- 13. Considering the imminent risks posed by the prolonged critical loading of the adjacent power transformers, namely: the Meycauayan Bank No. 2 and Sta. Maria Bank No. 3, MERALCO was constrained to replace the defective New Marilao Power Transformer Bank No. 3 with an available spare 83 MVA, 110 kV-34.5 kV Power Transformer and the same was energized on 17 February 2023.
- 14. The projected loadings of the affected power transformers with and without the replacement of the New Marilao Power Transformer Bank No. 3 are as follows:

Parameter Under Consideration	Parameters	
	Without Project	With Project
Loading of New Marilao 83 MVA Bank No. 3	-	63%
Loading of existing Saog 83 MVA Bank No. 1	65%	54%
Loading of existing San Jose 83-MVA Bank No. 3	64%	61%
Loading of existing Sta. Maria 83 MVA Bank No. 2	63%	57%
Loading of existing Sta. Maria 83-MVA Bank No. 3	80%	59%
Loading of existing North Caloocan 83 MVA Bank No. 1	59%	54%
Loading of existing Meycauayan 83-MVA Bank No. 2	85%	68%
Annual System Loss	13,415,080 kWh	11,311,770 kWh

- 15. It is well to highlight that an outage of the Meycauayan Bank No. 2 and Sta. Maria Bank No. 3 will cause widespread power interruptions to the detriment of customers in the affected areas served by these power transformers. Considering the imminent risks posed by shifting the loads to the adjacent power transformers (Meycauayan Bank No. 2 and Sta. Maria Bank No. 3), MERALCO was constrained to undertake an immediate solution.
- 16. To ensure the long-term reliability and stability of the power system, MERALCO will repurchase a spare 83 MVA Power Transformer to ensure that any unexpected failure on any power transformer with the same rating can be quickly addressed thereby minimizing the downtime and associated costs therefrom. In addition, this can help prevent potential disruptions to the power supply of customers that may experience unexpected failure, which can have a negative impact on industries, businesses and households that rely on a stable source of electricity.
- 17. The total cost of the emergency replacement of the power transformer with OLTC at the New Marilao Substation including the purchase of a spare 83 MVA Power Transformer

is Sixty Three Million Nine Hundred Seventy Six Thousand Seven Hundred Thirty and 54/100 (PhP63,976,730.54) Pesos.

18. In further support of the Application, attached hereto are the following documents:
- Annex "A" – Emergency CAPEX Project Information Summary with supporting documents: (i) Technical and Economic Analysis; (ii) Cost Estimates; (c) Expenditure Summary; (iii) Cost Benefit Analysis Calculation; and (iv) Gantt Chart;
 - Annex "B" – Documents showing the results of tests conducted on Power Transformer Bank No. 1; and
 - Annex "C" – Judicial Affidavit of Engr. Bienvenido H. De Guzman Jr., Manager and Head of Applicant's Substation Services Asset Management Office.

PRAYER

WHEREFORE, it is respectfully prayed to this Honorable Commission that the Applicant's emergency replacement of the power transformer at the New Marilao Substation be APPROVED and that MERALCO be allowed to repurchase a spare 83 MVA Power Transformer to replace the one installed in the New Marilao Substation.

Other relief just and equitable under the premises are likewise prayed for.

Finding the said *Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for determination of compliance with the jurisdictional requirements, expository presentation, Pre-Trial Conference and presentation of evidence on the following dates and online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020¹ and Resolution No. 01, Series of 2021² (ERC Revised Rules of Practice and Procedure):

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¹ A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

² A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

Date and Time	Platform	Activity
27 June 2023 (Tuesday) at nine o'clock in the morning (9:00 A.M.)	MS Teams or Zoom Application	Determination of compliance with the jurisdictional requirements, and Expository Presentation
04 July 2023 (Tuesday) at nine o'clock in the morning (9:00 A.M.)		Pre-trial Conference and presentation of evidence

RELATIVE THERETO, MERALCO is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing* in two (2) newspapers of nationwide circulation in the Philippines at its own expense, twice (2x) within two (2) successive weeks, the dates of publication not being less than seven (7) days apart, and the date of the last publication to be made not later than ten (10) days before the date of the scheduled initial hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governors, the City and Municipal Mayors and the respective Local Government Unit (LGU) legislative bodies within the 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 *Application*, its reasons therefor, and of the scheduled hearing thereon;
- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* 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, 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* consisting of the affidavits of the Editors or Business Managers of the newspapers where the said *Notice of Virtual Hearing* was published, and the complete issues of the said newspapers;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing* 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 MERALCO to inform the consumers within its franchise area of the filing of the *Application*, its reasons therefor, and of the scheduled hearings thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing* 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, 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 boards, the scanned copies of the foregoing jurisdictional requirements, together with the newspaper publications and certifications issued by the concerned Offices of the Governors,

Mayors, and Local Legislative Bodies, and to submit proof of posting thereof.

Applicant MERALCO 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 therefor, which should be attached to the Pre-trial Brief; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

Applicant MERALCO must ensure that all the documents or exhibits proposed to be presented have already been duly submitted to the Commission **at least five (5) calendar days** before the date of the scheduled initial hearing and Pre-trial Conference pursuant to the preceding paragraph.

Failure of MERALCO to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearing, and the resetting of which shall be six (6) months from the said date of cancellation.

Applicant MERALCO must also be prepared to make an expository presentation of the instant *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 MERALCO is hereby directed to file a copy of its Expository Presentation via e-mail at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. MERALCO shall also be required, upon the request of any stakeholder, to provide an advance copy of its expository presentation, **at least five (5) calendar days** prior to the scheduled virtual hearing.

Applicant MERALCO is hereby directed to submit, through personal service, registered mail or ordinary mail/private courier, one (1) set of the original or certified true hard copies of its Jurisdictional Compliance, Expository Presentation, Pre-trial Brief, and Judicial Affidavits of witnesses, **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.

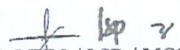
Finally, MERALCO, including its authorized representatives and witnesses, are hereby directed to provide the Commission, thru legal.virtualhearings@erc.ph, their respective e-mail addresses upon receipt of this *Order*. The Commission will send the access link/s to the aforementioned hearing platform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

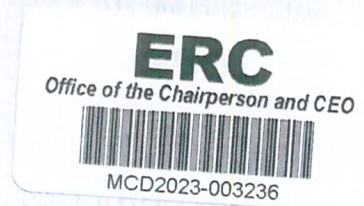
SO ORDERED.

Pasig City, 09 May 2023.

FOR AND BY AUTHORITY
OF THE COMMISSION:


MONALISA C. DIMALANTA
Chairperson and CEO 


LS: MVM / LSP / MCCG



ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 10 OF 20

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
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. 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. Regulatory Operations Service
Energy Regulatory Commission
14F Exquadra Tower, Jade 1 Drive, Pasig City
ros@erc.ph
8. Office of the City Mayor
City of Caloocan
9. Office of the Local Government Unit (LGU) Legislative Body
City of Caloocan
10. Office of the City Mayor
City of Las Pinas
11. Office of the Local Government Unit (LGU) Legislative Body
City of Las Pinas
12. Office of the City Mayor
City of Makati
13. Office of the Local Government Unit (LGU) Legislative Body
City of Makati
14. Office of the City Mayor
City of Malabon
15. Office of the Local Government Unit (LGU) Legislative Body
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16. Office of the City Mayor
City of Mandaluyong
17. Office of the Local Government Unit (LGU) Legislative Body
City of Mandaluyong
18. Office of the City Mayor
City of Manila
19. Office of the Local Government Unit (LGU) Legislative Body
City of Manila
20. Office of the City Mayor

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 11 OF 20

City of Marikina

21. Office of the Local Government Unit (LGU) Legislative Body
City of Marikina
22. Office of the City Mayor
City of Muntinlupa
23. Office of the Local Government Unit (LGU) Legislative Body
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Municipality of Pateros
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City of Quezon
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City of Valenzuela
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42. Office of the Mayor
Angat, Bulacan
43. Office of the Local Government Unit (LGU) Legislative Body
Angat, Bulacan
44. Office of the Mayor
Balagtas, Bulacan

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 12 OF 20

45. Office of the Local Government Unit (LGU) Legislative Body
Balagtas, Bulacan
46. Office of the Mayor
Baliwag, Bulacan
47. Office of the Local Government Unit (LGU) Legislative Body
Baliwag, Bulacan
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Dona Remedios Trinidad, Bulacan
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Guiguinto, Bulacan
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Hagonoy, Bulacan
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Hagonoy, Bulacan
62. Office of the City Mayor
Malolos, Bulacan
63. Office of the Local Government Unit (LGU) Legislative Body
Malolos, Bulacan
64. Office of the Mayor
Marilao, Bulacan
65. Office of the Local Government Unit (LGU) Legislative Body
Marilao, Bulacan
66. Office of the City Mayor
Meycauayan, Bulacan
67. Office of the Local Government Unit (LGU) Legislative Body
Meycauayan, Bulacan
68. Office of the Mayor
Norzagaray, Bulacan
69. Office of the Local Government Unit (LGU) Legislative Body
Norzagaray, Bulacan

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 13 OF 20

- 70. Office of the Mayor
Obando, Bulacan
- 71. Office of the Local Government Unit (LGU) Legislative Body
Obando, Bulacan
- 72. Office of the Mayor
Pandi, Bulacan
- 73. Office of the Local Government Unit (LGU) Legislative Body
Pandi, Bulacan
- 74. Office of the Mayor
Paombong, Bulacan
- 75. Office of the Local Government Unit (LGU) Legislative Body
Paombong, Bulacan
- 76. Office of the Mayor
Plaridel, Bulacan
- 77. Office of the Local Government Unit (LGU) Legislative Body
Plaridel, Bulacan
- 78. Office of the Mayor
Pulilan, Bulacan
- 79. Office of the Local Government Unit (LGU) Legislative Body
Pulilan, Bulacan
- 80. Office of the Mayor
San Ildefonso, Bulacan
- 81. Office of the Local Government Unit (LGU) Legislative Body
San Ildefonso, Bulacan
- 82. Office of the City Mayor
San Jose del Monte, Bulacan
- 83. Office of the Local Government Unit (LGU) Legislative Body
San Jose del Monte, Bulacan
- 84. Office of the Mayor
San Miguel, Bulacan
- 85. Office of the Local Government Unit (LGU) Legislative Body
San Miguel, Bulacan
- 86. Office of the Mayor
San Rafael, Bulacan
- 87. Office of the Local Government Unit (LGU) Legislative Body
San Rafael, Bulacan
- 88. Office of the Mayor
Sta. Maria, Bulacan
- 89. Office of the Local Government Unit (LGU) Legislative Body
Sta. Maria, Bulacan
- 90. Office of the Mayor
Alfonso, Cavite
- 91. Office of the Local Government Unit (LGU) Legislative Body
Alfonso, Cavite
- 92. Office of the Mayor
Amadeo, Cavite
- 93. Office of the Local Government Unit (LGU) Legislative Body
Amadeo, Cavite
- 94. Office of the Mayor

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 14 OF 20

Bacoor, Cavite

95. Office of the Local Government Unit (LGU) Legislative Body
Bacoor, Cavite
96. Office of the Mayor
Carmona, Cavite
97. Office of the Local Government Unit (LGU) Legislative Body
Carmona, Cavite
98. Office of the Mayor
Cavite, Cavite
99. Office of the Local Government Unit (LGU) Legislative Body
Cavite, Cavite
100. Office of the Mayor
Dasmarinas, Cavite
101. Office of the Local Government Unit (LGU) Legislative Body
Dasmarinas, Cavite
102. Office of the Mayor
General Emilio Aguinaldo, Cavite
103. Office of the Local Government Unit (LGU) Legislative Body
General Emilio Aguinaldo, Cavite
104. Office of the Mayor
General Mariano Alvarez, Cavite
105. Office of the Local Government Unit (LGU) Legislative Body
General Mariano Alvarez, Cavite
106. Office of the Mayor
General Trias, Cavite
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General Trias, Cavite
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Imus, Cavite
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Imus, Cavite
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Indang, Cavite
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Indang, Cavite
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Kawit, Cavite
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Kawit, Cavite
114. Office of the Mayor
Magallanes, Cavite
115. Office of the Local Government Unit (LGU) Legislative Body
Magallanes, Cavite
116. Office of the Mayor
Maragondon, Cavite
117. Office of the Local Government Unit (LGU) Legislative Body
Maragondon, Cavite
118. Office of the Mayor
Mendez, Cavite

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 15 OF 20

- 119. Office of the Local Government Unit (LGU) Legislative Body
Mendez, Cavite
- 120. Office of the Mayor
Naic, Cavite
- 121. Office of the Local Government Unit (LGU) Legislative Body
Naic, Cavite
- 122. Office of the Mayor
Noveleta, Cavite
- 123. Office of the Local Government Unit (LGU) Legislative Body
Noveleta, Cavite
- 124. Office of the Mayor
Rosario, Cavite
- 125. Office of the Local Government Unit (LGU) Legislative Body
Rosario, Cavite
- 126. Office of the Mayor
Silang, Cavite
- 127. Office of the Local Government Unit (LGU) Legislative Body
Silang, Cavite
- 128. Office of the Mayor
Tagaytay, Cavite
- 129. Office of the Local Government Unit (LGU) Legislative Body
Tagaytay, Cavite
- 130. Office of the Mayor
Tanza, Cavite
- 131. Office of the Local Government Unit (LGU) Legislative Body
Tanza, Cavite
- 132. Office of the Mayor
Ternate, Cavite
- 133. Office of the Local Government Unit (LGU) Legislative Body
Ternate, Cavite
- 134. Office of the Mayor
Trece Martires, Cavite
- 135. Office of the Local Government Unit (LGU) Legislative Body
Trece Martires, Cavite
- 136. Office of the Mayor
Angono, Rizal
- 137. Office of the Local Government Unit (LGU) Legislative Body
Angono, Rizal
- 138. Office of the Mayor
Antipolo, Rizal
- 139. Office of the Local Government Unit (LGU) Legislative Body
Antipolo, Rizal
- 140. Office of the Mayor
Baras, Rizal
- 141. Office of the Local Government Unit (LGU) Legislative Body
Baras, Rizal
- 142. Office of the Mayor
Binangonan, Rizal
- 143. Office of the Local Government Unit (LGU) Legislative Body

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 16 OF 20

- Binangonan, Rizal
144. Office of the Mayor
Cainta, Rizal
145. Office of the Local Government Unit (LGU) Legislative Body
Cainta, Rizal
146. Office of the Mayor
Cardona, Rizal
147. Office of the Local Government Unit (LGU) Legislative Body
Cardona, Rizal
148. Office of the Mayor
Jala-Jala, Rizal
149. Office of the Local Government Unit (LGU) Legislative Body
Jala-Jala, Rizal
150. Office of the Mayor
Morong, Rizal
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152. Office of the Mayor
Pililla, Rizal
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Taytay, Rizal
162. Office of the Mayor
Teresa, Rizal
163. Office of the Local Government Unit (LGU) Legislative Body
Teresa, Rizal
164. Office of the Mayor
Batangas, Batangas
165. Office of the Local Government Unit (LGU) Legislative Body
Batangas, Batangas
166. Office of the Mayor
San Pascual, Batangas
167. Office of the Local Government Unit (LGU) Legislative Body
San Pascual, Batangas

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 17 OF 20

168. Office of the Mayor
Sto. Tomas, Batangas
169. Office of the Local Government Unit (LGU) Legislative Body
Sto. Tomas, Batangas
170. Office of the Mayor
Alaminos, Laguna
171. Office of the Local Government Unit (LGU) Legislative Body
Alaminos, Laguna
172. Office of the Mayor
Bay, Laguna
173. Office of the Local Government Unit (LGU) Legislative Body
Bay, Laguna
174. Office of the Mayor
Binan, Laguna
175. Office of the Local Government Unit (LGU) Legislative Body
Binan, Laguna
176. Office of the Mayor
Cabuyao, Laguna
177. Office of the Local Government Unit (LGU) Legislative Body
Cabuyao, Laguna
178. Office of the Mayor
Calamba, Laguna
179. Office of the Local Government Unit (LGU) Legislative Body
Calamba, Laguna
180. Office of the Mayor
Calauan, Laguna
181. Office of the Local Government Unit (LGU) Legislative Body
Calauan, Laguna
182. Office of the Mayor
Liliw, Laguna
183. Office of the Local Government Unit (LGU) Legislative Body
Liliw, Laguna
184. Office of the Mayor
Los Banos, Laguna
185. Office of the Local Government Unit (LGU) Legislative Body
Los Banos, Laguna
186. Office of the Mayor
Luisiana, Laguna
187. Office of the Local Government Unit (LGU) Legislative Body
Luisiana, Laguna
188. Office of the Mayor
Magdalena, Laguna
189. Office of the Local Government Unit (LGU) Legislative Body
Magdalena, Laguna
190. Office of the Mayor
Majayjay, Laguna
191. Office of the Local Government Unit (LGU) Legislative Body
Majayjay, Laguna
192. Office of the Mayor

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 18 OF 20

Nagcarlan, Laguna

193. Office of the Local Government Unit (LGU) Legislative Body
Nagcarlan, Laguna
194. Office of the Mayor
Pila, Laguna
195. Office of the Local Government Unit (LGU) Legislative Body
Pila, Laguna
196. Office of the Mayor
Rizal, Laguna
197. Office of the Local Government Unit (LGU) Legislative Body
Rizal, Laguna
198. Office of the Mayor
San Pablo, Laguna
199. Office of the Local Government Unit (LGU) Legislative Body
San Pablo, Laguna
200. Office of the Mayor
San Pedro, Laguna
201. Office of the Local Government Unit (LGU) Legislative Body
San Pedro, Laguna
202. Office of the Mayor
Sta. Cruz, Laguna
203. Office of the Local Government Unit (LGU) Legislative Body
Sta. Cruz, Laguna
204. Office of the Mayor
Sta. Rosa, Laguna
205. Office of the Local Government Unit (LGU) Legislative Body
Sta. Rosa, Laguna
206. Office of the Mayor
Victoria, Laguna
207. Office of the Local Government Unit (LGU) Legislative Body
Victoria, Laguna
208. Office of the Mayor
Candelaria, Quezon
209. Office of the Local Government Unit (LGU) Legislative Body
Candelaria, Quezon
210. Office of the Mayor
Dolores, Quezon
211. Office of the Local Government Unit (LGU) Legislative Body
Dolores, Quezon
212. Office of the Mayor
Lucban, Quezon
213. Office of the Local Government Unit (LGU) Legislative Body
Lucban, Quezon
214. Office of the Mayor
Lucena, Quezon
215. Office of the Local Government Unit (LGU) Legislative Body
Lucena, Quezon
216. Office of the Mayor
Mauban, Quezon

ERC CASE NO. 2023-036 RC
ORDER/09 MAY 2023
PAGE 19 OF 20

217. Office of the Local Government Unit (LGU) Legislative Body
Mauban, Quezon
218. Office of the Mayor
Pagbilao, Quezon
219. Office of the Local Government Unit (LGU) Legislative Body
Pagbilao Quezon
220. Office of the Mayor
Sampaloc, Quezon
221. Office of the Local Government Unit (LGU) Legislative Body
Sampaloc, Quezon
222. Office of the Mayor
San Antonio, Quezon
223. Office of the Local Government Unit (LGU) Legislative Body
San Antonio, Quezon
224. Office of the Mayor
Sariaya, Quezon
225. Office of the Local Government Unit (LGU) Legislative Body
Sariaya, Quezon
226. Office of the Mayor
Tayabas, Quezon
227. Office of the Local Government Unit (LGU) Legislative Body
Tayabas, Quezon
228. Office of the Mayor
Tiaong, Quezon
229. Office of the Local Government Unit (LGU) Legislative Body
Tiaong, Quezon
230. Office of the Mayor
Apalit, Pampanga
231. Office of the Local Government Unit (LGU) Legislative Body
Apalit, Pampanga
232. Office of the Mayor
Candaba, Pampanga
233. Office of the Local Government Unit (LGU) Legislative Body
Candaba, Pampanga
234. Office of the Mayor
San Simon, Pampanga
235. Office of the Local Government Unit (LGU) Legislative Body
San Simon, Pampanga
236. Office of the Governor
Province of Bulacan
237. Office of the Local Government Unit (LGU) Legislative Body
Province of Bulacan
238. Office of the Governor
Province of Cavite
239. Office of the Local Government Unit (LGU) Legislative Body
Province of Cavite
240. Office of the Governor
Province of Rizal

- 241. Office of the Local Government Unit (LGU) Legislative Body
Province of Rizal
- 242. Office of the Governor
Province of Batangas
- 243. Office of the Local Government Unit (LGU) Legislative Body
Province of Batangas
- 244. Office of the Governor
Province of Laguna
- 245. Office of the Local Government Unit (LGU) Legislative Body
Province of Laguna
- 246. Office of the Governor
Province of Quezon
- 247. Office of the Local Government Unit (LGU) Legislative Body
Province of Quezon
- 248. Office of the Governor
Province of Pampanga
- 249. Office of the Local Government Unit (LGU) Legislative Body
Province of Pampanga