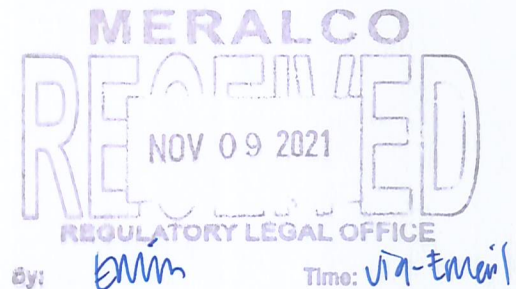


Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

IN THE MATTER OF THE
APPLICATION FOR
AUTHORITY TO RETIRE
THE BINONDO
SUBSTATION LOCATED AT
BARANGAY 282, SAN
NICOLAS, CITY OF
MANILA, METRO MANILA
AND TO WITHDRAW FROM
SERVICE CERTAIN
EQUIPMENT AND
MACHINERY INSTALLED
IN SAID SUBSTATION,
WITH PRAYER FOR
PROVISIONAL AUTHORITY



ERC CASE NO. 2021-085 RC

MANILA ELECTRIC
COMPANY (MERALCO),
Applicant.

Promulgated:
November 09, 2021

X-----X

ORDER

On 22 October 2021, Manila Electric Company (MERALCO) filed an *Application* dated 27 September 2021, seeking the Commission's approval for the authority to retire the Binondo Substation located at Barangay 282, San Nicolas, City of Manila and to withdraw from service certain equipment and machinery installed in said substation, with prayer for provisional authority.

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, Pasig City. It may be served with notices and other processes of this Honorable Commission through its undersigned counsel at the address indicated herein.

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 is filing the instant application to seek authority to retire the Binondo Substation and withdraw certain equipment and machineries in said substation.
4. The instant Application is filed pursuant to the Section 1.7.1 of the Distribution Services and Open Access Rules (DSOAR), as amended.¹

BACKGROUND

5. The Binondo Substation is located at Barangay 282, San Nicolas, City of Manila, Metro Manila. The substation has two (2) 12.5 MVA, 34.5 kV – 6.24 kV power transformer banks. The substation is installed on a leased lot.
6. The Binondo Substation is one of the older MERALCO odd voltage substations (with voltage other than 34.5 kV) and has been in service for more than fifty-nine (59) years.
7. Applicant has programmed the gradual conversion of odd-voltage systems (distribution system with voltages other than 34.5 kV) to the ultimate standardized 20 kV/35.5 kV (line-to-neutral/line to line) distribution voltage system within its franchise area. The voltage standardization will reduce technical system loss, improve flexibility and reliability of electric service by phasing out isolated odd voltage systems and minimize equipment inventory types. Applicant continuously implements the Odd-Voltage Conversion Program with the aim of having standard voltage systems for its entire franchise area.
8. Hence, Applicant seeks authority from the Honorable Commission to retire the Binondo Substation and withdraw from service the equipment and machinery installed therein in line with the said program.

¹ The second paragraph of Section 1.7.1 of the amended DSOAR provides:

“1.7.1 AUTHORIZED EQUIPMENT

xxx

The DU may increase, substitute or withdraw from service its authorized equipment and machinery in accordance with the Rules for Approval of Regulated Entities' Capital Expenditure Projects, RDWR and other ERC Rules. If such undertaking is not covered by the RDWR or other rules, authorization shall be secured from the ERC in accordance with pertinent provision of the Rules for Approval of Regulated Entities' Capital Expenditure Projects.”

9. It must be stressed that the retirement of the said substation will have no impact to customers currently being served by the Binondo Substation as the loads of its 6.24 kV circuit may readily be transferred to the 34.5 kV circuits of Tutuban 46VT and North Port 51H. Moreover, the transfer of said loads will eliminate the redundant 34.5 kV – 6.24 KV step-down.
10. In addition, an approximate of 255,883 KWHR annually will be reduced from the overall technical system loss upon the retirement of the Binondo substation's power transformer banks and complete conversion of 6.24 kV circuits to 34.5 kV.
11. Currently, the various equipment in Binondo Substation forms part of Applicant's Regulatory Asset Base (RAB). Upon its retirement, some of the equipment and machinery will be reused for distribution services, while others will be withdrawn from service. The total amount for equipment and machinery that will be withdrawn from service is Four Million, One Hundred Fifty-One Thousand, Four Hundred Forty-Eight Pesos and Seventy-Seven Centavos (PhP4,151,448.77).
12. In further support of the Application, attached hereto are the following documents:
 - a. Annex "A" – Schematic Diagram showing the exact location of Binondo Substation and pictures thereof;
 - b. Annex "B" – Detailed List of Equipment and Machinery to be re-used and/or retired in Binondo Substation, with corresponding specifications and values; and
 - c. Annex "C" – Load Flow Simulation/study conducted on the effect of withdrawal from service of said equipment and machinery.

**Allegations in Support of the Prayer for Provisional Authority
and/or Interim Relief**

13. The issuance of Provisional Authority and/or Interim Relief is warranted under the circumstances considering that there is no reason to continue energizing the Binondo Substation as the loads thereof may be transferred to adjacent source circuits. More importantly, the conversion of the loads of Binondo Substation to 34.5 kV will result in the reduction of technical system loss and improvement of the electric service by phasing out isolated odd-voltage system.
14. In further support of the Application and prayer for issuance of provisional authority, attached as Annex "D" is the Judicial Affidavit of Engr. Roberto D. Isip, Jr., Assistant Vice President and Manager of Applicant's Network Asset Planning Office.

PRAYER

WHEREFORE, it is respectfully prayed to this Honorable Commission that: (1) the Application for Retirement of the Binondo Substation and withdrawal from service of equipment and machinery installed in said substation be APPROVED; and (2) Applicant be ALLOWED to re-use equipment in said substation that will not be retired.

Pending the hearing on the merits of the case, a Provisional Authority be issued to Applicant.

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

Finding the said *Application* to be sufficient in form 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 2020² dated 24 September 2020 and Resolution No. 01, Series of 2021, dated 17 December 2020 (ERC Revised Rules of Practice and Procedure)³:

Date	Platform	Activity
14 January 2022 (Friday) at nine o'clock in the morning (9:00 AM)	Microsoft Teams	Determination of compliance with the jurisdictional requirements and expository presentation
21 January 2022 (Friday) at nine o'clock in the morning (9:00 AM)	Microsoft Teams	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 A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

³ A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governors, the Mayors and the 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 *Application*, its reasons therefor, and of the scheduled virtual hearings 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 hearings; and
- 5) Furnish with copies of the *Application* and its attachments all those making requests therefor, subject to the resolution of the prayer for confidential treatment of information, if any, and reimbursement of reasonable photocopying costs.⁴

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

- 1) The evidence of publication of the attached *Notice of Virtual Hearing* consisting of affidavit of the Editors or Business Managers of the newspaper where the said *Notice of Virtual Hearing* 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* consisting of certifications issued to that effect, signed by the aforementioned Governors, Mayors and LGU legislative

⁴ For the e-mail address of the applicant, please see page 9.

- 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 by all those making requests therefor, if any; and
 - 6) Such other proofs 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 Office of the Governors, Mayors, and Local Legislative Bodies, and to submit proof of its posting thereof.

MERALCO and all interested parties are also required to submit to the Commission via e-mail at docket@erc.ph, copy furnish the Legal Service through legal@erc.ph, at least five (5) calendar days before the date of the scheduled initial 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 also 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.

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 virtual 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.

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* with relevant information and pertinent details substantiating the reasons and justifications being cited in support thereof.

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 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.

Any interested stakeholder may submit its comments and/or clarifications at least one (1) calendar day prior to the scheduled virtual hearing, via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph. The Commission shall give priority to the stakeholders who have duly submitted their respective comments and/or clarifications, to discuss the same and propound questions during the course of the expository presentation.

MERALCO is hereby directed to submit, either through personal service, registered or ordinary mail/private courier, one (1) set of the original or certified true hard/printed copy/ies of its Jurisdictional Compliance, Expository Presentation, Pre-trial Brief, and Judicial Affidavit/s of witness/es, 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. Similarly, all interested parties who filed their Petition for Intervention or Opposition are required to submit the hard/printed copy thereof within the same period through any of the available modes of service.

Finally, MERALCO, including its authorized representative/s and witness/es, are hereby directed to provide the Commission, thru legal.virtualhearings@erc.ph, with 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, 02 November 2021.

FOR AND BY AUTHORITY
OF THE COMMISSION:


AGNES VST DEVANADERA
Chairperson and CEO


LS: MVM/LSP/MCCG



Copy Furnished:

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6. House Committee on Energy
Batasan Hills, Quezon City
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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
City of Malabon
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
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
City of Muntinlupa
- 24. Office of the City Mayor
City of Navotas
- 25. Office of the Local Government Unit (LGU) Legislative Body
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- 26. Office of the City Mayor
City of Paranaque
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- 28. Office of the City Mayor
City of Pasay
- 29. Office of the Local Government Unit (LGU) Legislative Body
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- 30. Office of the City Mayor
City of Pasig
- 31. Office of the Local Government Unit (LGU) Legislative Body
City of Pasig
- 32. Office of the Municipal Mayor
Municipality of Pateros
- 33. Office of the Local Government Unit (LGU) Legislative Body
Municipality of Pateros
- 34. Office of the City Mayor
City of Quezon
- 35. Office of the Local Government Unit (LGU) Legislative Body
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- 36. Office of the City Mayor
City of San Juan
- 37. Office of the Local Government Unit (LGU) Legislative Body
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- 38. Office of the City Mayor
City of Taguig
- 39. Office of the Local Government Unit (LGU) Legislative Body
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- 40. Office of the City Mayor
City of Valenzuela
- 41. Office of the Local Government Unit (LGU) Legislative Body
City of Valenzuela
- 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

- 45. Office of the Local Government Unit (LGU) Legislative Body
Balagtas, Bulacan
- 46. Office of the Mayor
Baliwag, Bulacan
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- 48. Office of the Mayor
Bocaue, Bulacan
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- 51. Office of the Local Government Unit (LGU) Legislative Body
Bulcan, Bulacan
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Bustos, Bulacan
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- 54. Office of the Mayor
Calumpit, Bulacan
- 55. Office of the Local Government Unit (LGU) Legislative Body
Calumpit, Bulacan
- 56. Office of the Mayor
Dona Remedios Trinidad, Bulacan
- 57. Office of the Local Government Unit (LGU) Legislative Body
Dona Remedios Trinidad, Bulacan
- 58. Office of the Mayor
Guiguinto, Bulacan
- 59. Office of the Local Government Unit (LGU) Legislative Body
Guiguinto, Bulacan
- 60. Office of the Mayor
Hagonoy, Bulacan
- 61. Office of the Local Government Unit (LGU) Legislative Body
Hagonoy, Bulacan
- 62. Office of the City Mayor
Malolos, Bulacan
- 63. Office of the Local Government Unit (LGU) Legislative Body
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- 64. Office of the Mayor
Marilao, Bulacan
- 65. Office of the Local Government Unit (LGU) Legislative Body
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- 66. Office of the City Mayor
Meycauayan, Bulacan
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Meycauayan, Bulacan
- 68. Office of the Mayor
Norzagaray, Bulacan
- 69. Office of the Local Government Unit (LGU) Legislative Body

Norzagaray, Bulacan

70. Office of the Mayor
Obando, Bulacan
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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
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San Miguel, Bulacan
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San Rafael, Bulacan
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88. Office of the Mayor
Sta. Maria, Bulacan
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90. Office of the Mayor
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91. Office of the Local Government Unit (LGU) Legislative Body
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92. Office of the Mayor
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102. Office of the Mayor
General Emilio Aguinaldo, Cavite
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104. Office of the Mayor
General Mariano Alvarez, Cavite
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Tanay, Rizal
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Teresa, Rizal
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Teresa, Rizal
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- 168. Office of the Mayor
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- 170. Office of the Mayor
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- 191. Office of the Local Government Unit (LGU) Legislative Body
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San Pedro, Laguna
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Victoria, Laguna
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Victoria, Laguna
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Candelaria, Quezon
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Candelaria, Quezon
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211. Office of the Local Government Unit (LGU) Legislative Body
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212. Office of the Mayor
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213. Office of the Local Government Unit (LGU) Legislative Body
Lucban, Quezon
214. Office of the Mayor
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215. Office of the Local Government Unit (LGU) Legislative Body
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216. Office of the Mayor
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217. Office of the Local Government Unit (LGU) Legislative Body
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218. Office of the Mayor
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219. Office of the Local Government Unit (LGU) Legislative Body
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220. Office of the Mayor
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221. Office of the Local Government Unit (LGU) Legislative Body
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222. Office of the Mayor
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223. Office of the Local Government Unit (LGU) Legislative Body
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224. Office of the Mayor
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225. Office of the Local Government Unit (LGU) Legislative Body
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226. Office of the Mayor
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227. Office of the Local Government Unit (LGU) Legislative Body
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228. Office of the Mayor
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229. Office of the Local Government Unit (LGU) Legislative Body
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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
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234. Office of the Mayor
San Simon, Pampanga
235. Office of the Local Government Unit (LGU) Legislative Body
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236. Office of the Governor
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237. Office of the Local Government Unit (LGU) Legislative Body
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238. Office of the Governor
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239. Office of the Local Government Unit (LGU) Legislative Body
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240. Office of the Governor
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