

2/4/25
5:45pm

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

IN THE MATTER OF THE
APPLICATION FOR
CONFIRMATION OF THE
TRUE- UP CALCULATION OF
THE ACTUAL WEIGHTED
AVERAGE TARIFF (AWAT)
VIS-À-VIS APPROVED FINAL
DISTRIBUTION RATE
IMPLEMENTED DURING
THE LAPSED PERIOD FROM
JULY 2022 TO DECEMBER
2024, WITH PRAYER FOR
PROVISIONAL AUTHORITY,

MERALCO
RECEIVED
FEB 04 2025
REGULATORY LEGAL OFFICE
By: Cyns Time: 5:45 pm
Via Email

ERC CASE NO. 2025-025 RC

MANILA ELECTRIC
COMPANY (MERALCO),
Applicant.

Promulgated:
February 03, 2025

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ORDER

On 28 January 2025, Manila Electric Company (MERALCO) filed an *Application*, dated 21 January 2025, seeking the Commission’s confirmation of the true-up calculation of the Actual Weighted Average Tariff (AWAT) vis-à-vis approved final distribution rate implemented during the lapsed period from July 2022 to December 2024, with provisional authority.

On 30 January 2025, 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:

Date	Activity
21 February 2025 (Friday) at nine o'clock in the morning (9:00 A.M.)	Determination of compliance with jurisdictional requirements and expository presentation
21 February 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Expository Presentation
28 February 2025 (Friday) at nine o'clock in the morning (9:00 A.M.)	Pre-Trial Conference

28 February 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Pre-Trial Conference
07 March 2025 (Friday) at nine o'clock in the morning (9:00 A.M.)	Applicant's Presentation of Evidence
07 March 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Presentation of Evidence
14 March 2025 (Friday) at nine o'clock in the morning (9:00 A.M.)	Presentation of Evidence
14 March 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Presentation of Evidence
25 March 2025 (Tuesday) at nine o'clock in the morning (9:00 A.M.)	Presentation of Evidence
25 March 2025 (Tuesday) at two o'clock in the afternoon (2:00 P.M.)	Presentation of Evidence
27 March 2025 (Thursday) at nine o'clock in the morning (9:00 A.M.)	Presentation of Evidence
27 March 2025 (Thursday) at two o'clock in the afternoon (2:00 P.M.)	Presentation of Evidence

On 03 February 2025, MERALCO filed a *Very Urgent Motion to Reschedule the Initial Hearing Date* of even date (Motion), praying that the initial hearing for the instant *Application* be rescheduled at least one (1) month from 03 February 2025 or on 05 March 2025. In its *Motion*, MERALCO alleged that it would be extremely difficult and physically impossible for MERALCO to comply with the Commission's directives in a very short period of time. Moreover, MERALCO sought the correction of the date of the instant *Application* from 22 January 2025 to 21 January 2025.

IN VIEW OF THE FOREGOING, MERALCO's *Motion* is hereby **PARTIALLY GRANTED**. Accordingly, the foregoing hearings pursuant to the Commission's *Order* dated 30 January 2025 are cancelled. Further, the date of the *Application* is corrected to 21 January 2025.

RELATIVE THERETO, the Commission sets anew the hearings for the instant *Application* for the determination of compliance with the jurisdictional requirements, expository presentation, Pre-Trial Conference and presentation of evidence on the following dates and online platforms 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):

Date	Platform	Activity
28 February 2025 (Friday) at nine o'clock in the morning (9:00 A.M.)	Microsoft Teams Application	Determination of compliance with jurisdictional requirements and expository presentation
28 February 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)		Expository Presentation
07 March 2025 (Friday) at nine o'clock in the morning (9:00 A.M.)		Pre-Trial Conference
07 March 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)		Pre-Trial Conference
14 March 2025 (Friday) at nine o'clock in the morning (9:00 A.M.)		Applicant's Presentation of Evidence
14 March 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)		Presentation of Evidence
25 March 2025 (Tuesday) at nine o'clock in the morning (9:00 A.M.)		Presentation of Evidence
25 March 2025 (Tuesday) at two o'clock in the afternoon (2:00 P.M.)		Presentation of Evidence
27 March 2025 (Thursday) at nine o'clock in the morning (9:00 A.M.)		Presentation of Evidence
27 March 2025 (Thursday) at two		Presentation of Evidence

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.

o'clock in the afternoon (2:00 P.M.)		
03 April 2025 (Thursday) at nine o'clock in the morning (9:00 A.M.)		Presentation of Evidence
03 April 2025 (Thursday) at two o'clock in the afternoon (2:00 P.M.)		Presentation of Evidence

Furthermore, MERALCO is hereby directed to host the virtual hearings at **MERALCO's principal office located at Lopez Building, Ortigas Avenue, Pasig City**, as the designated venue for the conduct thereof, and ensure that the same is open to the public. Moreover, MERALCO shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

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 virtual 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 their 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 *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 at 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 virtual 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 to 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 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 Governors, Mayor and LGU legislative body 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 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, 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 posting thereof.

Applicant MERALCO, and all interested parties are also required to submit to the Commission 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 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.

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 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 hearings.

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 further directed to submit, either through personal service, registered or ordinary mail/private courier, one (1) set of the original or certified true hard/printed 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, 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 hearings.

SO ORDERED.

Pasig City, 03 February 2025.

FOR AND BY AUTHORITY
OF THE COMMISSION:


KRISHA MARIE T. BUELA
Director III, Legal Service


LS: MVM

ERC CASE NO. 2025-025 RC
ORDER/ 03 FEBRUARY 2025
PAGE 8 OF 19

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,
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;
iccorunaii@meralco.com.ph; emcrobles@meralco.com.ph;
regaffairs@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
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
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City of Muntinlupa
24. Office of the City Mayor
City of Navotas
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City of Paranaque
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City of Pasay
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City of Pasig
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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
City of Quezon
36. Office of the City Mayor
City of San Juan
37. Office of the Local Government Unit (LGU) Legislative Body
City of San Juan
38. Office of the City Mayor
City of Taguig
39. Office of the Local Government Unit (LGU) Legislative Body
City of Taguig

ERC CASE NO. 2025-025 RC
ORDER/ 03 FEBRUARY 2025
PAGE 10 OF 19

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
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Balagtas, Bulacan
46. Office of the Mayor
Baliwag, Bulacan
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Bocaue, Bulacan
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Bulcan, Bulacan
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Bustos, Bulacan
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Calumpit, Bulacan
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Dona Remedios Trinidad, Bulacan
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Guiguinto, Bulacan
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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
Malolos, Bulacan
64. Office of the Mayor
Marilao, Bulacan
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66. Office of the City Mayor
Meycauayan, Bulacan
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Norzagaray, Bulacan
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Pandi, Bulacan
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Paombong, Bulacan
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Plaridel, Bulacan
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San Ildefonso, Bulacan
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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
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San Rafael, Bulacan
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Sta. Maria, Bulacan
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Alfonso, Cavite
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Dasmarinas, Cavite
101. Office of the Local Government Unit (LGU) Legislative Body
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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

ERC CASE NO. 2025-025 RC
ORDER/ 03 FEBRUARY 2025
PAGE 13 OF 19

107. Office of the Local Government Unit (LGU) Legislative Body
General Trias, Cavite
108. Office of the Mayor
Imus, Cavite
109. Office of the Local Government Unit (LGU) Legislative Body
Imus, Cavite
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Indang, Cavite
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Tagaytay, Cavite
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130. Office of the Mayor
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Morong, Rizal
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152. Office of the Mayor
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Rodriguez, Rizal
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Tanay, Rizal
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Teresa, Rizal
163. Office of the Local Government Unit (LGU) Legislative Body
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Batangas, Batangas
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San Pascual, Batangas
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Alaminos, Laguna
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Bay, Laguna
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Bay, Laguna

174. Office of the Mayor
Binan, Laguna
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Los Banos, Laguna
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196. Office of the Mayor

Rizal, Laguna

- 197. Office of the Local Government Unit (LGU) Legislative Body
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- 198. Office of the Mayor
San Pablo, Laguna
- 199. Office of the Local Government Unit (LGU) Legislative Body
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- 200. Office of the Mayor
San Pedro, Laguna
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Sta. Cruz, Laguna
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Candelaria, Quezon
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Lucena, Quezon
- 216. Office of the Mayor
Mauban, Quezon
- 217. Office of the Local Government Unit (LGU) Legislative Body
Mauban, Quezon
- 218. Office of the Mayor
Pagbilao, Quezon

ERC CASE NO. 2025-025 RC
ORDER/ 03 FEBRUARY 2025
PAGE 18 OF 19

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
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Sariaya, Quezon
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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