

May 18, 2026

**ATTY. JOHANNE DANIEL M. NEGRE**

Head, Disclosure Department  
Philippine Stock Exchange, Inc.  
6th Floor, PSE Tower  
5th Avenue corner 28th Street  
Bonifacio Global City,  
Taguig City

Dear Atty. Negre:

We reply to the correspondence sent by the Disclosure Department of the Philippine Stock Exchange at 11:26 a.m. today requesting confirmation of the information contained in the news article entitled "Consumer group seeks suspension of Meralco rate reset proceedings." The news article was published in bilyonaryo.com today.

The article reported in part that:

*"THE National Association of Electricity Consumers for Reforms Inc. (NASECORE) has asked the Energy Regulatory Commission to suspend proceedings on Manila Electric Company (Meralco)'s rate reset application, saying unresolved issues could affect the legality of the utility's proposed increase in distribution charges.*

*In a May 15 motion, NASECORE said the ERC should first rule on pending issues involving Meralco's regulatory asset base (RAB), annual revenue requirement (ARR), weighted average cost of capital (WACC), capital expenditures, operating expenditures and maximum average price (MAP) before advancing the case.*

*The group said the issues were raised in written interrogatories submitted on March 5, 2026, and in subsequent pleadings, but remain unresolved as the proceedings move toward the formal offer of evidence stage.*

*...."*

XXX XXX XXX



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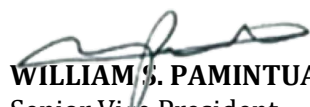
With reference to the news article that is the subject of the Exchange's request for clarification, we would like to confirm that Manila Electric Company (the "Company") received a copy of the motion filed by National Association of Electricity Consumers for Reforms Inc. ("NASECORE") requesting the Energy Regulatory Commission ("ERC") to resolve pending matters and suspend proceedings of the Company's Rate Reset Application under ERC Case No. 2026-016 RC (the "Rate Reset Application").

We would also like to report that on May 12, 2026, the ERC issued its order denying the Consolidated Motion filed by NASECORE on March 5, 2026, disallowing the written interrogatories and denying other Motions filed between March 5, 2026 until April 22, 2026. These Motions and Interrogatories sought disclosure and clarification on the pending issues involving Meralco's regulatory asset base (RAB), annual revenue requirement (ARR), weighted average cost of capital (WACC), capital expenditures, operating expenditures and maximum average price (MAP) before the Rate Reset Application proceedings can continue. In the said order, the ERC stated that all other pending incidents in relation to the above documents are likewise resolved accordingly. The Company received a copy of the decision today, May 18, 2026. Attached is a copy of order.

The Company does not foresee any impact on the pending Rate Reset Application filed with the ERC.

We trust that you find the foregoing clarification in order.

Very truly yours,



**WILLIAM S. PAMINTUAN**  
Senior Vice President  
Assistant Corporate Secretary and  
Information Disclosure Officer

5/18/26  
12:01 PM

2Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
Pasig City

IN THE MATTER OF THE  
APPLICATION FOR  
APPROVAL OF THE: A)  
ANNUAL REVENUE  
REQUIREMENT,  
PERFORMANCE INCENTIVE  
SCHEME AND MAXIMUM  
AVERAGE PRICES FOR THE  
FIRST REGULATORY  
PERIOD; AND B)  
TRANSLATION OF THE  
MAXIMUM AVERAGE PRICE  
FOR THE FIRST  
REGULATORY YEAR (RY  
2027) INTO A DISTRIBUTION  
RATE STRUCTURE FOR  
VARIOUS CUSTOMER  
CLASSES IN ACCORDANCE  
WITH THE PROVISIONS OF  
THE RATIONALIZED RULES  
FOR SETTING  
DISTRIBUTION WHEELING  
RATES (RRDWR), UNDER  
ERC RESOLUTION NO. 24,  
SERIES OF 2025

**MERALCO**  
**RECEIVED**  
MAY 12 2026  
REGULATORY LEGAL OFFICE  
By:  Time: 12:01pm  
RAYMOND F. ESTORQUE via email

**Promulgated:**  
May 12, 2026

**ERC CASE No. 2026-016 RC**

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

**ORDER**

Before the Commission for resolution are the following:

1. *Consolidated Motion* dated 04 March 2026 filed by National Association of Electricity Consumer for Reforms, Inc. (NASECORE) on 05 March 2026;

2. *Written Interrogatories* dated 05 March 2026 filed by NASECORE on even date;
3. *Supplementary Written Interrogatories* contained in the *Supplemental Manifestation* dated 14 April 2026 filed by NASECORE on 15 April 2026;
4. *Motion (For Comprehensive Audit and Verification with the Assistance of the Commission on Audit)* dated 23 April 2026 filed by NASECORE on even date; and
5. *Motion for Reconsideration* dated 22 April 2026 filed by Mr. Romeo L. Junia (Mr. Junia) on even date.

## **DISCUSSION**

### **I. NASECORE's *Consolidated Motion* dated 04 March 2026**

On 05 March 2026, NASECORE filed a *Consolidated Motion* dated 04 March 2026. In the said *Consolidated Motion*, NASECORE prayed that the following motions be granted:

1. Motion to enforce strict compliance with Article IV and Article VI of the Rationalized Rules in Setting Distribution Wheeling Rates (RRDWR);<sup>1</sup>
2. Motion to require full annual Maximum Average Price (MAP) vs. Actual Weighted Average Tariff (AWAT) reconciliation;
3. Motion to enforce strict compliance with Section 6.4 on Side Constraints;
4. Motion to compel production of Capital Expenditures (CAPEX), Regulatory Asset Base (RAB) and Financing Documents;

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<sup>1</sup> Resolution No. 24, Series of 2025, entitled, "A Resolution Adopting the Rationalized Rules for Setting the Distribution Wheeling Rates (RRDWR) for Privately-Owned Distribution Utilities Under Performance-Based Regulation (PBR)."

5. Motion to require full disclosure of Operating Expenses (OPEX) Components and Efficiency Assumptions; and
6. Motion to require disclosure of Performance Incentive Scheme (PIS) and Guaranteed Service Levels (GSL) Mechanisms.

On 16 March 2026, Manila Electric Company (MERALCO) filed a *Motion for Extension of Time to File Comment/Opposition (Re: Consolidated Motion dated 04 March 2026)* dated 16 March 2026, praying for an additional period of ten (10) days from 15 March 2026, or until 25 March 2026, within which to file its *Comment/Opposition* to NASECORE's *Consolidated Motion*.

On 25 March 2026, MERALCO filed its *Opposition (To NASECORE's Consolidated Motion dated 04 March 2026)* of even date, praying for the denial of NASECORE's *Consolidated Motion* in its entirety for lack of legal, factual, and procedural basis, among others.

In the said *Opposition*, MERALCO argued as follows:

- I. NASECORE's motions to enforce annual verification compliance under Articles IV and VI of the RRDWR are procedurally defective, misplaced, and ignore the very nature of these mechanisms as post-approval processes.
- II. NASECORE's motion to require full MAP vs. AWAT reconciliation is a collateral attack on the Honorable Commission's final decisions and violates the decoupling policy adopted by the Honorable Commission in the RRDWR.
- III. There is no basis to defer the approval of the proposed MAPs under this Application until MERALCO has shown compliance with Section 6.4. of the RRDWR on Side Constraints.
- IV. NASECORE's motion to compel production of CAPEX, RAB and Financing Documents is an unjustified fishing expedition as MERALCO already submitted all relevant documents required by the Honorable Commission to form part of and support the Application.
- V. NASECORE's motion to require full disclosure of OPEX components and efficiency assumptions is baseless as

MERALCO already submitted the relevant documents and schedules to the Honorable Commission.

- VI. The motion to require further disclosures regarding PIS and GSL mechanisms is unwarranted and redundant.

On various dates, NASECORE filed several pleadings and motions related to its *Consolidated Motion*, to wit:

|   | Filing Party | Pleading/Motion Filed                                                                                                    | Remarks                                                                                                                                             |
|---|--------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | NASECORE     | <i>Manifestation and Motion (To Defer the Presentation of Evidence)</i> dated 17 March 2026                              | NASECORE reiterated its prayer to resolve its <i>Consolidated Motion</i> dated 04 March 2026, among others.                                         |
| 2 | NASECORE     | <i>Manifestation (Reply to MERALCO's Opposition)</i> dated 26 March 2026                                                 | NASECORE reiterated its prayer to resolve its <i>Consolidated Motion</i> dated 04 March 2026, among others.                                         |
| 3 | NASECORE     | <i>Manifestation (Re: Procedural Sequence and the Need for Prior Resolution of Threshold Issues)</i> dated 17 April 2026 | NASECORE reiterated its prayer to resolve related threshold issues, including matters raised in its <i>Consolidated Motion</i> dated 04 March 2026. |

Upon perusal of the subject *Consolidated Motion* of NASECORE, the Commission finds that the motions contained therein may be classified into three (3) reliefs, requesting for the Commission to require MERALCO to: (1) strictly comply with specific RRDWR provisions; (2) fully disclose reconciliation of the MAP vs. AWAT; and (3) produce various documents and information pertaining to MERALCO's building blocks.

**A. Compliance with Specific RRDWR Provisions**

In its *Consolidated Motion*, NASECORE alleged that Article IV, Section 4.1.2 of the RRDWR provides that revenues derived from exceeding the MAP shall be effectively returned to customers through the reduction in the MAP in the subsequent Regulatory Year. NASECORE further alleged that Article IV, Section 4.3 provides for the computation of the Correction Factor relative to the adjustment of over/under recovery in the preceding year. Likewise, NASECORE contended that Article VI of the RRDWR establishes an annual verification and adjustment

mechanisms, including MAP vs. AWAT reconciliation and application of correction adjustments.

In view of the above contentions, NASECORE moves that MERALCO be directed to submit a complete year-by-year reconciliation of revenues, costs, and regulatory adjustments during the period of implementation of the interim MAP (*sic*) approved under ERC Case No. 2015-112 RC,<sup>2</sup> covering the period from 01 July 2015 to 30 June 2022, including any subsequent lapsed or transitional period prior to the implementation of the proposed rates in the instant case.

NASECORE’s request relative to MERALCO’s compliance with Article IV and Article VI of the RRDWR is misplaced and is bereft of merit.

Upon perusal of Articles IV and VI of the RRDWR, said Articles are considered post-approval measures, and are confined only in the current Regulatory Period, and not any prior periods. Article IV, Sections 4.1.1 and 4.1.2, and Article VI, Section 6.1.2 provides clarity on the matter, *to wit*:

ARTICLE IV  
FIRST REGULATORY PERIOD

4.1 General Price Control Principles

- 4.1.1 Subject to Section 6.2.1(f) and (g), the maximum distribution wheeling rates that a Regulated Entity is permitted to charge during each Regulatory Year in the First Regulatory Period will be set under a Maximum Annual Price cap for that Regulated Distribution System **determined in accordance with this Article IV and the Regulatory Reset Process for the First Regulatory Period under Article VII.**
- 4.1.2 A Regulated Entity must ensure that the maximum average prices that it charges during a Regulatory Year t does not exceed the Maximum Annual Price cap for that Regulated Distribution System for Regulatory Year t as calculated in accordance with Section 4.2. Any

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<sup>2</sup> Entitled, “In the Matter of the Application for Approval of: A) An Interim Average Rate; and B) Translation of the Interim Average Rate into Distribution Rates for its Various Customer Classes, with Prayer for the Issuance of a Provisional Authority.”

revenue that is derived as a result of that Maximum Annual Price cap being exceeded will effectively be returned to Customers of that Regulated Distribution System by way of a reduction in the Maximum Annual Price cap for that Regulated Distribution System **for the following Regulatory Year t+1** to an amount that is lower than that which would otherwise have applied. This correction is carried over between Regulatory Periods as well.

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ARTICLE VI  
ANNUAL VERIFICATION AND ADJUSTMENT OF  
DISTRIBUTION TARIFFS

6.1 Annual Distribution Rate Setting

xxx

- 6.1.2 The maximum average distribution wheeling rate and the distribution tariffs that may be charged by a Regulated Entity for the provision of Regulated Distribution Services in respect of a Regulated Distribution System **during the Second, Third and Fourth Regulatory Years of the First Regulatory Period, and for all the Regulatory Years in subsequent Regulatory Periods**, may only be set and changed in accordance with this Article VI and the DSOAR.

*(Emphasis supplied.)*

Furthermore, the Commission, in issuing Resolutions No. 23<sup>3</sup> and 24,<sup>4</sup> Series of 2025, recognized the need to decouple future regulatory rate-setting from the previous rules, in order to restart the regulatory reset process for all Private Distribution Utilities (PDUs).

Considering that the above request of NASECORE pertains to the production of documents and information primarily covered in the Interim Average Rate (IAR) *Application* of

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<sup>3</sup> Entitled, "A Resolution Directing All Private Distribution Utilities to File Their Respective AWAT Applications for the Lapsed Period."

<sup>4</sup> Entitled, "A Resolution Adopting the Rationalized Rules for Setting the Distribution Wheeling Rates (RRDWR) for Privately-Owned Distribution Utilities Under Performance-Based Regulation (PBR)."

MERALCO under ERC Case No. 2015-112 RC<sup>5</sup> and matters involved in the period prior to the current Regulatory Period, the same is hereby denied for being irrelevant to the instant case.

Relative to its request for MERALCO’s compliance with Article VI, Section 6.4 on Side Constraints, NASECORE moves for the submission of MERALCO of a mathematical demonstration of compliance with the said provision on Side Constraints, including the disclosure of any transition or smoothing assumptions, and for the deferral of the approval of MERALCO’s proposed MAP pending compliance with the said mechanism.

The Commission finds NASECORE’s said request without merit.

The Commission has the authority to determine and approve the amount of Side Constraint pursuant to the RRDWR, taking into consideration either the application of a Regulated Entity of the same or a request for a waiver thereof. Article IV, Section 4.20 and Section 9.3 of the Position Paper of the RRDWR are the controlling provisions relative thereto, *to wit*:

ARTICLE IV  
FIRST REGULATORY PERIOD

xxx

4.20 Side Constraint

During the Regulatory Reset Process for the First Regulatory Period under Article VII, **the ERC must determine**, in respect of each Regulated Distribution System, **the amount of the Side Constraint referred to in Section 6.4.1**, which amount must be the same for each Regulatory Year in the First Regulatory Period (but may vary as between Regulated Distribution System).

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9.3 Side constraints

In terms of Section 6.4 of the RRDWR, all maximum wheeling rates (excluding the impact of the S-factor

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<sup>5</sup> Entitled, “In the Matter of the Application for Approval of: A) An Interim Average Rate; and B) Translation of the Interim Average Rate into Distribution Rates for its Various Customer Classes, with Prayer for the Issuance of a Provisional Authority.”

discussed in Section 8) are subject to side constraints, in terms of which the annual change in revenue that can be collected through a particular rate may not exceed certain predefined limits.

**The ERC will determine the side constraint factor once all the information for the regulatory reset process has been received.** This constraint will, however, not be less than 2%. (This figure is to be added to the weighted index for an Application year to calculate the maximum allowed price-movement for a Regulatory Year.)

In terms of RRDWR, the ERC may decide to relax the side constraints in any particular year, should the restrictions prove to be so excessive that the integrity of the price-setting process could be compromised.

**The regulated entities have the option to propose whether to apply side constraints or not subject to the ERC approval.**

*(Emphasis supplied.)*

Accordingly, the request relative to compliance with the provision on Side Constraint under RRDWR is hereby denied.

**B. Full Disclosure of the Reconciliation of MERALCO's MAP vs. AWAT**

In relation to its request for the disclosure of MAP vs. AWAT reconciliation, NASECORE, in its *Consolidated Motion*, moved for the production of revenue schedules reflecting billed and collected distribution revenues for each Regulatory Year from 01 July 2015 to 30 June 2022, including subsequent lapsed/transitional period prior to the implementation of rates under the instant case. Furthermore, NASECORE requested that MERALCO state whether a full year-by-year MAP vs. AWAT reconciliation for the period from 01 July 2010 to 30 June 2015 was conducted, among others.

The Commission finds NASECORE's foregoing request without merit.

To reiterate, the Commission has already recognized the need to decouple future regulatory rate-setting from the previous rules, in order to restart the regulatory reset process for all PDUs,

as stated in the relevant *Resolutions* of the Commission pertinent to reset applications of PDUs.

Section 3 of the Resolution No. 23, Series of 2025<sup>6</sup> states:

3. The PDU's respective AWAT Applications **shall proceed separately and independently** from the proceedings on the regulatory reset process under the RRDWR. (*Emphasis supplied.*)

In view thereof, NASECORE's request for full disclosure of the MAP vs. AWAT reconciliation is likewise denied, for being irrelevant in the resolution of the instant case.

### C. Production of Documents and Information

NASECORE requested for the production of a comprehensive RAB roll-forward schedule commencing 01 July 2011, and continuing year-by-year up to the filing of the present reset application, with other information including Opening and Closing RAB, depreciation, disposals/retirements, identification of major projects included in CAPEX forecast, among others. Moreover, NASECORE requested for the full disclosure of OPEX, as well as the structure, computation, assumptions, caps/floors, and rate impact of the PIS and GSL mechanisms.

The Commission finds NASECORE's request for production of documents, relative to MERALCO's CAPEX, RAB, and financing documents, including the full disclosure of OPEX, PIS and GSL mechanisms, to be unmeritorious.

The information requested by NASECORE relating to MERALCO's CAPEX, RAB and other financing documents pertain to previous regulatory periods, particularly the RAB roll-forward schedule covering MERALCO's Third Regulatory Period (3RP) and Lapsed Period. In this regard, it should be stressed that matters outside the instant reset application—particularly those matters subject of other rate cases pending or already resolved by the Commission—should not be raised in the instant case. Queries and concerns pertaining to such matters should instead be raised in the appropriate cases filed before the Commission.

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<sup>6</sup> Entitled, "A Resolution Directing All Private Distribution Utilities to File Their Respective AWAT Applications for the Lapsed Period"

Accordingly, Rule 15, Section 4 of the Commission's Revised Rules of Practice and Procedure<sup>7</sup> (RRPP) provides that parties requesting for data and information should prove the reasonableness and relevancy of such request, providing therewith the purpose and justification therefor, *to wit*:

RULE 15 – DISCOVERY PROCEDURES

xxx

Section 4. Data Requests. – In any pending proceeding, the Commission or any party may request for data, studies, work papers, reports, and information **which are reasonably relevant to the proceeding and permitted to the proceeding** and permitted by these Rules or by law.

In case of data request is made by a party, it shall be in writing, directed to the party to whom the request is made or its Counsel-of-record, copy furnished the Commission, and **shall clearly specify the details of the data requested**. Oral data requests made during a hearing may be allowed upon the discretion of the Commission or presiding officer.

Written or oral data requests **shall include the purpose and justification therefor**. Any requested material or portion thereof, to which no objection is made, shall be produced and furnished to the requesting party not later than fifteen (15) days upon receipt of the request, unless shortened or extended by agreement or order of the Commission. xxx (*Emphasis supplied*.)

In the instant request, NASECORE moved for a “full disclosure” of OPEX components and efficiency assumptions, as well as “full disclosure” of the structure, computation, assumptions, caps/floors, and rate impact of the PIS and GSL mechanisms, without sufficiently providing the specific purpose and justification for each document or information requested. Moreover, NASECORE failed to demonstrate that there is good cause for the production of the subject documents.

Thus, the instant request for production of documents and information is hereby denied.

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<sup>7</sup> Resolution No. 01, Series of 2021, entitled, “A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.”

In view of all the foregoing, NASECORE's *Consolidated Motion* dated 04 March 2026, including all motions related thereto, is hereby denied.

**II. NASECORE's *Written Interrogatories* dated 05 March 2026 and *Supplementary Written Interrogatories* contained in the *Supplemental Manifestation* dated 14 April 2026**

On 05 March 2026, NASECORE filed a *Written Interrogatories (With Request for Verified Answers Under Oath)* of even date, (Written Interrogatories) praying as follows:

WHEREFORE, premises considered, and in order to clarify the factual, financial, and mathematical basis of the Applicant's proposed Annual Revenue Requirement (ARR), Maximum Average Price (MAP), Regulatory Asset Base (RAB), Weighted Average Cost of Capital (WACC), Operating Expenditures (OPEX), Regulatory Depreciation, and distribution rate design for various customer classes, Intervenor respectfully prays that this Honorable Commission:

1. NOTE these Written Interrogatories;
2. DIRECT Applicant Manila Electric Company (MERALCO) to answer the foregoing interrogatories fully, specifically, and under oath, through a responsible officer of the Applicant with knowledge of the matters stated therein, within seven (7) working days from receipt hereof, or within such period as the Honorable Commission may deem reasonable;
3. DIRECT Applicant to produce or identify the supporting schedules, studies, models, computations, and documents relied upon in answering the foregoing interrogatories, including those forming part of the Application and Expository Presentation filed before the Commission; and
4. GRANT such other reliefs as may be just and equitable under the premises.

During the hearing for Pre-trial Conference held on 10 March 2026, Chairperson and CEO Atty. Francis Saturnino C. Juan, as the Presiding Officer, allowed the service of written interrogatories by the Intervenor to MERALCO's witnesses, in lieu of the conduct of their respective cross-examinations. Said written interrogatories must be directed to the specific MERALCO's witness who will be answering the questions raised therein.

On 17 March 2026, MERALCO filed its *Comment with Motion for Clarification (To NASECORE's Written Interrogatories dated 05 March 2026)* dated 14 March 2026. In the said *Comment with Motion for Clarification*, MERALCO prayed as follows:

WHEREFORE, premises considered, it is most respectfully prayed that this Honorable Commission DIRECT NASECORE to clarify and confirm if its submitted questions contained in its Written Interrogatories dated 05 March 2026 are made in lieu of its cross examination of all MERALCO's witnesses, and if so, ALLOW MERALCO to respond to said Written Interrogatories at the proper time or within five (5) days after presentation of its witness/es.

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

On 24 March 2026, the Commission issued the *Pre-trial Order*, providing the period within which to serve written interrogatories for the witnesses of MERALCO, *to wit*:

FURTHERMORE, Intervenors are given the option to serve *Written Interrogatories* for the witnesses of MERALCO, in lieu of the conduct of cross-examination of the said witnesses, five (5) calendar days prior to the scheduled date of presentation of MERALCO's witness. Accordingly, MERALCO is given a period of five (5) calendar days from receipt of the *Written Interrogatories*, within which to submit the *Answers* thereto.

Furthermore, on 31 March 2026, the Commission issued an *Order*, reiterating the directives provided in the *Pre-trial Order* relative to the Intervenors' option to serve written interrogatories for the witnesses of MERALCO, and directing Intervenor NASECORE to clarify whether the *Written Interrogatories* dated 05 March 2026 are made in lieu of the conduct of cross examination, *to wit*:

FURTHERMORE, the Commission reiterates its directives contained in the *Pre-trial Order* dated 24 March 2026, giving all Intervenors the option to serve *Written Interrogatories* for the witnesses of MERALCO, in lieu of the conduct of cross examination of the said witnesses, five (5) calendar days prior to the scheduled date of presentation of MERALCO's witness. **Intervenors must clearly specify in the *Written Interrogatories* both the questions to be propounded and the MERALCO's witness who will answer the said questions.** Failure of any Intervenor to serve any *Written Interrogatories* in the prescribed period shall be deemed a waiver of their right to serve the same, but shall not, in

any way, be deemed as a waiver of their right to cross examine MERALCO's witnesses during the scheduled hearing.

RELATIVE THERETO, Intervenor NASECORE is hereby DIRECTED to file the necessary pleading before the Commission on or before 06 April 2026, clarifying whether the *Written Interrogatories* dated 05 March 2026 are made in lieu of the conduct of its cross examination of MERALCO's witnesses, taking into consideration the abovementioned instructions in serving *Written Interrogatories* for MERALCO's witnesses.

FURTHER, MERALCO is given a period of five (5) calendar days from receipt of the *Written Interrogatories*, within which to submit the *Answers* thereto. xxx (*Emphasis supplied.*)

On 06 April 2026, NASECORE filed a *Manifestation and Compliance (With Clarification and Reservation of Rights) (Re: Order dated 31 March 2026)* dated 05 April 2026. In the said *Manifestation and Compliance*, NASECORE stated that the *Written Interrogatories* dated 05 March 2026 were not intended as a complete substitute for cross-examination, the relevant portion of such is hereunder quoted:

2. In compliance therewith, Intervenor states that **the *Written Interrogatories* dated 05 March 2026 were not intended as a complete substitute for cross-examination**, but were filed as a preliminary mechanism to obtain disclosure of the factual, financial, and regulatory bases of the Application prior to the presentation of evidence, to enable informed participation, conscious of the fact that the proposed Annual Revenue Requirement of approximately P116 billion, based on a proposed Maximum Average Price (MAP) of P2.34/kWh, if approved by the Commission, will ultimately be passed on to electricity consumers. (*Emphasis supplied.*)

During the hearing for presentation of evidence of MERALCO held on 06 April 2026, the Presiding Officer<sup>8</sup> allowed any of the Intervenor to serve *Written Interrogatories* for the witnesses of MERALCO on or before 10 April 2026. Accordingly, MERALCO is given a period of five (5) days from receipt thereof to submit its *Answers to Written Interrogatories*.<sup>9</sup>

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<sup>8</sup> Presided by Chairperson and CEO Atty. Francis Saturnino C. Juan

<sup>9</sup> The said ruling was reiterated in the *Order* issued on 13 April 2026.

On various dates, parties to the instant case filed several pleadings and motions related to NASECORE’s *Written Interrogatories* dated 05 March 2026 and other matters, to wit:

|   | Filing Party | Pleading/Motion Filed                                                                                         | Remarks                                                                                                                                                                                                                                                         |
|---|--------------|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | NASECORE     | <i>Manifestation and Motion (To Defer the Presentation of Evidence)</i> dated 17 March 2026                   | NASECORE reiterated its prayer to resolve its <i>Written Interrogatories</i> dated 05 March 2026, among others.                                                                                                                                                 |
| 2 | NASECORE     | <i>Manifestation (Re: Directive of the Honorable Commission)</i> dated 30 March 2026                          | NASECORE submitted that it has substantially complied with the directives of the Commission in the <i>Pre-trial Order</i> issued on 24 March 2026, relative to the service of the <i>Written Interrogatories</i> dated 05 March 2026 to MERALCO.                |
| 3 | NASECORE     | <i>Motion for Extension of Time</i> dated 06 April 2026                                                       | NASECORE prayed for an extension of five (5) working days from the original deadline on 10 April 2026, within which to submit <i>Written Interrogatories</i> in lieu of cross-examinations.                                                                     |
| 4 | MERALCO      | <i>Opposition (To NASECORE’s Urgent Motion for Extension of Time dated 06 April 2026)</i> dated 08 April 2026 | MERALCO prayed for the denial of NASECORE’s <i>Motion for Extension of Time</i> dated 06 April 2026 for lack of merit.                                                                                                                                          |
| 5 | NASECORE     | <i>Reply / Comment (To MERALCO’s Opposition dated 08 April 2026)</i> dated 10 April 2026                      | NASECORE reiterated its prayer for the extension of period of filing <i>Written Interrogatories</i> in lieu of cross-examinations.                                                                                                                              |
| 6 | MERALCO      | <i>Memorandum</i> dated 10 April 2026                                                                         | MERALCO prayed for the reconsideration and set aside the ruling allowing intervenors who have already commenced or completed their cross-examination, or who did not conduct cross-examination when the witness was presented despite the opportunity to do so. |

|    |                                             |                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                           |
|----|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7  | Atty. Emmanuel S. Brotarlo (Atty. Brotarlo) | <i>Entry of Appearance and Manifestation</i> dated 10 April 2026                                                                   | Atty. Brotarlo provided related jurisprudence on the matter of <i>Written Interrogatories</i> , citing the case of <i>BDO Strategic Holdings, Inc. and Banco De Oro Unibank, Inc. v. Asia Amalgamated Holdings Corporation</i> , <sup>10</sup> and <i>Producers Bank of the Philippines v. The Hon. Court of Appeals et. al.</i> <sup>11</sup>                            |
| 8  | Atty. Andres P. Manuel Jr. (Atty. Manuel)   | <i>Manifestation</i> dated 13 April 2026                                                                                           | Atty. Manuel filed the instant <i>Manifestation</i> relative to the submission of <i>Written Interrogatories</i> addressed to MERALCO's witnesses by any of the parties in the instant case, even after the cross-examination had been conducted and waived as to those who failed to do so. Furthermore, Atty. Manuel provided related jurisprudence on the said matter. |
| 9  | NASECORE                                    | <i>Comment/Opposition (To the Entry of Appearance and Manifestation of Intervenor Emmanuel S. Brotarlo)</i> dated 13 April 2026    | NASECORE prayed, among others, that the Commission disregard or give no weight to the position that limits the use of <i>Written Interrogatories</i> .                                                                                                                                                                                                                    |
| 10 | NASECORE                                    | <i>Comment/Opposition (To the Manifestation of Intervenor Atty. Andres P. Manuel, Jr. dated 13 April 2026)</i> dated 14 April 2026 |                                                                                                                                                                                                                                                                                                                                                                           |

Accordingly, NASECORE filed the following *Written Interrogatories* addressed to the specific MERALCO witness, with corresponding *Answer to Written Interrogatories* filed by MERALCO, to wit:

<sup>10</sup> G.R. No. 217360.

<sup>11</sup> G.R. No. 110495.

| NASECORE |                                                                                      |                             | MERALCO                                                                                                                                                                                      |                             |
|----------|--------------------------------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
|          | Document Filed                                                                       | Date of Filing              | Document Filed                                                                                                                                                                               | Date of Filed               |
| 1        | Written Interrogatories (for Mr. Lawrence S. Fernandez) dated 10 April 2026          | 13 April 2026 <sup>12</sup> | Compliance – Answer with Motion (to the Written Interrogatories dated 10 April 2026 filed by Intervenor NASECORE vis-à-vis MERALCO’s witness, Mr. Lawrence S. Fernandez) dated 17 April 2026 | 17 April 2026               |
| 2        | Written Interrogatories (for Engr. Roberto D. Isip, Jr.) dated 10 April 2026         | 10 April 2026               | Compliance – Answer with Motion (to NASECORE’s Written Interrogatories addressed to MERALCO’s witness, Engr. Roberto D. Isip, Jr.) dated 17 April 2026                                       | 20 April 2026 <sup>13</sup> |
| 3        | Written Interrogatories (for Mr. Julius Perry Dominguez) dated 11 April 2026         | 13 April 2026 <sup>14</sup> | Compliance – Answer with Motion (to NASECORE’s Written Interrogatories addressed to MERALCO’s witness, Mr. Julius Perry Dominguez) dated 17 April 2026                                       | 20 April 2026 <sup>15</sup> |
| 4        | Written Interrogatories (for Mr. Joseph Martins S. Sto. Domingo) dated 11 April 2026 | 13 April 2026 <sup>16</sup> | Compliance – Answer with Motion (Re: NASECORE’s Written Interrogatories for Joseph Marthin S. Sto. Domingo) dated 17 April 2026                                                              | 17 April 2026               |

<sup>12</sup> Filed on 10 April 2026 (Friday), at 10:50 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission’s E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>13</sup> Filed on 17 April 2026 (Friday), at 5:11 PM. Thus, considered filed on 20 April 2026 pursuant to Rule V, Section 3 of the Commission’s E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>14</sup> Filed on 11 April 2026 (Saturday), at 12:21 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission’s E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>15</sup> Filed on 17 April 2026 (Friday), at 5:05 PM. Thus, considered filed on 20 April 2026 pursuant to Rule V, Section 3 of the Commission’s E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>16</sup> Filed on 11 April 2026 (Saturday), at 2:27 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission’s E-filing Guidelines (Resolution No. 09, Series of 2020).

|   |                                                                                   |                             |                                                                                                                                                                                                               |                             |
|---|-----------------------------------------------------------------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| 5 | Written Interrogatories (for Mr. Mr. Ruperto R. Canales, Jr.) dated 11 April 2026 | 13 April 2026 <sup>17</sup> | Compliance – Answer with Motion (to the Written Interrogatories dated 11 April 2026 filed by Intervenor NASECORE vis-à-vis MERALCO's witness, Engr. Ruperto R. Canales Jr.) dated 17 April 2026               | 20 April 2026 <sup>18</sup> |
| 6 | Written Interrogatories (for Mr. Yassine El Baz) dated 12 April 2026              | 13 April 2026 <sup>19</sup> | Compliance – Answer with Motion (to the Written Interrogatories dated 12 April 2026 filed by Intervenor NASECORE vis-à-vis MERALCO's witness, Mr. Yassine El Baz) dated 17 April 2026                         | 17 April 2026               |
| 7 | Written Interrogatories (for Engr. Jose S. Reyes, Jr.) dated 12 April 2026        | 13 April 2026 <sup>20</sup> | Compliance – Answer with Motion (to the Written Interrogatories dated 11 April 2026 and 12 April 2026 filed by Intervenor NASECORE vis-à-vis MERALCO's witness, engr. Jose S. Reyes, Jr.) dated 17 April 2026 | 17 April 2026               |
| 8 | Written Interrogatories (for Dr. Richard Hern) dated 10 April 2026                | 10 April 2026               | Compliance – Answer (to the Written Interrogatories dated 10 April 2026 filed by Intervenor NASECORE vis-à-vis MERALCO's witness, Dr. Richard Hern) dated 17 April 2026                                       | 17 April 2026               |
| 9 | Written Interrogatories (for                                                      | 13 April 2026 <sup>21</sup> | Compliance – Answer (to the Written                                                                                                                                                                           | 17 April 2026               |

<sup>17</sup> Filed on 11 April 2026 (Saturday), at 11:16 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>18</sup> Filed on 17 April 2026 (Friday), at 5:16 PM. Thus, considered filed on 20 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>19</sup> Filed on 12 April 2026 (Sunday), at 10:49 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>20</sup> Filed on 12 April 2026 (Sunday), at 9:46 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>21</sup> Filed on 12 April 2026 (Sunday), at 12:41 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

|    |                                                                                       |                             |                                                                                                                                                                                                           |                             |
|----|---------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
|    | Mr. Ramil M. Hugo)<br>dated 12 April 2026                                             |                             | Interrogatories dated<br>12 April 2026 filed by<br>Intervenor NASECORE<br>vis-à-vis MERALCO's<br>witness, Mr. Ramil M.<br>Hugo) dated 17 April<br>2026                                                    |                             |
| 10 | Written<br>Interrogatories (for<br>Mr. John C. Par) dated<br>12 April 2026            | 13 April 2026 <sup>22</sup> | Compliance – Answer<br>with Motion (Re:<br>NASECORE's Written<br>Interrogatories for<br>John C. Par) dated 17<br>April 2026                                                                               | 17 April 2026               |
| 11 | Written<br>Interrogatories (for<br>Ms. Bennette D.<br>Bachoco) dated 10 April<br>2026 | 10 April 2026               | Compliance with<br>Motion dated 13 April<br>2026                                                                                                                                                          | 20 April 2026 <sup>23</sup> |
| 12 | Written<br>Interrogatories (for<br>Ms. Aileen Dalanon)<br>dated 10 April 2026         | 10 April 2026               | Compliance with<br>Motion dated 13 April<br>2026                                                                                                                                                          | 20 April 2026 <sup>24</sup> |
| 13 | Written<br>Interrogatories (for<br>Ms. Arlyn Dela Cruz)<br>dated 11 April 2026        | 13 April 2026 <sup>25</sup> | Compliance – Answer<br>with Motion (to the<br>Written<br>Interrogatories [For:<br>Ms. Arlyn Dela Cruz]<br>dated 11 April 2026 and<br>12 April 2026 filed by<br>Intervenor NASECORE<br>dated 17 April 2026 | 17 April 2026               |

During the hearing for presentation of evidence of MERALCO held on 13 April 2026, MERALCO moved to deny the admission of various *Written Interrogatories* filed by NASECORE for having been filed beyond the 10 April 2026 deadline set by the Commission. However, the Commission ruled to admit the same and further resolved that all other *Written Interrogatories* filed thereafter shall no longer be allowed.<sup>26</sup>

<sup>22</sup> Filed on 12 April 2026 (Sunday), at 8:19 PM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>23</sup> Filed on 17 April 2026 (Friday), at 5:57 PM. Thus, considered filed on 20 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>24</sup> Filed on 17 April 2026 (Friday), at 5:25 PM. Thus, considered filed on 20 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>25</sup> Filed on 12 April 2026 (Sunday), at 11:13 AM. Thus, considered filed on 13 April 2026 pursuant to Rule V, Section 3 of the Commission's E-filing Guidelines (Resolution No. 09, Series of 2020).

<sup>26</sup> The said ruling was reiterated in the *Order* issued on 16 April 2026.

Thereafter, the following pleadings and motions were filed by NASECORE, *to wit*:

|   | Filing Party | Pleading/Motion Filed                                                                                                                                                                                 | Remarks                                                                                                                                                                                                                                               |
|---|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | NASECORE     | <i>Urgent Manifestation and Motion (To Resolve and to Compel Answers)</i> dated 13 April 2026                                                                                                         | NASECORE prayed that the issues arising from its <i>Written Interrogatories</i> dated 05 March 2026 be declared submitted for resolution, among others.                                                                                               |
| 2 | NASECORE     | <i>Supplemental Manifestation (Re: Order dated 13 April 2026; Clarification and Request for Prior Resolution of Interrogatories</i> dated 14 April 2026                                               | NASECORE prayed for the resolution of the issues arising from the <i>Written Interrogatories</i> dated 05 March 2026, among others.                                                                                                                   |
| 3 | NASECORE     | <i>Supplemental Manifestation (With Supplementary Written Interrogatories) (Re: Order dated 13 April 2026; Clarification and Request for Prior Resolution of Interrogatories)</i> dated 15 April 2026 | NASECORE prayed for the Commission to take note its <i>Supplemental Manifestation</i> and <i>Supplementary Written Interrogatories</i> , and to resolve the issues arising from the <i>Written Interrogatories</i> dated 05 March 2026.               |
| 4 | NASECORE     | <i>Supplemental Manifestation (Re: Order dated 16 April 2026; Clarification of Non-Waiver and Request for Prior Resolution of Written Interrogatories)</i> dated 16 April 2026                        | NASECORE prayed for the Commission to clarify that its non-appearance shall not be deemed a waiver of its right to examine MERALCO's witnesses, and to direct MERALCO to submit its answer to the <i>Written Interrogatories</i> dated 05 March 2026. |
| 5 | NASECORE     | <i>Manifestation (Re: Procedural Sequence and the Need for Prior Resolution of Threshold Issues)</i> dated 17 April 2026                                                                              | NASECORE reiterated its prayer to resolve its <i>Written Interrogatories</i> dated 16 March 2026.                                                                                                                                                     |

On 17 April 2026, MERALCO filed an *Omnibus Counter Manifestation with Motion (To NASECORE's (i) Urgent Manifestation and Motion dated 13 April 2026, (ii) Supplemental Manifestation dated 14 April 2026, and (iii) Supplemental Manifestation dated 15 April 2026)* of even date. In the said *Omnibus Counter Manifestation with Motion*, MERALCO prayed as follows:

WHEREFORE, premises considered, it is most respectfully prayed that this Honorable Commission issue an Order:

1. DENYING NASECORE's Urgent Manifestation and Motion (To Resolve and to Compel Answers); Supplemental Manifestation (Re: Order dated 13 April 2026; Clarification and Request for Prior Resolution of Interrogatories) dated 14 April 2026 and Supplemental Manifestation (with Supplementary Written Interrogatories) (Re: Order dated 13 April 2026; Clarification and Request for Prior Resolution of Interrogatories) dated 15 April 2026 for lack of legal merit;
2. DECLARING the written interrogatories contained in NASECORE's Supplemental Manifestation (with Supplementary Written Interrogatories) (Re: Order dated 13 April 2026; Clarification and Request for Prior Resolution of Interrogatories) dated 15 April 2026 to have been filed out of time; and
3. Consequently DIRECTING MERALCO to refrain from answering the written interrogatories contained in NASECORE's Supplemental Manifestation (with Supplementary Written Interrogatories) (Re: Order dated 13 April 2026; Clarification and Request for Prior Resolution of Interrogatories) dated 15 April 2026.

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

On 20 April 2026, NASECORE filed its *Reply / Comment (Re: MERALCO's Omnibus Counter Manifestation with Motion dated 17 April 2026)* of even date. In the said *Reply / Comment*, NASECORE prayed as follows:

WHEREFORE, premises considered, Intervenor NASECORE respectfully prays that this Honorable Commission:

1. DENY MERALCO's Omnibus Counter Manifestation with Motion dated 17 April 2026 for lack of merit;
2. REJECT the claim that Intervenor has waived his right to propound the Written Interrogatories dated 05 March 2026;
3. RESOLVE the issues arising from the said interrogatories, which have long been fully joined and submitted for resolution;
4. DIRECT Applicant MERALCO to submit complete, verified, and responsive answers to the Written Interrogatories, including the Supplemental Written

Interrogatories, within a non-extendible period to be determined by the Commission; and

5. GRANT such other reliefs as are just and equitable under the premises

On 22 April 2026, NASECORE filed a *Summary Manifestation* of even date.

In view of all the submissions of the parties concerning the service of *Written Interrogatories*, the Commission notes that the main issue for resolution of the Commission is whether or not to admit and allow: (1) NASECORE's *Written Interrogatories* dated 05 March 2026; and (2) NASECORE's *Supplementary Written Interrogatories* contained in its *Supplemental Manifestation* dated 14 April 2026.

**A. NASECORE's *Written Interrogatories* dated 05 March 2026**

As previously stated, the Commission, through the Presiding Officer during the 10 March 2026 hearing, allowed the service of *Written Interrogatories* by the Intervenor to MERALCO's witnesses, in lieu of the conduct of their respective cross-examinations, subject to limitations. The questions contained in the *Written Interrogatories* should be addressed to the appropriate MERALCO's witness, and the same should be submitted five (5) days prior to the scheduled date of presentation of MERALCO's witnesses. This ruling was thereafter reiterated in the Commission *Orders* issued on 24 March 2026 and 31 March 2026.

For its part, NASECORE was able to submit the subject *Written Interrogatories* on 05 March 2026, way ahead of the deadline to submit the same pursuant to the directives of the Commission during the 10 March 2026 hearing. However, in its *Manifestation and Compliance* dated 05 April 2026, NASECORE admitted that the subject *Written Interrogatories* dated 05 March 2026 were not intended as a complete substitute for cross-examination, *to wit*:

2. In compliance therewith, Intervenor states that **the *Written Interrogatories* dated 05 March 2026 were not intended as a complete substitute for cross-examination**, but were filed as a preliminary mechanism to obtain disclosure of the factual, financial,

and regulatory bases of the Application prior to the presentation of evidence, xxx (*Emphasis supplied.*)

Accordingly, NASECORE stated in the same *Manifestation and Compliance* and in order submissions that the subject *Written Interrogatories* dated 05 March 2026 aim to address critical threshold regulatory elements, such as the Annual Revenue Requirement (ARR), PIS, RAB, Weighted Average Cost of Capital (WACC), CAPEX, OPEX, and taxes and levies, which are matters subject of the testimonies of MERALCO's witnesses.

In this regard, NASECORE should have included all questions raised in the subject *Written Interrogatories* dated 05 March 2026 in the specific *Written Interrogatories* served to each of MERALCO's witnesses on 10 and 13 April 2026, to comply with the specific directives of the Commission in serving written interrogatories. Instead, NASECORE contended in its various submissions that the subject *Written Interrogatories* dated 05 March 2026 is separate and distinct from the specific *Written Interrogatories* addressed to MERALCO's witnesses.

Thus, for failure to comply with the prescribed parameters in serving its *Written Interrogatories* to MERALCO's witnesses, NASECORE's *Written Interrogatories* dated 05 March 2025 is hereby disallowed.

**B. NASECORE's *Supplementary Written Interrogatories* contained in its *Supplemental Manifestation* dated 14 April 2026**

During the hearing for presentation of evidence of MERALCO held on 13 April 2026 and as reiterated in the *Order* issued on 16 April 2026, the Commission ruled to admit the *Written Interrogatories* filed by NASECORE on 10 and 13 April 2026 despite an objection of MERALCO, and further resolved that all other *Written Interrogatories* filed thereafter shall no longer be allowed.

Considering that the subject *Supplementary Written Interrogatories* contained in NASECORE's *Supplemental Manifestation* dated 14 April 2026 was filed on even date, beyond the prescribed period to file and serve *Written Interrogatories* on 10 April 2026, the same is likewise disallowed.

**III. NASECORE's Motion (For Comprehensive Audit and Verification with the Assistance of the Commission on Audit) dated 23 April 2026**

On 23 April 2026, NASECORE filed a *Motion (For Comprehensive Audit and Verification with the Assistance of the Commission on Audit)* of even date. In the said motion, NASECORE alleged that the motion was primarily compelled by the *Decision* promulgated on 22 April 2026 in ERC Case No. 2025-025 RC<sup>27</sup> directing MERALCO to refund in the amount exceeding PhP14 Billion to its customers, and accordingly prayed as follows:

WHEREFORE, premises considered, Intervenor respectfully prays that the Honorable Commission:

1. ORDER the conduct of a comprehensive, independent, and transparent audit and verification of Applicant's:
  - a. Regulatory Asset Base (RAB);
  - b. CAPEX and OPEX;
  - c. Funding sources; and
  - d. Affiliate and related-party transactions;
2. REQUEST AND DIRECT the participation of the Commission on Audit (COA) to assist in the examination, audit, and verification of Applicant's books, records, and supporting documents;
3. REQUIRE Applicant to submit all necessary documents, records, and disclosures to facilitate such audit;
4. DIRECT full reconciliation and disclosure of all prior refunds and over-recoveries;
5. DETERMINE the correct and adjusted baseline distribution rate, taking into full account:
  - a. All prior refund orders, including the P19.9 Billion and P14 Billion refunds;
  - b. Any remaining refund balances; and
  - c. Actual sales growth and consumption levels;

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<sup>27</sup> Entitled, "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."

6. DIRECT the recomputation and, if warranted, the reduction of the current average rate of approximately P1.35/kWh, to reflect only:
  - a. Verified, prudent, and allowable costs; and
  - b. Fully reconciled and returned over-recoveries;
7. PROHIBIT any consideration or approval of rate increases unless and until such recomputation and adjustment of the baseline rate has been completed;
8. Grant such other reliefs as are just and equitable under the premises.

The Commission finds no merit in the subject motion of NASECORE.

As stated in the motion, NASECORE's request for comprehensive audit and verification is anchored from a *Decision* issued by the Commission in a different case number under ERC Case No. 2025-025 RC,<sup>28</sup> pertaining to MERALCO's true-up calculation of the AWAT vis-à-vis the approved final distribution rate implemented during the period from 01 July 2022 to 31 December 2024.

As previously discussed in this *Order*, the Commission, in issuing Resolutions No. 23<sup>29</sup> and 24,<sup>30</sup> Series of 2025, emphasized the need to decouple the current regulatory rate-setting under the RRDWR from the previous rules, including the way forward for the treatment of the Lapsed Period of all PDUs, in order to restart the regulatory reset process for all PDUs under the Performance-Based Regulation (PBR). Thus, any matters pertaining outside the instant reset application, particularly those matters subject of other rate cases pending or already resolved by the Commission, should not be raised in the instant case but in the appropriate cases where the same are lodged.

Accordingly, the admission and the grant of the subject motion would result in a collateral attack on the *Decision* of the Commission

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<sup>28</sup> Entitled, "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."

<sup>29</sup> Entitled, "A Resolution Directing All Private Distribution Utilities to File Their Respective AWAT Applications for the Lapsed Period"

<sup>30</sup> Entitled, "A Resolution Adopting the Rationalized Rules for Setting the Distribution Wheeling Rates (RRDWR) for Privately-Owned Distribution Utilities Under Performance-Based Regulation (PBR)."

in ERC Case No. 2025-025 RC,<sup>31</sup> which, therefore, should not be allowed.

For being outside the scope of the instant reset application of MERALCO, NASECORE's *Motion (For Comprehensive Audit and Verification with the Assistance of the Commission on Audit)* dated 23 April 2026 is hereby denied.

**IV. Mr. Junia's *Motion for Reconsideration* dated 22 April 2026**

On 27 March 2026, Mr. Junia filed a *Motion for Production of Documents, Data & Information* dated 26 March 2026 (Motion for Production of Documents)

On 30 March 2026, MERALCO filed a *Comment/Opposition (To Intervenor Romeo L. Junia's Motion for Production of Documents, Data & Information dated 26 March 2026)* of even date.

On 04 April 2026, Mr. Junia filed a *Reply (to MERALCO Comment/Opposition dated 30 March 2026)* of even date (Reply).

On 07 April 2026, the Commission issued an *Order* denying Mr. Junia's *Motion for Production of Documents, Data & Information* dated 26 March 2026.

On 08 April 2026, Mr. Junia filed a *Manifestation* of even date.

On 22 April 2026, Mr. Junia filed the instant *Motion for Reconsideration (Re: Order dated 07 April 2026)* of even date, praying for the reconsideration and reversal of the *Order* issued on 07 April 2026. In the said *Motion for Reconsideration*, Mr. Junia raised the following grounds:

- A. The Honorable Commission erred in claiming that the data request lacks a valid purpose and justification and that there is no good cause for the request, nor is there a showing that the requested data are reasonably relevant to the proceeding.

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<sup>31</sup> Entitled, "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."

- B. The Honorable Commission failed to consider Intervenor’s Reply dated 04 April 2026, which is material to the resolution of the subject motion.
- C. Motions for Discovery, which include a Motion for the Production of Documents and/or inspection thereof, enjoy liberal application of the rules.

On various dates, parties to the instant case filed several documents related to Mr. Junia’s *Motion for Reconsideration* dated 22 April 2026, *to wit*:

|   | Filing Party | Pleading/Motion Filed                                                                                                                                                        | Remarks                                                                                                                                                                                   |
|---|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | MERALCO      | <i>Comment/Opposition (To Intervenor Romeo L. Junia’s Motion for Reconsideration of the Order dated 07 April 2026) dated 28 April 2026</i>                                   | MERALCO prayed for the denial of Mr. Junia’s <i>Motion for Reconsideration</i> for utter lack of merit                                                                                    |
| 2 | NASECORE     | <i>Manifestation (Concurring With and Partially Adopting the Motion for Reconsideration of Intervenor Romeo L. Junia, In Own Capacity as Intervenor) dated 29 April 2026</i> | NASECORE concurred and partially adopted Mr. Junia’s <i>Motion for Reconsideration</i> .                                                                                                  |
| 3 | NASECORE     | <i>Second Manifestation (Targeted Rebuttal to MERALCO’s Comment-Opposition to the Motion for Reconsideration dated 07 April 2026) dated 29 April 2026</i>                    | NASECORE prayed to disregard the procedural objections raised in MERALCO’s <i>Comment/Opposition</i> , and to grant the reliefs sought in Mr. Junia’s <i>Motion for Reconsideration</i> . |

The *Motion for Reconsideration* filed by Mr. Junia lacks merit.

As the movant hereto, it is incumbent upon Mr. Junia to establish that the requested documents are necessary and would aid the Commission in evaluating the instant reset application, or that the documents already submitted by MERALCO are insufficient to support a fair and sound resolution of the instant case.

In the subject motion, Mr. Junia merely reiterated the legal bases for the said request, particularly Section 4.13.1 of the RRDWR, and contended that the breadth of his request – encompassing data and

information of more than a decade starting RY 2012 to 2026 – is a direct consequence of the absence of a completed reset in the previous regulatory years.

However, the Commission finds that the contentions raised in the subject motion are mere rehash of matters raised in his original request for production of documents, and are not sufficient to warrant the reconsideration of the *Order* denying the said request. Mr. Junia did not provide sufficient justification as to the necessity in requiring data and information as far back as the 3RP under the previous rules, and outside those already provided by MERALCO in Schedule G2,<sup>32</sup> Schedule G1.2,<sup>33</sup> and Audited Financial Statements (AFS) for CY 2022, 2023 and 2024 filed in the instant application.

Moreover, Mr. Junia contended that the Commission failed to consider his *Reply* to MERALCO's *Comment/Opposition*, which contains allegations material in the resolution of his *Motion for Production*.

Pursuant to Rule 12, Section 1 of the RRPP,<sup>34</sup> it is required that a motion shall fully state the action requested and the grounds relied upon. As such, the moving party shall completely provide the grounds for its request at the first instance, and not in any subsequent filing. The pertinent portion of the said provision is hereunder quoted, as follows:

#### RULE 12 - MOTIONS

Section 1. *Motions in General*. – All requests for relief other than by a pleading shall be by motion.

All motions must be in writing, except those made on record during a hearing. **A motion shall fully state the action requested or order sought and the grounds relied upon.** If necessary, the motion shall prove the facts alleged therein that are not yet of record and shall be accompanied by supporting affidavits and other papers. xxx (*Emphasis supplied.*)

In the instant case, as stated in Mr. Junia's *Motion for Reconsideration* and upon perusal of his *Reply*, the Supreme Court Decision in the *Freedom from Debt Coalition v. Energy Regulatory*

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<sup>32</sup> Historical Operating and Maintenance Expenditure, covering RYs 2022 to 2026.

<sup>33</sup> Forecast Operating and Maintenance Expenditure, covering Rys 2027 to 2023.

<sup>34</sup> Resolution No. 01, Series of 2021, entitled, "A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission."

*Commission*<sup>35</sup> (FDC case) was only raised during the filing of his *Reply*, and was not stated as one of the grounds in filing his *Motion for Production Documents*.

Notwithstanding the same, the circumstances in FDC case are not applicable in the subject matter at hand, even if considered in the resolution of Mr. Junia's *Motion for Production of Documents*.

As stated in Mr. Junia's *Motion for Reconsideration*, the FDC case pertains to the non-resolution of a pending *Motion for Production of Documents*. Furthermore, Mr. Junia contended that the documents requested in his *Motion for Production of Documents* are of the same nature as those subject of the FDC case, *to wit*:

30. The Reply invoked controlling jurisprudence that it directly on point. In particular, the Reply cited *Freedom from Debt Coalition v. Energy Regulatory Commission*, a case which is materially analogous to the present controversy.
31. In the FDC case, the Supreme Court categorically held that his Honorable Commission committed grave abuse of discretion when it granted a provisional rate increase to MERALCO **without first acting on the motions for production of documents** filed by the oppositors therein and without considering their arguments.

xxx

35. More importantly, **the documents sought by Intervenor are of the same nature as those requested in the FDC Case** inasmuch as they both consist of detailed financial and operational records that are necessary to assess the reasonableness, necessity, and recoverability of the costs claimed by MERALCO. (*Emphasis supplied.*)

In the instant case, Mr. Junia's *Motion for Production of Documents* was duly acted upon by the Commission, denying the same for his failure to provide valid purpose and justification, and for failure to establish good cause for the request, unlike the circumstances in the cited FDC Case. Moreover, the similarity of the nature of the documents requested from earlier cases does not automatically warrant the grant of the request for documents, especially absent any clear showing of relevancy, materiality and significance of the request, whether raised at first instance or under reconsideration.

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<sup>35</sup> G.R. No. 161113.

For the foregoing reasons, Mr. Junia’s *Motion for Reconsideration* dated 22 April 2026 is hereby denied.

**V. Other Submissions**

For records purposes, the Commission received the following documents from the respective parties to the instant case:

|    | Filing Party                                                             | Document Filed                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | Mr. Junia                                                                | <i>Memorandum</i> dated 25 March 2026                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2  | CitizenWatch, Inc. (CitizenWatch)                                        | <i>Manifestation and Compliance</i> dated 15 April 2026                                                                                                                                                                                                                                                                                                                                                                                  |
| 3  | NASECORE                                                                 | <i>Manifestation (Re: Clarification of WACC Components, Treatment of Customer Bill, Deposits, and Mode of Participation)</i> dated 16 April 2026                                                                                                                                                                                                                                                                                         |
| 4  | NASECORE                                                                 | <i>Manifestation (Re: Prior Refund Orders Amounting to Approximately P67 Billion and the Need for Verification Thereof Covering Prior Regulatory Year)</i> dated 17 April 2026                                                                                                                                                                                                                                                           |
| 5  | MERALCO                                                                  | <i>Formal Offer of Evidence</i> dated 17 April 2026                                                                                                                                                                                                                                                                                                                                                                                      |
| 6  | NASECORE                                                                 | <i>Comment/Opposition (Re: MERALCO’s Formal Offer of Evidence dated 17 April 2026)</i> dated 18 April 2026                                                                                                                                                                                                                                                                                                                               |
| 7  | NASECORE                                                                 | <i>Manifestation (Re: Inability to Attend Virtual Hearings and Clarification of Basis Thereof)</i> dated 21 April 2026                                                                                                                                                                                                                                                                                                                   |
| 8  | Atty. Manuel                                                             | <i>Manifestation (in lieu of the Comment to MERALCO’s Offer of Exhibits)</i> dated 21 April 2026                                                                                                                                                                                                                                                                                                                                         |
| 9  | Mr. Junia                                                                | <i>Comment (on MERALCO FOE)</i> dated 22 April 2026                                                                                                                                                                                                                                                                                                                                                                                      |
| 10 | Mr. Alfredo J. Non (Mr. Non) and Atty. Lester Nazarene Ople (Atty. Ople) | <i>Manifestation in lieu of Comments on the Applicant’s FOE</i> dated 22 April 2026                                                                                                                                                                                                                                                                                                                                                      |
| 11 | Atty. Brotarlo                                                           | <i>Manifestation with Motion</i> dated 22 April 2026                                                                                                                                                                                                                                                                                                                                                                                     |
| 12 | NASECORE                                                                 | <i>Comment (Re: ERC Order dated 22 April 2026 on Refund of Over-Recoveries and Issues of Completeness, Verification, and Consumer Restitution)</i> dated 23 April 2026                                                                                                                                                                                                                                                                   |
| 13 | MERALCO                                                                  | <i>Reply with Omnibus Counter Manifestation (To NASECORE’s (i) Comment/Opposition dated 18 April 2026; (ii) Manifestation (Re: Procedural Sequence and the Need for Prior Resolution of Threshold Issues) dated 17 April 2026; and (iii) Manifestation (Re: Prior Refund Order Amounting to Approximately P67 Billion and the Need for Verification Thereof Covering Prior Regulatory Year) dated 17 April 2026)</i> dated 23 April 2026 |

|    |          |                                                                                                                                                                                    |
|----|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 | NASECORE | Counter-Manifestation (To MERALCO's Reply with Omnibus Counter-Manifestation dated 23 April 2026) dated 24 April 2026                                                              |
| 15 | NASECORE | Manifestation (Re: Non-Presentation of Witnesses, Non-Submission of Judicial Affidavit, and Non-Attendance in Scheduled Intervenor's Presentation of Evidence) dated 26 April 2026 |
| 16 | NASECORE | Manifestation (Re: Clarification of Hearing Dates and Correction of Prior Manifestation) dated 27 April 2026                                                                       |
| 17 | NASECORE | Manifestation (Partial Adoption of the Judicial Affidavit of Intervenor Alfredo J. Non) dated 28 April 2026                                                                        |

**WHEREFORE**, the foregoing premises considered, the following are hereby **RESOLVED**, as follows:

1. Consolidated Motion dated 04 March 2026 filed by National Association of Electricity Consumer for Reforms, Inc. (NASECORE) on 05 March 2026 is **DENIED**;
2. Written Interrogatories dated 05 March 2026 filed by NASECORE on even date is **DISALLOWED**;
3. Supplementary Written Interrogatories contained in the Supplemental Manifestation dated 14 April 2026 filed by NASECORE on 15 April 2026 is **DISALLOWED**;
4. Motion (For Comprehensive Audit and Verification with the Assistance of the Commission on Audit) dated 23 April 2026 filed by NASECORE on even date is **DENIED**; and
5. Motion for Reconsideration dated 22 April 2026 filed by Mr. Romeo L. Junia on even date is **DENIED**.

*(This space is intentionally left blank.)*

All other pending incidents in relation to the above documents are likewise resolved accordingly, pursuant to the above ruling of the Commission.

**SO ORDERED.**

Pasig City.

FOR AND BY AUTHORITY  
OF THE COMMISSION:



**FRANCIS SATURNINO C. JUAN**  
*Chairperson and CEO*

  
LS: VMA/MVM/MCCG

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**Copy Furnished:**

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