



LEYTE V ELECTRIC COOPERATIVE, INC.

Brgy. San Pablo, Ormoc City, Leyte
Telephone Nos.: PLDT: (053) 839-3920 to 3921 / Globe: (053) 561-4466
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Website: www.leyeco-v.com.ph eMail Address: info@leyeco-v.com.ph



Reference No. 2023-06-285

1 June 2023

HON. LEONARDO MORALES JAVIER, JR.
Vice Governor
Presiding Officer
Sangguniang Panlalawigan
Province of Leyte
Tacloban City, Leyte

Subject : ERC Case No. 2023-038 RC, the LEYTE V ELECTRIC COOPERATIVE, INC. (LEYECO V) Application for Approval of Adjustment in Rates Based on the Tariff Glide Path on the 4th to 6th Regulatory Years of the First Regulatory Period for the First Entrant Group Under the Tariff Glide Path Rules

Dear Honorable Vice Governor Javier:

Greetings from LEYECO V!

In compliance with the directives of the Energy Regulatory Commission (ERC) in connection with the above application, we are furnishing this Honorable Office the following:

1. ERC Order dated May 16, 2023
2. ERC Notice of Virtual Hearing dated May 16, 2023

Likewise, in compliance with the directives of the ERC, may we request that said Order and Notice be posted at the Bulletin Board of the Sangguniang Panlalawigan and thereafter, a **Certification** (Please see attached suggested format) bearing the **Dry Seal** of your Office be issued as proof of posting.

Thank you very much.

Very truly yours,


ATTY. JANNIE ANN J. DAYANDAYAN, CPA
General Manager


JRBN / MMS

Executive Secretary: 206 InfoTech & Comm. Services: 216-218, 509
Institutional Services Dept.: 401 Public Relations: 214 Clinic: 209
Membership Division Chief: 403 Membership: 404 Housewiring: 407
Customer Welfare Desk: 200-205 Motorpool: 406 ODM: 409
Human Resources: 402, 210 GSD Chief: 408 Warehouse: 405
Corporate Planning & Energy Trading Dept.: 219, 221, 223

Technical Services Dept.: 801,802 Engineering: 803
Line Construction: 804
Internal Audit Dept.: 701 Auditors: 702
Finance Services Dept.: 501 Cashiering: 502
Collection: 503-504 Accounting: 505 Consumer Accts: 506
Meter Reading & Billing: 507, 508 & 510



Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City 6500

OFFICE OF THE PROVINCIAL VICE-GOVERNOR

CERTIFICATION OF POSTING

This is to certify that the Order and Notice of Virtual Hearing both dated May 16, 2023, issued by the Energy Regulatory Commission (ERC) in connection with ERC Case No. 2023-038 RC, the LEYTE V ELECTRIC COOPERATIVE, INC. (LEYECO V) Application for Approval of Adjustment in Rates Based on the Tariff Glide Path on the 4th to 6th Regulatory Years of the First Regulatory Period for the First Entrant Group Under the Tariff Glide Path Rules, were posted at the Bulletin Board of the Sangguniang Panlalawigan on June __, 2023 in compliance with the directives of the ERC.

Issued in _____, this _____ day of June 2023

**Presiding Officer/
Authorized Representative**

**Dry Seal of the
Sangguniang Panlalawigan**
(Not valid without Dry Seal)



NOTICE

Sirs/Mesdames:

Please take notice that on **16 May 2023**, the Commission issued an **Order** and a **Notice of Virtual Hearing** in the following case, the original documents were received by this Office on 26 May 2023:

ERC CASE NO. 2023-038 RC, IN THE MATTER OF THE APPLICATION FOR APPROVAL OF ADJUSTMENTS IN RATES BASED ON THE TARIFF GLIDE PATH ON THE 4TH TO 6TH REGULATORY YEARS OF THE FIRST REGULATORY PERIOD FOR THE FIRST ENTRANT GROUP UNDER THE TARIFF GLIDE PATH RULES – LEYTE V ELECTRIC COOPERATIVE INC. (LEYECO V), Applicant.

Attached are electronic copies.

Please be reminded of the Commission's existing rules on electronic service of orders and decisions provided under **Rule VI of Resolution No. 9, Series of 2020¹**, which became effective on 17 November 2020.

Thank you.

Very truly yours,

MARIA LUCILA M. GIRON
Administrative Officer V
OGCS-Central Records Division

/jdc

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

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR APPROVAL
OF ADJUSTMENTS IN RATES
BASED ON THE TARIFF GLIDE
PATH ON THE 4TH TO 6TH
REGULATORY YEARS OF THE
FIRST REGULATORY PERIOD
FOR THE FIRST ENTRANT
GROUP UNDER THE TARIFF
GLIDE PATH RULES**

ERC CASE NO. 2023-038 RC

**LEYTE V ELECTRIC
COOPERATIVE, INC. (LEYECO
V),**

Applicant.

X-----X

Promulgated:

May 16, 2023

NOTICE OF VIRTUAL HEARING

TO ALL INTERESTED PARTIES

Notice is hereby given that on 04 May 2023, Leyte V Electric Cooperative, Inc. (LEYECO V) filed an *Application* dated 06 February 2023, seeking the Commission's approval of LEYECO V's calculations of adjustments in its Distribution, Supply, and Metering (DSM) rates based on the tariff glide path on the fourth to sixth regulatory years of the First Regulatory Period for electric cooperatives belonging to the First Entrant Group under the Tariff Glide Path Rules (TGP Rules).

The pertinent portions of the said *Application* are hereunder quoted as follows:

1. That Applicant LEYECO V is a non-stock, non-profit electric cooperative duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal offices at Brgy. San Pablo, Ormoc City;
2. It holds an exclusive franchise issued by the National

ERC CASE NO. 2023-038 RC
NOTICE VIRTUAL HEARING / 16 MAY 2023
PAGE 2 OF 8

Electrification Commission to operate an electric light and power distribution service in in Ormoc City and the municipalities of Albuera, Kananga, Matag-ob, Villaba, Tabango, San Isidro, Calubian, Leyte, Palompon, Isabel, and Merida, all in the Province of Leyte;

3. The instant Application is being filed for the approval of LEYECO V's proposed adjustment in its Distribution, Supply, and Metering (DSM) Rates based on the tariff glide path on the fourth to sixth regulatory years of the First Regulatory Period for electric cooperatives belonging to the First Entrant Group under the Tariff Glide Path Rules (TGP Rules);
4. Sometime in year 2013, LEYECO V filed with the Honorable Commission an application for approval of the proposed adjustment in its DSM Rates pursuant to the TGP Rules, docketed as ERC Case No. 2013-093 RC;
5. In the said application, LEYECO V prayed for the approval of either of the following alternative proposed DSM rates, to be implemented starting January 2014, to wit:

A. WITH PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW			222.98
Distribution System Charge	PhP/kWh	0.5869	0.7709	
Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.		43.56	43.56
Supply System Charge	PhP/kWh	0.6091		
Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	5.08	36.48	36.48
Metering System Charge	PhP/kWh	0.4391		

B) EXCLUDING PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW			219.68
Distribution System Charge	PhP/kWh	0.5782	0.7595	
Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.		42.92	42.92
Supply System Charge	PhP/kWh	0.6001		
Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	5.0000	35.94	35.94
Metering System Charge	PhP/kWh	0.4326		

6. The foregoing application was LEYECO V's initial application

for DSM rate adjustment pursuant to the TGP Rules, under which electric cooperatives are given an opportunity to adjust their rates once every three (3) years, which may occur at the start of the fourth year of the First Regulatory Period and every three years thereafter;

7. LEYECO V belongs to the First Entrant Group under the TGP Rules, whose first regulatory period is from January 1, 2011 to December 31, 2016. It filed its initial application for DSM rate adjustment in 2013, the third regulatory year its group's First Regulatory Period. It is filing the instant application for the proposed adjustment of its DSM rates based on the tariff glide path on the fourth to sixth regulatory years of the First Regulatory Period for electric cooperatives belonging to the First Entrant Group;
8. The first TGP application under ERC Case No. 2013-093 RC is still pending with the Honorable Commission, but LEYECO V adopted and utilized the proposed DSM rates in the said application as the bases for computing the proposed rate adjustment in the instant Application;
9. Under the TGP Rules, the concerned electric cooperative shall use the following formula in determining the TGP for the fourth to sixth years of the Regulatory Period, to wit:

$$TGP_B = TGP_n + TGP_{n+1} TGP_{n+2}$$

Where

$$TGP_n = I_n - X_n + S_n$$

n= the fourth year of the Regulatory Period and succeeding Regulatory Periods

The TGP calculated for each of the three years will be summed to determine the possible rate adjustment starting on the First Year of the next Regulatory Period;

10. Applying the methodology embodied in the TGP Rules, LEYECO V calculated the values of the "I", "X" and "S" and came up with the following results, to wit:

	"I" (B)	"X" (B)	"S" (B)	TGP B	TGP B (Excluding S)
YEAR 2014	11.26%	0.00%	0.70%	11.96%	11.26%
YEAR 2015	21.77%	0.00%	0.50%	22.27%	21.77%
YEAR 2016	0.00%	11.70%	1.30%	-10.40%	-11.70%
TOTAL				23.83%	21.33%

11. Utilizing the above values will result in adjustments in LEYECO V's DSM Rates starting in the first year of the Second Regulatory period for electric cooperatives belonging to the First Entrant Group, as follows:

ERC CASE NO. 2023-038 RC
NOTICE VIRTUAL HEARING / 16 MAY 2023
PAGE 4 OF 8

A. WITH PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW	-	-	276.10
Distribution System Charge	PhP/kWh	0.7267	0.9546	-
Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.	-	53.94	53.94
Supply System Charge	PhP/kWh	0.7542	-	-
Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	6.28	45.17	45.17
Metering System Charge	PhP/kWh	0.5437	-	-

B) EXCLUDING PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW	-	-	266.53
Distribution System Charge	PhP/kWh	0.7015	0.9215	-
Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.	-	52.07	52.07
Supply System Charge	PhP/kWh	0.7281	-	-
Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	6.07	43.61	43.61
Metering System Charge	PhP/kWh	0.5249	-	-

12. Consequently, LEYECO V respectfully prays that it be allowed to implement either of the above-calculated DSM rates, to take effect starting on the first year of the Second Regulatory Period for electric cooperatives belonging to the First Entrant Group under the TGP Rules;
13. In support of foregoing calculations, LEYECO V is submitting herewith the following documents, which are being made integral parts hereof, to wit:

ANNEX MARKINGS	DESCRIPTION OF DOCUMENTS
A	TGP Calculations for Index "I", Efficiency Factor "X" and Performance Incentive "S"
B	MFSR Sections B and E (2012-2015)
C	Billing Determinants (2012-2015) (kWh Sales, Number of Customers, and kW Demand)
D	Sample Bills per Customer Class (2012-2015)
E	Regional Consumer Price Index (2012-2015)
F	RFSC Utilization (2013-2015)
G	Consumer Complaints Summary/Tracking Form (2013-2015)
H	Audited Financial Statements (2013-2015)

ERC CASE NO. 2023-038 RC
NOTICE VIRTUAL HEARING / 16 MAY 2023
PAGE 5 OF 8

14. Finally, in compliance with the pre-filing requirements under the ERC Rules of Practice and Procedure, LEYECO V is submitting herewith the following documents, which are being made integral parts hereof, to wit.

ANNEX MARKINGS	NATURE OF DOCUMENT
I to I-1	Proof of furnishing copies of the Application to the Offices of the Mayor and Sangguniang Panlungsod of Ormoc City
J series	Proof of publication of the Application in a newspaper of general circulation in LEYECO V's franchise area or where it principally operates

PRAYER

WHEREFORE, premises considered, the Leyte V Electric Cooperative, Inc. (LEYECO V) respectfully prays of this Honorable Commission that, after due notice and hearing, it be allowed to implement either of the following proposed new rates for its Distribution, Supply and Metering (DSM) Charges, starting on the first year of the Second Regulatory Period for Electric Cooperatives belonging to the First Entrant Group under the Tariff Glide Path Rules, to wit:

A. WITH PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW	-	-	276.10
Distribution System Charge	PhP/kWh	0.7267	0.9546	-
Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.	-	53.94	53.94
Supply System Charge	PhP/kWh	0.7542	-	-
Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	6.28	45.17	45.17
Metering System Charge	PhP/kWh	0.5437	-	-

B) EXCLUDING PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW	-	-	266.53
Distribution System Charge	PhP/kWh	0.7015	0.9215	-
Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.	-	52.07	52.07
Supply System Charge	PhP/kWh	0.7281	-	-

ERC CASE NO. 2023-038 RC
NOTICE VIRTUAL HEARING / 16 MAY 2023
PAGE 6 OF 8

Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	6.07	43.61	43.61
Metering System Charge	PhP/kWh	0.5249	-	-

LEYECO V prays for such other relief just and equitable under the premises.

The Commission hereby sets the instant *Application* for 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
30 June 2023 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Determination of compliance with jurisdictional requirements, and Expository Presentation
07 July 2023 (Friday) at two o'clock in the afternoon (2:00 P.M.)		Pre-Trial Conference and Presentation of Evidence

LEYECO V was directed to host the virtual hearings at **LEYECO V's principal office located at Barangay San Pablo Ormoc City, Leyte** as the designated venue for the conduct thereof, and ensure that the same is open to the public and the community quarantine guidelines are observed at all times. LEYECO V shall also guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

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

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.

the same and propound questions during the course of the expository presentation.

Moreover, any person who has an interest in the subject matter of the instant case may become a party by filing with the Commission via e-mail at docket@erc.ph, and copy furnishing the Legal Service through legal@erc.ph, a verified Petition to Intervene **at least five (5) calendar days** prior to the date of the initial virtual hearing. The verified Petition to Intervene must follow the requirements under Rule 9 of the ERC Revised Rules of Practice and Procedure, indicate therein the docket number and title of the case and stating the following:

- 1) The petitioner's name, mailing address, and e-mail address;
- 2) The nature of petitioner's interest in the subject matter of the proceeding and the way and manner in which such interest is affected by the issues involved in the proceeding; and
- 3) A statement of the relief desired.

Likewise, all other persons who may want their views known to the Commission with respect to the subject matter of the case may file through e-mail at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, their Opposition or Comment **at least five (5) calendar days** prior to the initial virtual hearing. Rule 9 of the ERC Revised Rules of Practice and Procedure shall govern. No particular form of Opposition or Comment is required, but the document, letter, or writing should contain the following:

- 1) The name, mailing address, and e-mail address of such person;
- 2) A concise statement of the Opposition or Comment; and
- 3) The grounds relied upon.


All interested parties filing their Petition to Intervene, Opposition or Comment are required to submit the hard copies thereof through personal service, registered mail or ordinary mail/private courier, **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.

ERC CASE NO. 2023-038 RC
NOTICE VIRTUAL HEARING / 16 MAY 2023
PAGE 8 OF 8

Any of the persons mentioned in the preceding paragraphs may access the copy of the *Application* on the Commission's official website at www.erc.gov.ph.

Finally, all interested persons may be allowed to join the scheduled initial virtual hearings by providing the Commission, thru legal.virtualhearings@erc.ph, their respective e-mail addresses and indicating therein the case number of the instant *Application*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearings.

WITNESS, the Honorable Commissioners **ALEXIS M. LUMBATAN**, **CATHERINE P. MACEDA**, **FLORESINDA G. BALDO-DIGAL**, and **MARKO ROMEO L. FUENTES**, Energy Regulatory Commission, this 16th day of May 2023 in Pasig City.


MONALISA C. DIMALANTA
Chairperson and CEO


LS: JPM/ JGGW/MCCG

ERC
Office of the Chairperson and CEO



MCD2023-003304

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR APPROVAL
OF ADJUSTMENTS IN RATES
BASED ON THE TARIFF GLIDE
PATH ON THE 4TH TO 6TH
REGULATORY YEARS OF THE
FIRST REGULATORY PERIOD
FOR THE FIRST ENTRANT
GROUP UNDER THE TARIFF
GLIDE PATH RULES**

ERC CASE NO. 2023-038 RC

**LEYTE V ELECTRIC
COOPERATIVE INC. (LEYECO
V),**

Applicant.

x-----x

Promulgated:

May 16, 2023

ORDER

On 04 May 2023, Leyte V Electric Cooperative, Inc. (LEYECO V) filed an *Application* dated 06 February 2023, seeking the Commission's approval of LEYECO V's calculations of adjustments in its Distribution, Supply, and Metering (DSM) rates based on the tariff glide path on the fourth to sixth regulatory years of the First Regulatory Period for electric cooperatives belonging to the First Entrant Group under the Tariff Glide Path Rules (TGP Rules).

The pertinent portions of the said *Application* are hereunder quoted as follows:

1. That Applicant LEYECO V is a non-stock, non-profit electric cooperative duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal offices at Brgy. San Pablo, Ormoc City;

2. It holds an exclusive franchise issued by the National Electrification Commission to operate an electric light and power distribution service in in Ormoc City and the municipalities of Albuera, Kananga, Matag-ob, Villaba, Tabango, San Isidro, Calubian, Leyte, Palompon, Isabel, and Merida, all in the Province of Leyte;
3. The instant Application is being filed for the approval of LEYECO V's proposed adjustment in its Distribution, Supply, and Metering (DSM) Rates based on the tariff glide path on the fourth to sixth regulatory years of the First Regulatory Period for electric cooperatives belonging to the First Entrant Group under the Tariff Glide Path Rules (TGP Rules);
4. Sometime in year 2013, LEYECO V filed with the Honorable Commission an application for approval of the proposed adjustment in its DSM Rates pursuant to the TGP Rules, docketed as ERC Case No. 2013-093 RC;
5. In the said application, LEYECO V prayed for the approval of either of the following alternative proposed DSM rates, to be implemented starting January 2014, to wit:

A. WITH PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW			222.98
Distribution System Charge	PhP/kWh	0.5869	0.7709	
Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.		43.56	43.56
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	UNITS	CUSTOMER TYPE		
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Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	5.0000	35.94	35.94
Metering System Charge	PhP/kWh	0.4326		

6. The foregoing application was LEYECO V's initial application for DSM rate adjustment pursuant to the TGP Rules, under which electric cooperatives are given an opportunity to adjust their rates once every three (3) years, which may occur at the start of the fourth year of the First Regulatory Period and every three years thereafter;
7. LEYECO V belongs to the First Entrant Group under the TGP Rules, whose first regulatory period is from January 1, 2011 to December 31, 2016. It filed its initial application for DSM rate adjustment in 2013, the third regulatory year its group's First Regulatory Period. It is filing the instant application for the proposed adjustment of its DSM rates based on the tariff glide path on the fourth to sixth regulatory years of the First Regulatory Period for electric cooperatives belonging to the First Entrant Group;
8. The first TGP application under ERC Case No. 2013-093 RC is still pending with the Honorable Commission, but LEYECO V adopted and utilized the proposed DSM rates in the said application as the bases for computing the proposed rate adjustment in the instant Application;
9. Under the TGP Rules, the concerned electric cooperative shall use the following formula in determining the TGP for the fourth to sixth years of the Regulatory Period, to wit:

$$TGP_B = TGP_n + TGP_{n+1} TGP_{n+2}$$

Where

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n= the fourth year of the Regulatory Period and succeeding Regulatory Periods

The TGP calculated for each of the three years will be summed to determine the possible rate adjustment starting on the First Year of the next Regulatory Period;

10. Applying the methodology embodied in the TGP Rules, LEYECO V calculated the values of the "I", "X" and "S" and came up with the following results, to wit:

	"I" (B)	"X" (B)	"S" (B)	TGP B	TGP B (Excluding S)
YEAR 2014	11.26%	0.00%	0.70%	11.96%	11.26%
YEAR 2015	21.77%	0.00%	0.50%	22.27%	21.77%
YEAR 2016	0.00%	11.70%	1.30%	-10.40%	-11.70%
TOTAL				23.83%	21.33%

11. Utilizing the above values will result in adjustments in LEYECO V's DSM Rates starting in the first year of the Second Regulatory period for electric cooperatives belonging to the First Entrant Group, as follows:

A. WITH PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
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Distribution Charges:				
Demand Charge	PhP/kW	-	-	276.10
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Supply Charges:				
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Supply System Charge	PhP/kWh	0.7542	-	-
Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	6.28	45.17	45.17
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B) EXCLUDING PERFORMANCE INCENTIVE "S"

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12. Consequently, LEYECO V respectfully prays that it be allowed to implement either of the above-calculated DSM rates, to take effect starting on the first year of the Second Regulatory Period for electric cooperatives belonging to the First Entrant Group under the TGP Rules;
13. In support of foregoing calculations, LEYECO V is submitting herewith the following documents, which are being made integral parts hereof, to wit:

ANNEX MARKINGS	DESCRIPTION OF DOCUMENTS
A	TGP Calculations for Index "I", Efficiency Factor "X" and Performance Incentive "S"
B	MFSR Sections B and E (2012-2015)
C	Billing Determinants (2012-2015) (kWh Sales, Number of Customers, and kW Demand)
D	Sample Bills per Customer Class (2012-2015)
E	Regional Consumer Price Index (2012-2015)

ERC CASE NO. 2023-038 RC
ORDER / 16 MAY 2023
PAGE 5 OF 12

F	RFSC Utilization (2013-2015)
G	Consumer Complaints Summary/Tracking Form (2013-2015)
H	Audited Financial Statements (2013-2015)

14. Finally, in compliance with the pre-filing requirements under the ERC Rules of Practice and Procedure, LEYECO V is submitting herewith the following documents, which are being made integral parts hereof, to wit:

ANNEX MARKINGS	NATURE OF DOCUMENT
I to I-1	Proof of furnishing copies of the Application to the Offices of the Mayor and Sangguniang Panlungsod of Ormoc City
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PRAYER

WHEREFORE, premises considered, the Leyte V Electric Cooperative, Inc. (LEYECO V) respectfully prays of this Honorable Commission that, after due notice and hearing, it be allowed to implement either of the following proposed new rates for its Distribution, Supply and Metering (DSM) Charges, starting on the first year of the Second Regulatory Period for Electric Cooperatives belonging to the First Entrant Group under the Tariff Glide Path Rules, to wit:

A. WITH PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
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Retail Customer Charge	PhP/Meter/Mo.	6.28	45.17	45.17
Metering System Charge	PhP/kWh	0.5437	-	-

B) EXCLUDING PERFORMANCE INCENTIVE "S"

	UNITS	CUSTOMER TYPE		
		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
Demand Charge	PhP/kW	-	-	266.53
Distribution System Charge	PhP/kWh	0.7015	0.9215	-

ERC CASE NO. 2023-038 RC
ORDER / 16 MAY 2023
PAGE 6 OF 12

Supply Charges:				
Retail Customer Charge	PhP/Customer/Mo.	-	52.07	52.07
Supply System Charge	PhP/kWh	0.7281	-	-
Metering Charges:				
Retail Customer Charge	PhP/Meter/Mo.	6.07	43.61	43.61
Metering System Charge	PhP/kWh	0.5249	-	-

LEYECO V prays for such other relief just and equitable under the premises.

Finding the said *Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for determination of compliance with the jurisdictional requirements, expository presentation, Pre-Trial Conference, and presentation of evidence on the following dates, and online 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
30 June 2023 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Determination of compliance with jurisdictional requirements, and Expository Presentation
7 July 2023 (Friday) at two o'clock in the afternoon (2:00 P.M.)		Pre-Trial Conference and Presentation of Evidence

Accordingly, LEYECO V is hereby directed to host the virtual hearings at **LEYECO V's principal office located at Barangay San Pablo, Ormoc City**, as the designated venue for the conduct thereof, and ensure that the same is open to the public and the community quarantine guidelines are observed at all times. Moreover, LEYECO V shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

RELATIVE THERETO, LEYECO V is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing* in two (2) newspapers of nationwide circulation

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.

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 Governor, the Mayors, the Local Government Unit (LGU) legislative bodies, within LEYECO V's franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within LEYECO V's franchise area, by any other means available and appropriate, of the filing of the *Application*, its reasons therefor, and of the scheduled virtual hearings thereon;
- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire, to send their duly authorized representatives and attend the scheduled hearings; and
- 5) Furnish with copies of the *Application* and its attachments, 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 virtual hearings, LEYECO V must submit to the Commission via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of its written compliance with the aforementioned jurisdictional requirements attaching the following methodically arranged and duly marked documents:

- 1) The evidence of publication of the attached *Notice of Virtual Hearing* consisting of affidavits of the Editors or Business Managers of the newspapers where the said *Notice of Virtual Hearing* was published, and the complete issues of the said newspapers;

- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing* consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayors, and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by LEYECO V to inform the consumers within its franchise area of the filing of the *Application*, its reasons therefor, and of the scheduled hearings thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing* by the OSG, the COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Application* and its attachments, except those subject of a motion for confidential treatment of information, by all those making requests therefor, if any; and
- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, LEYECO V is hereby required to post on its bulletin boards, the scanned copies of the foregoing jurisdictional requirements, together with the newspaper publication and certifications issued by the concerned Office of the Provincial Governor, Mayors, and Local Legislative Bodies, and to submit proof of posting thereof.

Applicant LEYECO V and all interested parties are also required to submit via e-mail at doCKET@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** before the date of the scheduled virtual hearing and Pre-Trial Conference, their respective Pre-Trial Briefs containing, among others:

- 1) A summary of admitted facts and proposed stipulation of facts;
- 2) The issues to be tried or resolved;

- 3) The documents or exhibits to be presented, stating the purposes and proposed markings therefor; 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 LEYECO V 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 LEYECO V to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearing, and the resetting of which shall be six (6) months from the said date of cancellation.

Applicant LEYECO V must also be prepared to make an expository presentation of the instant *Application*, aided by whatever communication medium that they 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 LEYECO V is hereby directed to file a copy of its Expository Presentation via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. LEYECO V 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 LEYECO V is further directed to submit, through personal service, registered mail or ordinary mail/private courier, one (1) set of the original or certified true hard copies of its Jurisdictional Compliance, Expository Presentation, Pre-trial Brief, and Judicial Affidavits of witnesses, **within five (5) working days** from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission.


Finally, LEYECO V, including its authorized representatives and witnesses, are hereby directed to provide the Commission, through

legal.virtualhearings@erc.ph, their respective e-mail addresses upon receipt of this *Order*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearing.

SO ORDERED.

Pasig City, 16 May 2023.

FOR AND BY AUTHORITY
OF THE COMMISSION:


MONALISA C. DIMALANTA
Chairperson and CEO


LS: JPM/ JGGW/MCCG



Copy Furnished:

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2. **Leyte V Electric Cooperative, Inc. (LEYECO V)**
Applicant
Barangay San Pablo,
Ormoc City
3. **Office of the Governor**
Province of Leyte
4. **Office of the LGU Legislative Body**
Province of Leyte
5. **Office of the Mayor**
Ormoc City, Leyte
6. **Office of the LGU Legislative Body**
Ormoc City, Leyte
7. **Office of the Mayor**
Albuera, Leyte
8. **Office of the LGU Legislative Body**
Albuera, Leyte
9. **Office of the Mayor**
Kananga, Leyte
10. **Office of the LGU Legislative Body**
Kananga, Leyte
11. **Office of the Mayor**
Matag-ob, Leyte
12. **Office of the LGU Legislative Body**
Matag-ob, Leyte
13. **Office of the Mayor**
Villaba, Leyte
14. **Office of the LGU Legislative Body**
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15. **Office of the Mayor**
Tabango, Leyte
16. **Office of the LGU Legislative Body**
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17. **Office of the Mayor**
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18. **Office of the LGU Legislative Body**
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19. **Office of the Mayor**
Calubian, Leyte
20. **Office of the LGU Legislative Body**
Calubian, Leyte

- 21. Office of the Mayor**
Leyte, Leyte
- 22. Office of the LGU Legislative Body**
Leyte, Leyte
- 23. Office of the Mayor**
Palompon, Leyte
- 24. Office of the LGU Legislative Body**
Palompon, Leyte
- 25. Office of the Mayor**
Isabel, Leyte
- 26. Office of the LGU Legislative Body**
Isabel, Leyte
- 27. Office of the Mayor**
Merida, Leyte
- 28. Office of the LGU Legislative Body**
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- 29. Office of the Solicitor General**
134 Amorsolo Street, Legaspi Village, Makati City
Email: docket@osg.gov.ph
- 30. Commission on Audit**
Commonwealth Avenue, Quezon City 1121
Email: citizensdesk@coa.gov.ph
- 31. Senate Committee on Energy**
GSIS Building, Roxas Boulevard, Pasay City 1307
Email: senateenergycommittee@gmail.com
- 32. House of Representatives Committee on Energy**
Batasan Hills, Quezon City 1126
Email: committee.energy@house.gov.ph
- 33. Regulatory Operations Service**
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