



**LEYTE IV ELECTRIC COOPERATIVE, INC.**

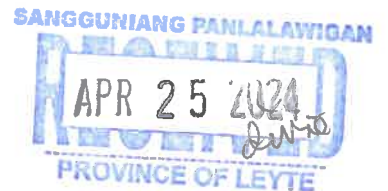
Hilongos, Leyte  
Fax No. (053)567-9661  
Tel. No. (053)567-9348~49, (053) 567-8008

Item No.: 07

Date: 01 2024 MAY

April 24, 2024

**HON. LEONARDO M. JAVIER, JR.**  
Provincial Vice Governor  
Sangguniang Panlalawigan of Leyte



**Subject:** Application for Approval of the Emergency Power Supply Agreement Between Leyte IV Electric Cooperative, Inc. (LEYECO IV) and GNPower Dinginin Ltd. Co. (GNPD), with Prayer for Confidential Treatment of Information under ERC Case No. 2024-046 RC

Sir:

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 April 5, 2024
2. Notice of Virtual Hearing dated April 5, 2024

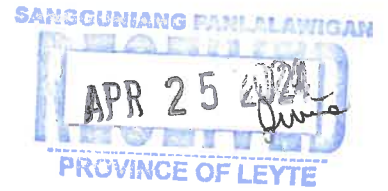
Likewise, in compliance with the directives of the ERC, may we request that said Order and Notice of Virtual Hearing be posted at the Bulletin Board of the Sanggunian and thereafter, a **Certification** (Please see attached suggested format) bearing the **Dry Seal** of your Office be issued as proof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

Thank you very much.

Very truly yours,

  
**BRENDA FLORES-AMPOLITOD**  
General Manager

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



**IN THE MATTER OF THE  
APPLICATION FOR  
APPROVAL OF THE  
EMERGENCY POWER  
SUPPLY AGREEMENT  
BETWEEN LEYTE IV  
ELECTRIC COOPERATIVE,  
INC. AND GNPOWER  
DINGININ LTD. CO., WITH  
PRAYER FOR CONFIDENTIAL  
TREATMENT OF  
INFORMATION**

**ERC CASE NO. 2024-046 RC**

**LEYTE IV ELECTRIC  
COOPERATIVE, INC. AND  
GNPOWER DINGININ LTD.  
CO.,**

*Applicants.*

X-----X

**Promulgated:**  
April 05, 2024

**ORDER**

On 25 March 2024, the Leyte IV Electric Cooperative, Inc. (LEYECO IV) and GNPower Dinginin Ltd. Co. (GNPD) filed their *Joint Application* dated 22 February 2024, seeking the Commission's approval of their Emergency Power Supply Agreement (EPSA), with prayer for confidential treatment of information.

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

The Parties

1. LEYECO IV is a non-stock and non-profit electric cooperative duly organized and existing under and by virtue of the laws of the Philippines, with principal office in the Municipality of Hilongos, Province of Leyte. LEYECO IV operates an electric light and power distribution service, for which it was issued an exclusive franchise by the National Electrification Commission, in Baybay City and the municipalities of

Inopacan, Matalom, Hindang, Bato, and Hilongos, all in the Province of Leyte.

2. GNPD is a limited partnership duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal office address at GNPower Energy Complex, Sitio Dinginin, Barangay Alasasin, Municipality of Mariveles, Province of Bataan. GNPD owns and operates a 1,336-megawatt (“MW”) coal-fired power plant (the “Plant”) which it uses to supply power to its customers.
3. The Applicants may be served with notices, orders, and processes of the Honorable Commission through their respective counsels at the addresses indicated below.

Statement of Facts

4. On May 3, 2019, the Supreme Court promulgated its decision in *Alyansa Para Sa Bagong Pilipinas, Inc. v. Energy Regulatory Commission (“Alyansa Ruling”)*,<sup>1</sup> which declared that power supply agreements (“PSAs”) submitted to the Honorable Commission on or after June 30, 2015 were required to undergo the competitive selection process (“CSP”) prescribed by the Honorable Commission’s issuances.
5. On August 10, 2023, this Honorable Commission issued an Advisory (the “August 10 Advisory”) informing all Distribution Utilities (“DUs”) with PSAs affected by the Alyansa Ruling “that the Commission has approved a Transition Period to allow the DUs the opportunity to source their power supply requirements through an Emergency Power Supply Agreement (EPSA). The Transition Period will be counted from the day after the DU receives the ERC’s Order or Decision implementing the Alyansa Ruling and until the date the DU executes an EPSA or thirty (30) days, whichever is earlier.”
6. One of the PSAs affected by the Alyansa Ruling was the Applicants’ Power Purchase and Sale Agreement (the “PPSA”). At the time the Alyansa Ruling was issued, the application for approval of the PPSA was docketed as ERC Case No. 2016-055 RC and pending with this Honorable Commission (the “PPSA Application”).
7. On August 15, 2023, LEYECO IV received this Honorable Commission’s Order dated April 19, 2023 (the “Dismissal Order”), which: (a) dismissed with prejudice the PPSA Application, (b) terminated the provisional authority for the implementation of the PPSA, and (c) directed the Applicants to stop implementing their PPSA immediately upon receipt of the order. In compliance with the Dismissal Order, the Applicants stopped implementing their PPSA on September 15, 2023, which resulted in a supply deficit.

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<sup>1</sup> G.R. No. 227670, May 3, 2019.

8. Because of the deficit caused by the cessation of supply, LEYECO IV needed to source enough capacity to meet the demands of its captive market. Thus, LEYECO IV sent letter-invitations to various generation companies (“GenCos”) soliciting offers for a contracted capacity of 16 MW Baseload. GNPD was one of the GenCos that submitted an offer to LEYECO IV.
9. After careful consideration of the offers received from GNP Power Kauswagan Ltd. Co., Sual Power Inc., and GNPD, LEYECO IV found GNPD’s offer as the most advantageous for its customer. A copy of the evaluation matrix is attached as Annex M. Thus, within transition period stated in the August 10 Advisory, the Applicants executed the Emergency Power Supply Agreement dated September 13, 2023 (the “EPSA”). A copy of the EPSA is attached as Annex A.
10. The Applicants filed this Joint Application to seek the approval of the EPSA.

Salient Features of the EPSA

11. The duly executed EPSA contains the following salient provisions:

(a) **TERM AND CONTRACTED CAPACITY.** The EPSA shall commence from the Operations Effective Date and shall expire twelve (12) months from the Operations Effective Date or effectivity of the EPSA based on this Honorable Commission’s approval, unless terminated earlier in accordance with the terms of the EPSA which shall not exceed one (1) year. The contracted capacity under the EPSA is 16 MW.

(b) **CONTRACT PRICE.** The Contract Price shall be composed of Capacity Fee, Energy Fee, and Governmental Charges.

(c) **CAPACITY FEE.** The Capacity Fee is based on the Capacity Utilization Factor (“CUF”). The Capacity Fee corresponding to each CUF is listed in Schedule 1 of the EPSA.<sup>2</sup>

(d) **ENERGY FEE.** The Energy Fee is computed as follows:

$$\text{Energy Fee} = \text{IEF} \times \left[ \frac{\text{CIF}_n}{\text{CIF}_0} \right] \times \text{MAE}$$

Where:

IEF = Initial Energy Fee equal to \$0.0328 / kWh  
CIF<sub>n</sub> = CIF Cost of Fuel for Billing Period *n*

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<sup>2</sup> The CUF is defined as “the [CUF] between 70% and 100%, provided that if the actual CUF is below the MEOT provided in 1.1. of Schedule I, the Capacity Price shall be calculated based on the Capacity Fee and quantity associated with the MEOT.”

Where:

“CIFn Cost of Fuel for the Billing Period” means (i) the blended price of the invoiced cost of coal from each supplier for the relevant period and for that portion of such supplier’s coal consumed during the Billing Period plus (ii) the additional costs for insurance, freight and other fuel-related governmental charges to deliver the coal to the Facility

CIFo = Base CIF Cost of Fuel equal to \$10.2514 /million kcal

MAE = monthly actual energy, in kWh, or max (MEOT, AE)

Where:

MEOT = 70% \* Contracted Capacity \* BPH, in kWh

AE = actual energy delivered, in kWh

12. Because of the dismissal of the PPSA Application, LEYECO IV is currently in need of 15.36 MW to address its demand for 2024, which is expected to reach a peak of up to 19.36 MW. With the implementation of the EPSA, LEYECO IV expects to eliminate this deficit and even estimates that there will be 0.645 MW surplus during the EPSA’s term. A copy of LEYECO IV’s supply-demand scenario is attached as Annex E.
13. The indicative rate impact on LEYECO IV’s overall generation rate with and without the additional supply from GNPD are as follows:

Generation Rate without GNPD	PhP 7.6548/kWh
Generation Rate with GNPD	PhP 6.1907/kWh
Generation Rate Impact	(PhP 1.4641/kWh)

14. In support of the Joint Application, copied of the following documents and/or information are attached herein as annexes:

Description of Document	Annex
EPSA	A
Articles of Incorporation dated November 7, 1975	B
Bylaws dated November 7, 1975	B-1
Certification on Non-Availability of Alternative Demand Side Management (DSM) Program dated September 26, 2023	C
Distribution Development Plan for the years 2023-2032	D
Historical and Forecasted Supply-Demand Scenario for the years 2013 to 2030	E

Average Daily Load Curve	E-1
Performance Assessment of the System based on 5-year reliability history and 2023 reliability	F
An estimation of the potential for a reduction in load supplied by LEYECO IV due to retail competition	G
Letter-invitations to bid and evaluation guidelines issued by LEYECO IV along with GenCos' response	H and series
Proposals and term sheets submitted by GenCos to LEYECO IV	I
Secretary Certificate listing Board of Directors and Officers	J
Notice of Award	K
Board Resolution No. 2023-099 dated September 11, 2023 (Awarding EPSA to GNPD)	L
EPSA evaluation matrix	M
Articles of Partnership dated May 21, 2014	N
Amended Articles of Partnership dated February 18, 2022	N-1
Certificate dated February 1, 2023 (Certifying GNPD's information sheet)	O
GNPD Project Ownership Structure Chart dated August 31, 2023	P
Certificate of Registration No. 2022-058 issued by the Authority of the Freeport Area of Bataan	Q
Environmental Compliance Certificate No. ECC-CO-1406-0012 dated November 10, 2015	R
Certificate of Compliance No. 22-10-M-00203L dated October 11, 2022	S
Amended Certificate of Endorsement No. 2021-08-172 dated August 3, 2021	T
Write-up on the non-applicability of the following requirements to GNPD: <ul style="list-style-type: none"> <li>• Shareholders' agreement;</li> <li>• By-laws;</li> <li>• Renewable energy service/operating contract and Certificate of Registration or Certification of Commerciality from the Department of Energy;</li> <li>• Distribution wheeling service agreement;</li> <li>• Water permit from the National Water Resources Board;</li> </ul>	U

<ul style="list-style-type: none"> <li>• Copy of related agreements (i.e., transmission wheeling contract, independent power producer administrators agreement, engineering, procurement, and construction contract, operation and maintenance contract, wholesale aggregator agreement, project feasibility study, etc.);</li> <li>• Documents for new application;</li> <li>• Analysis of inconsistencies in documents presented; and</li> <li>• Potential cost of ancillary services.</li> </ul>	
Transmission Service Agreement covering the Plant	V
Verified Certification dated September 29, 2023 stating that the Facility is ready to deliver power to address the emergency situation of LEYECO IV and that the rates being charged are no more than the latest rate approved by the ERC for the same or relevant technology in the area	W
This Honorable Commission's Decision dated 06 November 2020 in ERC Case No. 2019-004 MC entitled In the Matter of the Application for the Approval of the Authority to Develop, Own, and Operate Dedicated Point-to-Point Limited Transmission Facilities with Motions for Provisional Authority and Confidential Treatment of Information, GNPowr Diginin Ltd. Co. (GNPD), Applicant.	X
Executive summary of the EPSA	Y
[Confidential] Sources of funds/financial plans	Z
[Confidential] Certification dated March 25, 2022 (Financing arrangements)	AA and series
[Confidential] Generation rate and derivation	BB
[Confidential] Financial model	CC-1
[Confidential] Cash flow	CC-2
[Confidential] Sworn Statement dated November 23, 2023 (Fuel procurement process)	DD
Technical and economic characteristics of the Plant	EE
Audited Financial Statements for the year 2022	FF
[Confidential] Executive Summary dated June 22, 2022 (Heat rate certification and test results)	GG

Simulation of Minimum Energy Off-take (MEOT)	HH
Wholesale Electricity Spot Market registration information	II
Single line diagram	JJ
Certification on Partnership Agreement dated February 6, 2023	KK
Metering Service Agreement covering the Plant	LL

**ALLEGATIONS IN SUPPORT OF THE PRAYER FOR CONFIDENTIAL TREATMENT OF INFORMATION**

15. Section 1, Rule 4 of the Revised Rules of Practice and Procedure of the Energy Regulatory Commission ("Revised ERC Rules") provides that a party to any proceeding before this Honorable Commission may request that documents and/or information in this Honorable Commission's possession be treated as confidential and not be disclosed.
16. In line with this, GNPD prays that Annexes AA and series, BB, CC and series, DD, GG, and Z (collectively, the "Confidential Documents") and the information contained therein be treated as confidential and not be disclosed to any persons other than the officers and staff of this Honorable Commission.
17. The foregoing documents contain information and data involving GNPD's power rate calculations and financial model, as well as how these are derived. They are not generally available to the public, are proprietary, privileged, and confidential in nature, and should be protected as trade secrets. In *Air Philippines Corporation vs. Pennswell, Inc.*,<sup>3</sup> the Supreme Court held that:

A trade secret may consist of any formula, pattern, device, or compilation of information that: (1) is used in one's business; and (2) gives the employer an opportunity to obtain an advantage over competitors who do not possess the information. Generally, a trade secret is a process or device intended for continuous use in the operation of the business, for example, a machine or formula, but can be a price list or catalogue or specialized customer list. It is indubitable that trade secrets constitute proprietary rights. The inventor, discoverer, or possessor of a trade secret or similar innovation has rights therein which may be treated as property, and ordinarily an injunction will be granted to prevent the disclosure of the trade secret by one who obtained the information "in confidence" or through a "confidential relationship." American jurisprudence has utilized the following factors to determine if an information is a trade secret, to wit:

- (1) the extent to which the information is known outside of the employer's business;

<sup>3</sup> G.R. No. 172835, December 13, 2007.



(2) the extent to which the information is known by employees and others involved in the business;

(3) the extent of measures taken by the employer to guard the secrecy of the information;

(4) the value of the information to the employer and to competitors;

(5) the amount of effort or money expended by the company in developing the information; and

(6) the extent to which the information could be easily or readily obtained through an independent source.<sup>4</sup>

18. In the Decision in ERC Case No. 2015-111 RC dated 30 May 2017 entitled In the Matter of the Application for Approval of the Power Supply Agreement Between Nueva Ecija II Electric Cooperative, Inc.-Area 2 (NEECO II – Area 2) and PNOC Renewables Corporation (PNOC RC), this Honorable Commission categorically stated that formulas and pricing structures of a GenCo must be treated as confidential and may not be publicly disclosed, thus:

In the case of PNOC RC, the documents sought to be protected from disclosure contains formula and pricing structures used in arriving at their proposed tariff. In fact, all three (3) documents were used by the Commission in evaluating the reasonableness of the proposed rate. In the electric power industry w(h)ere prices is[sic] a major consideration in selecting one's supplier, it is apparent that the assumptions used in arriving at one's proposed tariff is considered a competitive leverage by one player against its competitors.

Thus, the Commission resolves to treat the said documents confidential and may not be publicly disclosed.<sup>5</sup>

19. Thus, this Honorable Commission has recognized the importance of maintaining pricing structures as confidential to ensure the competitiveness of the generation sector. Such information, which falls within the definition of a trade secret as defined by jurisprudence, is clearly information that merits the confidential treatment provided for under Rule 4 of the Revised ERC Rules.
20. The interest of the consuming public is sufficiently protected by the review and evaluation of the rates under the EPSA by this Honorable Commission, without the need to disclose the contents of Confidential Documents. The reasonableness and transparency of the prices of electricity is to be assured by the Honorable Commission through its own review and verification of GNPD's operating costs and expenses.

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<sup>4</sup> Emphasis and underscoring supplied.

<sup>5</sup> Emphasis supplied.

21. Further, if the Confidential Documents and the information contained therein are leaked to GNPD's competitors, they will gain undue advantage and could use such information and documents in their operations. Furthermore, the negotiating power of GNPD with parties it plans to contract with or with whom it is currently doing business, will be impeded if it is compelled to disclose such information.
22. Accordingly, one (1) copy each of the Confidential Documents is placed in a sealed envelope, with the said envelope and each page of the documents stamped with the word "Confidential."

**PRAYER**

WHEREFORE, the Applicants respectfully pray that this Honorable Commission:

- a. GRANT the Applicants' Motion for Confidential Treatment of Information and DECLARE as confidential the information contained in the Confidential Documents (Annexes AA and series, BB, CC and series, DD, GG, and Z)
- b. ISSUE a Protective Order treating the Confidential Documents (Annexes AA and series, BB, CC and series, DD, GG, and Z) as confidential information in accordance with Rule 4 of the ERC Rules and prescribing guidelines for their protection;
- c. DIRECT that the interim rates to be charged under the EPSA shall be capped at the latest ERC-approved generation tariff specific for the plant technology; and
- d. ISSUE a Decision GRANTING the Joint Application and APPROVING the EPSA, including all the rates, fees, charges, and tariff adjustment mechanisms set out therein at the rates provided in the EPSA, and authorizing LEYECO IV to charge and collect the fees therein from its customers reckoned from the start of power supply by GNPD to LEYECO IV under the EPSA.

Other just and equitable reliefs are likewise, prayed for.

Finding the said *Joint Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for determination of compliance with the jurisdictional requirements, expository presentation, Pre-Trial Conference and presentation of evidence on the following dates and online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020<sup>6</sup>

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<sup>6</sup> A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

and Resolution No. 01, Series of 2021<sup>7</sup> (ERC Revised Rules of Practice and Procedure):

<b>Date</b>	<b>Platform</b>	<b>Activity</b>
<b>29 May 2024</b> (Wednesday) at nine o'clock in the morning (9:00 AM)	<b>Microsoft Teams Application</b>	Determination of compliance with the jurisdictional requirements and expository presentation
<b>05 June 2024</b> (Wednesday) at nine o'clock in the morning (9:00 AM)		Pre-Trial Conference and presentation of evidence

Accordingly, Applicants LEYECO IV and GNPD are hereby directed to host the virtual hearings at **LEYECO IV's Principal Office at Hindang-Hilongos Rd., Hilongos, Leyte**, as the designated venue for the conduct thereof, and ensure that the same is open to the public. Moreover, Applicants LEYECO IV and GNPD shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

**RELATIVE THERETO**, Applicants LEYECO IV and GNPD are hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing* in two (2) newspapers of nationwide circulation in the Philippines at their own expense, twice (2x) within two (2) successive weeks, the dates of publication not being less than seven (7) days apart, and the date of the last publication to be made not later than ten (10) days before the date of the scheduled initial hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing* the Offices of the Provincial Governor, the Mayors and the Local Government Unit (LGU) legislative bodies within Applicant LEYECO IV's franchise area for the appropriate posting thereof on their respective bulletin boards;

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<sup>7</sup> A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

- 3) Inform the consumers within Applicant LEYECO IV's franchise area, by any other means available and appropriate, of the filing of the *Joint Application*, the 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 *Joint 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** before the date of the initial virtual hearing, Applicants LEYECO IV and GNPD must submit to the Commission via electronic mail (e-mail) at [docket@erc.ph](mailto:docket@erc.ph), and copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph), the scanned copies of their 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 Applicants LEYECO IV and GNPD to inform the consumers within Applicant LEYECO IV's franchise area of the filing of the *Joint Application*, the 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 *Joint 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, Applicants LEYECO IV and GNPD are hereby required to post on their bulletin boards, the scanned copies of the foregoing jurisdictional requirements, together with the newspaper publications and certifications issued by the concerned Offices of the Governor, Mayors, and Local Legislative Bodies, and to submit proof of posting thereof.

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

- 1) A summary of admitted facts and proposed stipulation of facts;
- 2) The issues to be tried or resolved;
- 3) The documents or exhibits to be presented, stating the purposes and proposed markings therefor, which should also be attached to the Pre-Trial Brief; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-Trial Brief.

Applicants LEYECO IV and GNPD 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 virtual hearing and Pre-Trial Conference pursuant to the preceding paragraph.

Failure of Applicants LEYECO IV and GNPD to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearings.

Applicants LEYECO IV and GNPD must also be prepared to make an expository presentation of the instant *Joint 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 *Joint Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Joint Application* must be cited in support thereof.

Applicants LEYECO IV and GNPD are hereby directed to file a copy of their Expository Presentation via e-mail at [docket@erc.ph](mailto:docket@erc.ph), and copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph), **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicants LEYECO IV and GNPD shall also be required, upon the request of any stakeholder, to provide an advance copy of their Expository Presentation, **at least five (5) calendar days** prior to the scheduled virtual hearing.

Applicants LEYECO IV and GNPD are further directed to submit, either through personal service, registered mail or ordinary mail/private courier, one (1) set of the original or certified true hard copies of their 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.

*(This space was intentionally left blank.)*



Finally, Applicants LEYECO IV and GNPD, including their authorized representatives and witnesses, are hereby directed to provide the Commission, through [legal.virtualhearings@erc.ph](mailto: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 hearings.

**SO ORDERED.**

Pasig City, 05 April 2024.

FOR AND BY AUTHORITY  
OF THE COMMISSION:

*medimalanta*  
**MONALISA C. DIMALANTA**  
*Chairperson and CEO*

*JRBC/ARG/KTB*  
LS: JRBC/ARG/KTB

**ERC**  
Office of the Chairperson and CEO  
  
MCD2024-016113

Copy Furnished:

1. Leyte IV Electric Cooperative, Inc. (LEYECO IV)  
*Co-Applicant*  
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Hilongos, Leyte  
[leyecoiv@yahoo.com](mailto:leyecoiv@yahoo.com)
2. Atty. Rogelio P. Gula  
*Counsel for Co-Applicant LEYECO IV*  
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[nhoygula@yahoo.com](mailto:nhoygula@yahoo.com)
3. GNPowder Dinginin Ltd. Co., (GNPD)  
*Co-Applicant*  
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Mariveles, Bataan  
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[regteam@energy.com.ph](mailto:regteam@energy.com.ph)
4. Attys. Sophia P. Inoturan and Marco P. Nigro  
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[marco.nigro@cagatlaw.com](mailto:marco.nigro@cagatlaw.com)
5. Office of the Solicitor General (OSG)  
134 Amorsolo Street, Legaspi Village, Makati City  
[docket@osg.gov.ph](mailto:docket@osg.gov.ph)
6. Commission on Audit (COA)  
Commonwealth Avenue, Quezon City  
[citizensdesk@coa.gov.ph](mailto:citizensdesk@coa.gov.ph)
7. Senate Committee on Energy  
GSIS Building, Roxas Boulevard, Pasay City  
[senateenergycommittee@gmail.com](mailto:senateenergycommittee@gmail.com)
8. House Committee on Energy  
Batasan Hills, Quezon City  
[committee.energy@house.gov.ph](mailto:committee.energy@house.gov.ph)
9. Office of the Provincial Governor  
Province of Leyte
10. Office of the Local Government Unit (LGU) Legislative Body  
Province of Leyte
11. Office of the City Mayor  
Baybay City, Leyte
12. Office of the Local Government Unit (LGU) Legislative Body  
Baybay City, Leyte
13. Office of the Municipal Mayor  
Bato, Leyte
14. Office of the Local Government Unit (LGU) Legislative Body  
Bato, Leyte
15. Office of the Municipal Mayor  
Hindang, Leyte



16. **Office of the Local Government Unit (LGU) Legislative Body**  
**Hindang, Leyte**
17. **Office of the Municipal Mayor**  
**Hilongos, Leyte**
18. **Office of the Local Government Unit (LGU) Legislative Body**  
**Hilongos, Leyte**
19. **Office of the City Mayor**  
**Inopacan, Leyte**
20. **Office of the Local Government Unit (LGU) Legislative Body**  
**Inopacan, Leyte**
21. **Office of the Municipal Mayor**  
**Matalom, Leyte**
22. **Office of the Local Government Unit (LGU) Legislative Body**  
**Matalom, Leyte**
23. **Regulatory Operations Service**  
**14<sup>th</sup> Floor, Exquadra Tower, Jade Drive,**  
**Ortigas Center, Pasig City**  
[ros@erc.ph](mailto:ros@erc.ph)