



*"Lighting Houses
Lighting Homes
Lighting Hopes"*

LEYTE III ELECTRIC COOPERATIVE, INC.
Brgy. San Roque, Tunga, Leyte
Hotline Nos.: (Globe) 0917-3049794, (Smart) 0998-5487784
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Item No.: 08
Date: 73 2024 AUG

July 30, 2024

HON. LEONARDO M. JAVIER, JR.
Vice Governor, Province of Leyte

Office of the Vice Governor

Received

By: REBECCA
Date: 7/31/24
Time: 10:51 AM

Subject: IN THE MATTER OF THE JOINT APPLICATION FOR APPROVAL OF THE POWER SUPPLY AGREEMENT (PSA) BETWEEN LEYTE III ELECTRIC COOPERATIVE (LEYECO III) AND KEPSCO SPC POWER CORPORATION (KSPC), WITH PRAYER FOR CONFIDENTIAL TREATMENT OF INFORMATION AND MOTION FOR PROVISIONAL AUTHORITY,

Sir:

In compliance with the directives of the Energy Regulatory Commission (ERC) in connection with the above-mentioned subject, we are furnishing this Honorable Office a copy of the subject mentioned above to be posted on your bulletin board.

Likewise, in compliance with the requirements of the ERC, may we subsequently request a **Certificate of Posting** signed by the [Governor/Mayor/Local Government Legislative Body] or any duly authorized representative and bearing the official seal of your office, stating that the above-mentioned subjects was posted at your Bulletin Board. Enclosed for your reference is a sample Certification. We hope that we could get a Certification within this week.

Thank you and we look forward to receiving your favorable response to our request.

Very truly yours,


ALLAN L. LANIBA, OFS
General Manager

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
JOINT APPLICATION FOR
APPROVAL OF THE POWER
SUPPLY AGREEMENT (PSA)
BETWEEN LEYTE III
ELECTRIC COOPERATIVE
(LEYECO III) AND KEPCO SPC
POWER CORPORATION
(KSPC), WITH PRAYER FOR
CONFIDENTIAL TREATMENT
OF INFORMATION AND
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ERC CASE NO. _____

**LEYTE III ELECTRIC
COOPERATIVE, (LEYECO III)
AND KEPCO SPC POWER
CORPORATION (KSPC),**

Applicants.

X-----X

**JOINT APPLICATION
(With Motion for Confidential Treatment of Information and
Provisional Authority)**

Applicants **LEYTE III ELECTRIC COOPERATIVE** and **KEPCO SPC POWER CORPORATION**, through their respective undersigned counsels, respectfully state:

THE APPLICANTS

1. Applicant **LEYTE III Electric Cooperative (“LEYECO III”)** is an electric cooperative duly organized and existing under and by virtue of Presidential Decree No. 269 (PD 269), as amended, and other laws of the Republic of the Philippines, with principal office at National Highway, Brgy. San Roque, Tunga, Leyte herein represented by its Board President, Santiago F. Hamtig, Jr. and General Manager, Allan Laniba, MPA, MM, OFS as

evidenced by Board Resolution 2024-04-058. A copy of which is attached in the Power Supply Agreement attached as *Annex "A"* and its sub markings.

2. Applicant **KEPCO SPC Power Corporation ("KSPC")** is a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, with principal address at the 7th Floor, Cebu Holdings Center, Cebu Business Park, Cebu City, Philippines, herein represented by its Marketing Assistant Manager, Jude Francis Alphaeus Rendon, and its Market Analysis Assistant Manager, Rovel Tangkay, who has been authorized by its Board of Directors to file the Joint Application as evidenced by the Secretary's Certificate dated February 9, 2023, attached hereto as *Annex "B."*

3. Applicant KSPC owns and operates a 2x103 MW Circulating Fluidized Bed Combustor (CFBC) Boiler Coal-Fired base load power plant in the City of Naga, Cebu, which became operational in 2011.

4. Applicants may be served notices, orders, and other processes of the Honorable Commission through their respective counsels at their addresses indicated below.

NATURE OF THE APPLICATION

5. Pursuant to the function of Distribution Utilities to supply electricity in the least cost manner to its captive market, as spelled-out in Section 23, (parag.3), of R.A. No. 9136, herein applicants LEYECO III and KSPC had entered into a Power Sales Agreement ("PSA") executed on April 17, 2024. A copy of the PSA is attached hereto as *Annex "A"*, and submitted the same through this application for approval of the Honorable Commission.

STATEMENT OF FACTS

6. LEYECO III is a duly franchised Distribution Utility engaged in the distribution of electricity with its franchise areas in the municipalities of Capoocan, Carigara, Barugo, San Miguel, Tunga, Jaro, AlangAlang, Santa Fe, and Pastrana, all in Leyte.

7. The subject Energy and Capacity of the PSA is needed by LEYECO III to meet the demand of the captive market in a least cost manner. A copy of its Supply and Demand Scenario, Details of Existing Suppliers, Contract Utilization is attached as *Annex "C"*, and the Average Daily Load Curve is attached as *Annex "D"*.

8. In addition, LEYECO III Single Line Diagram is attached as *Annex "E"*, Performance Assessment is attached as *Annex "F"*.

9. Pursuant to DOE Circular No. DC2018-02-0003 as amended by DOLE Department Circular No. DC2021-09-0030 LEYECO III entered into a Joint Competitive Selection Process ("CSP") with other FRECOR 8 DUs. A copy of the Memorandum of Agreement between FRECOR 8 Electric Cooperatives is attached as *Annex "G"*.

10. FRECOR 8 sent a letter dated dated March 22, 2022 including the proposed "Captive Customer Representative for the Third Party Bids and Awards Committee (TPBAC) Selection Process", copies of the same are hereto attached as *Annex "H and H-1"*, respectively, to the Energy Virtual One-Stop Shop ("EVOSS") portal of the Department of Energy ("DOE").

11. The DOE issued a letter dated April 25, 2022 addressed to Mr. Joey L. Talon, President of FRECOR 8, approving the proposed selection process, a copy of which is attached as *Annex "H-2"*.

12. After approval of the proposed selection process, FRECOR 8 then started accepting applications for the captive customer representatives who will constitute the two (2) other members of the Joint TPBAC of which Mr. Vida O. Ureña and Atty. Kenneth B. Fabila, a member of the Philippine Institute of Certified Public Accountants (PICPA) Tacloban City Chapter, were recommended. Copies of their submitted resume are hereto attached as *Annex "H-3 and H-4"*.

13. FRECOR 8 thereafter duly constituted its JTPBAC, the composition of which was approved by the Board of Directors of FRECOR 8 in Resolution Nos. 2021-06-001, 2022-01-003, 2022-03-002, and 2022-08-001, copies of which are also attached as *Annex "I and series"*.

14. FRECOR 8 JTPBAC then prepared and submitted for approval to the Department of Energy (DOE) through the National Electrification Administration (NEA) the Power Supply Procurement Plan¹ (PSPP), Distribution Development Plan² (DDP) and Bid Documents which include the Terms of Reference (TOR), Invitation to Bid (ITB) and Instructions to Bidders.

¹ Annex III

² Annex HHH

15. Finding the TOR for the procurement of power supply in accordance with the comments and recommendations of the DOE and NEA, NEA then issued a Notice to Proceed dated July 19, 2023 including the approved TOR, and Certificate of Posting issued by the DOE dated July 11, 2023, hereto attached as *Annex "J and series"*.

16. Copies of the issued bidding documents are attached as *Annex "K and Series"*.

17. With the said Notice to Proceed, the JTPBAC then proceeded with the publication of the ITB in the Philippine Daily Inquirer on July 24, 2023 and July 31, 2023. Likewise, the ITB was posted on the CSP e-based Portal of the DOE website as well as the NEA website. Copies of the pertinent pages of the Philippine Daily Inquirer with the ITB and Affidavit of Publication issued by the Philippine Daily Inquirer as well as the Certificate of Posting issued by LEYECO III including photos of the actual posting on the CSP e-based Portals of DOE and NEA websites are hereto attached as *Annex "L and series" and "M and series"*, respectively.

18. Within 14 days from publication and posting, the JTPBAC conducted its Pre-Bid Conference on August 4, 2023 at the Summit Hotel, Tacloban City together with potential bidders and CSP Observers, copies of the attendance sheets are hereto attached as *Annex "N to N-3"*. Thereafter, several bid and supplemental bid bulletins were issued in the course of the CSP to clarify all queries and concerns raised during the Pre-Bid Conference, copies of the said bid bulletins as well as the Minutes of the Pre-Bid Conference are hereto attached as *Annex "O and series"*.

19. Thereafter, the submission and opening of bids were then held on August 31, 2023 with CSP observers. Attached as *Annex "N-4 to N-11"* are the Invitation to Observers, print-out of emails confirming receipt of the invitation, and copies of the attendance sheets. Attached as *Annex "O-1-a"* is the portion of the Minutes showing that representatives from NEA virtually attended the activity.

20. A total of three participants - GNPower Kauswagan Ltd. Co., KEPCO SPC Power Corp., and Sual Power Inc. - purchased bid documents and submitted complete proposals. Copies of their respective Eligibility

Requirements and Submission of Bids are hereto attached as *Annex "P and series"* and *Annex "Q and series"*, respectively.

21. After careful evaluation, KSPC was found to have submitted the lowest computed bid proposal of Php5.9382/kWh and was subjected to the next stage of evaluation, which is Post Qualification and Detailed Evaluation of Technical Proposal, wherein it was found to be compliant and responsive to all the specified requirements and conditions. Copies of the Evaluation of Bids are hereto attached as *Annex "R and series"*, likewise copies of the JTPBAC Evaluators Report, Evaluators Post-Qualification Report and the Abstract of Bids are hereto attached as *Annex "S to S-2"*.

22. FRECOR 8 then issued a Notice of Award to KSPC which was received by the latter on September 19, 2023, a copy of which is attached as *Annex "S-3"*, likewise a copy of the Resolution of the JTPBAC recommending the awards is hereto attached as *Annex "S-4"*. Attached as *Annex "T"* is a timeline of the activities conducted leading to the issuance of a Notice of Award, including the pre-bidding conferences conducted on August 4, 2023.

23. Joint Affidavits of the members of FRECOR 8 on the conduct of the CSP and Notice to Proceed dated February 26, 2024 issued by NEA as well as a write-up on the posting of a Performance Bond are likewise hereto attached as *Annex "U and series"*.

24. Consequently, LEYECO III and KSPC executed a Power Supply Agreement ("PSA"), subject of this Joint Application.

25. Thus, this instant Joint Application for the approval of the PSA between LEYECO III and KSPC.

SALIENT FEATURES OF THE PSA

26. Salient Features of the PSA.

- a. Contracted Capacity shall mean a capacity of 1 MW reserved by the seller for LEYECO III for the duration of the contract period.
- b. Contract Period and Effectivity. The Agreement shall take effect immediately from execution date and shall remain in force and effect until December 25, 2026 (the "Contract Period")

- c. The obligation of the Seller to supply and deliver the Contracted Capacity shall commence on the date specified on the Initial “Day Ahead Nomination” issued by the Buyer and duly received by the Seller, subject to the provisions of Item 2 of the PSA.
- d. Effective Date means the date of the execution of the agreement.
- e. Capacity Fees and Energy Fees. Beginning on the Supply Effective date and subject to the terms and conditions of this Agreement, the Buyer shall pay the Capacity Fees and Energy Fees as provided for in Annex D.
- f. Outages and Replacement Power. The Seller shall guarantee supply and provide the Buyer with the Replacement power sourced from other generating facilities or third parties, including WESM, during Outages of the plant or facility.
- g. The proposed rate is Php5.9382/kWh subject to adjustments, exclusive of VAT, other applicable taxes, fees, and other charges.
- h. K= Seller’s Generation charge for the billing month m ; in Peso,

Computation of “K”

$$K = HCQ_m \times CP_{CUF\%}$$

Where:

$$HCQ_m = \sum_{i=1}^{25} (HCQ_{ij} - FMQ_{ij})$$

HCQ_m = Total Final HCQ for the billing month m , kWh

HCQ_{ij} = Final HCQ for the relevant day i and relevant hour j of the billing month m , kWh

FMQ_{ij} = Quantity of energy not deliverable due to Force Majeure for the relevant day i and relevant hour j of the billing month m , kWh.

Contract Price ($CP_{CUF\%}$) = billing price for the billing period n , PHP/ kWh

$$= \text{Capacity Fee}_{CUF\%} + \text{Energy Fee}$$

$$\begin{aligned} \text{Capacity Fee}_{100\%} &= \text{Capital Recovery Fee} + \text{Fixed O\&M} \\ &= \text{Php } 0.7397/\text{kWh} + \text{Php } 1.0055/\text{kWh} \\ &= \text{Php } 1.7452/\text{kWh} \text{ (Fixed Fee)} \end{aligned}$$

$$\begin{aligned} \text{Energy Fee} &= \text{VOM} + \text{Fuel Fee} \\ &= \text{Energy Fee for the billing month } n \end{aligned}$$

$$\text{VOM} = \text{VOM}_{\text{base}} \times (\text{PH CPI}_c / \text{PH CPI}_b)$$

Where,

VOM- is the Variable O&M Fee for the billing month n, PhP / kWh

VOMbase- is the Base VOM Fee, PhP 0.1328 / kWh

PH CPI_c- Philippine Consumer Price Index (CPI) for all items for the current month as published by the Philippine Statistics Authority

PH CPI_b- Philippine Consumer Price Index (CPI) of 119.4 as of December 2022 as published by the Philippines Statistics Authority

$$\text{Fuel Fee} = \text{Fuel Fee}_{\text{Base Rate}} \times \left[\frac{\text{CF}_n}{\text{CF}_0} \right] \times [\text{FX}_n]$$

- i. A copy of the Computation of Generation Fee and Contract Price is included in the Power Supply Agreement attached as Annex "A".

RATE IMPACT COMPUTATION

LEYECO III RATE IMPACT ANALYSIS

with
KSPC

	Forecasted Quantity (kWh)	Amount (PhP)	Percent Share (%)	Resulting Capacity Utilization Factor (%)	2025 Average Rate (PhP/kWh)	Weighted Average Rate (PhP/kWh)
GCGI	21,900,000.00	144,776,459.85	27.21%	100%	6.6108	6.2497
KSPC	53,791,949.14	319,427,352.40	66.84%	87.72%	5.9382	
WESM	4,786,077.26	38,762,161.49	5.95%		8.0989	
TOTAL	80,478,026.40	502,965,973.74	100.0%			

without
KSPC

	Forecasted July 2023 Average Quantity (kWh)	Amount (PhP)	Percent Share (%)	Resulting Capacity Utilization Factor (%)	2025 Average Rate (PhP/kWh)	Weighted Average Rate (PhP/kWh)
GCGI	21,900,000.00	144,776,459.85	27.21%	100%	6.6108	6.9913
KSPC	0.00	0.00	0.00%	0%	0.0000	
WESM	58,578,026.40	417,869,758.80	72.79%		7.1336	
TOTAL	80,478,026.40	562,646,218.65	100%			

GENERATION RATE IMPACT (Php/kWh)	(0.7416)
---------------------------------------------	-----------------

27. Detailed computation of Rate Impact with load graph is herein appended as *Annex "V"*.
28. Environmental Compliance Certificate (ECC). On 10 September 2007, the Department of Environment and Natural Resources (DENR) issued ECC Transfer of Ownership in favor of KSPC with ECC No. 0511-013- 206. A copy of the ECC is hereto attached as *Annex "W"*.
29. Board of Investments (BOI) Certificate. On 8 May 2008, KSPC's plants located in Naga City, Cebu were registered with BOI with Certificate of Registration No. 2008-088. But on a letter from BOI dated 16 January 2024, the Board of Investments Certification was canceled. A copy of the cancellation is attached as *Annex "X"*.
30. Certificate of Compliance. The Honorable Commission has issued the Certificate of Compliance ("COC") with COC no. 24-03-M-00068V dated 26 March 2024, for KSPC's power plants. A copy of the COC is attached as *Annex "Y"*.
31. Certificate of Endorsement. The DOE has issued a Certificate of Endorsement with No. 2022- 04-160 dated 19 April 2022 for KSPC's plant in barangay Colon, Naga City, Cebu, certifying that the Plant is consistent with the Power Development Plan of the Government. A copy of the Certificate of endorsement is hereto attached as *Annex "Z"*.
32. As further support to the instant Joint Application, the Applicants most respectfully submit to the Honorable Commission the following documents in accordance with the Pre-filing Checklist in Resolution

No. 38, Series of 2006³, Rule 20 B Section 2 of the ERC Rules of Practice and Procedures:

ANNEX	DOCUMENTS/ INFORMATION
AA	LEYECO III Articles of Incorporation
BB	LEYECO III By-Laws
CC	LEYECO III Certificate of Franchise
DD	LEYECO III Certificate of Registration
EE	LEYECO III Verified Certification showing list of Board of Directors
FF	LEYECO III Write Up NPC Certification
GG	LEYECO III DSM Certification
HH	LEYECO III Transmission Supply Agreement
II	LEYECO III WESM Membership
JJ	KSPC Articles of Incorporation
KK	KSPC By- Laws
LL	KSPC Verified Certification showing list of Board of Directors
MM	Shareholder's Agreement
NN	KSPC General Information Sheet
OO	KSPC Transmission Service Agreement with NGCP
PP	Executive Summary of the LEYECO III and KSPC PSA
QQ*	KSPC's Financial Model
RR*	Sworn Statement on Fuel Procurement
SS*	Relevant technical and economic characteristics of generation capacity
TT*	KSPC's 2022- 2023 Audited Financial Statements (AFS), Balance Sheet, Income Statement, and Statement of cash Flows
UU	KSPC WESM

³ Resolution No. 38, Series of 2006 – A Resolution Promulgating the Energy Regulatory Commission's Rules of Practice and Procedure.

VV*	Narrative on Sources of Funds, Generation Rates, Cash Flow
WW*	Breakdown of FOM and VOM
XX*	Sources of Funds (Certification from Banks and Bank Certification)
YY*	Sources of Funds (Project Cost, ROI, WACC, Life of Asset vs Term of Loan)
ZZ*, and ZZ-1*	Fuel Contract, and Amended Fuel Contract
AAA*	Derivation of Rates (Excel File)
BBB	MEOT Allocation to the generating units
CCC	Certifications of Net Heat Rate
DDD	NWRB Water Permit
EEE	<p>WRITE UP FOR NON-APPLICABILITY OF DOCUMENTS (KSPC):</p> <ul style="list-style-type: none"> ● Renewable Energy Service Contract ● Certificate of Registration or Certification of Commerciality by an RE Developer and after due confirmation by the DOE ● Requirements under emergency procurement ● BIR Receipts ● Seller's Receipts ● Purchase Orders with Annotation of Acceptance or Transfers ● Deeds of Sale and other Other Forms of Conveyance of Ownership ● Potential Cost (absolute amounts and PhP/kWh) of Ancillary Services as and when the IPP or the DU is connected to the main grid. ● Basis/rationale/derivation of Other Charges such as replacement, start-up, pre-commercial, and ancillary costs. ● Distribution Wheeling Service Agreement
FFF	LEYECO III Certificate of Email Registration

GGG	KSPC Certificate of Email Registration
HHH	LEYECO III DSP
III	LEYECO III PSPP
JJJ	LEYECO III RCOA Estimated Load
KKK	Sample Power Bill
LLL*	EPC Contract (Confidential)

***Subject to the Motion For Confidential Treatment of Information**

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

33. Section 1, Rule 4, of the ERC Revised Rules of Practice and Procedure provides that a party to a proceeding before the Honorable Commission may move for information to be treated as confidential.
34. KSPC prays that the information contained in the documents attached as Confidential Documents be treated as confidential and that the same be continuously protected from public disclosure, except to the officers and staff of the Honorable Commission. In particular, these are the documents for which confidential treatment is sought as they contain trade secrets and/or commercially-sensitive data about KSPC's plant operations and pricing strategies:

ANNEX	DOCUMENT
QQ	KSPC's Financial Model
RR	Sworn Statement on Fuel Procurement
SS	Relevant technical and economic characteristics of generation capacity
TT	KSPC's 2022-2023 Audited Financial Statements (AFS), Balance Sheet, Income Statement, and Statement of cash Flows
VV	Narrative on Sources of Funds, Generation Rates, Cash Flow
WW	Breakdown of FOM and VOM

XX	Sources of Funds (Certification from Banks and Bank Certification)
YY	Sources of Funds (Project Cost, ROI, WACC, Life of Asset vs Term of Loan)
ZZ and ZZ-1	Fuel Contracts
AAA	Derivation of Rates (Excel File)
LLL	EPC Contract

35. The competitors of KSPC will gain undue advantage and use the information in their own operation, if they obtain the information provided in the documents requested to be confidential.

ALLEGATIONS IN SUPPORT OF THE MOTION FOR PROVISIONAL AUTHORITY

36. LEYECO III and KSPC replead, by reference, all the foregoing allegations.

37. LEYECO III and KSPC pray for the issuance of a provisional authority prior to final decision pursuant to *Section 1, Rule 14* of the *ERC Revised Rules of Practice and Procedure*, which provides:

Section 1. Provisional Authority or Interim Relief. – For applications or petitions covered by Section 1, Rule 6 of these Rules, the Commission may grant either a provisional authority or an interim relief, upon motion included in the application or petition and indicated in the caption thereof that such relief is requested x x x.

38. In view of the foregoing, there is a need for the issuance of a Provisional Authority in the meantime that this Joint Application is still pending evaluation and resolution of Honorable Commission, for the immediate implementation of this PSA for the benefit of LEYECO II's member consumers.

COMPLIANCE WITH PRE-FILING REQUIREMENTS

39. LEYECO III and KSPC have duly complied with the pre-filing requirements mandated under Rule 6, Section 2 (a) & (b) of the ERC Rules of Practice and Procedure, by furnishing copies of the Application/petition including all of its annexes and accompanying documents to the Office of the Municipal Mayor and the Sangguniang Bayan (legislative body) of Municipality of Tunga, Leyte where LEYECO III principally operates. The same copy of the Application including all its annexes were furnished to the Office of the Provincial

Governor and the Sangguniang Panlalawigan (legislative body) of Leyte Province. The application with its annexes was also furnished to the Office of the City Mayor and the Sangguniang Panlungsod of Cebu City. It likewise published the Application in its entirety in a newspaper of general circulation in the Province of Leyte, where the franchise area of Applicant LEYECO III is located. Proofs of such pre-filing compliance are hereto attached in compliance with Section 3 of the ERC Rules of Practice and Procedure, to wit:

ANNEX “MMM and series” - Certification issued by the Office of the Municipal Mayor of Tunga attesting that their office was served a copy of the Application and its annexes;

ANNEX “NNN and series” - Certification issued by the Office of the Sangguniang Bayan of Tunga attesting that their office was served a copy of the Application and its annexes;

ANNEX “OOO and series” - Certification issued by the Office of the Provincial Governor of the Province of Leyte attesting that their office was served a copy of the Application and its annexes;

ANNEX “PPP and series” - Certification issued by the Office of the Sangguniang Panlalawigan of the Province of Leyte attesting that their office was served a copy of the Application and its annexes;

ANNEX “QQQ and series” - Certification issued by the Office of the City Mayor of Cebu attesting that their office was served a copy of the Application and its annexes;

ANNEX “RRR and series” - Certification issued by the Office of the Sangguniang Panlungsod of Cebu attesting that their office was served a copy of the Application and its annexes;

ANNEX “SSS” Notarized Affidavit of Publication by local newspaper publishing company;

ANNEX “TTT” Copy of the newspaper issue where the Application as published appeared;

PRAYER

WHEREFORE, the foregoing premises considered, it is respectfully prayed that this Honorable Commission:

1. Give due course to the instant application.
2. Issue an Order:
 - a. Treating the Confidential Documents and the information contained therein as confidential
 - b. Directing their non-disclosure pursuant to Rule 4 of the ERC Rules, and
 - c. Prescribing guidelines for the protection of the said documents.
3. Upon initial review of this Application and pending hearing on the merits, issue an Order provisionally approving the PSA between LEYECO III and KSPC, thereby authorizing KSPC to charge and collect from LEYECO III electricity fees based on rates that this Honorable Commission may provisionally approve, and authorizing LEYECO III to pass the full amount thereof to its customers; and.
4. After trial on the merits, issue a Decision approving the PSA, thereby confirming the compliance by LEYECO III and KSPC to the rules governing power supply, and further confirming the effective rate charged, collected, and paid in connection with this PSA.
5. To authorizing KSPC to charge and collect from LEYECO III the electricity fees based on the final rates approved by this Honorable Commission, and authorizing LEYECO III to pass the full amount thereof to its customers.

Other relief and remedies consistent with law, justice, and equity are likewise prayed for.

Cebu City and Tacloban City, Philippines, July 9 2024.

COUNSEL FOR KSPC

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IBP No. 422080/ 1-15-2024/ Cebu

PTR No. 1237421/ 1-10-2024/ Cebu

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**MCLE Compliance Exempt Pursuant to MCLE Governing Board No. 1,
Series of 2008**

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Roll No. 48025; Lifetime IBP No. 07688; PTR No. 8490302 dtd. 1/2/2024

MCLE Compliance No. VII-0004938 valid until 4/14/2025