

Item No.: 13
Date: 26 2025 AUG

REPUBLIC OF THE PHILIPPINES
ENERGY REGULATORY COMMISSION
JADE DRIVE, PASIG CITY

IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO DEVELOP, OWN, AND OPERATE DEDICATED POINT-TO-POINT LIMITED TRANSMISSION FACILITIES TO CONNECT THE TONGONAN BATTERY ENERGY STORAGE SYSTEM TO THE VISAYAS GRID, WITH MOTION FOR PROVISIONAL AUTHORITY AND FOR CONFIDENTIAL TREATMENT OF INFORMATION,

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: 8/19/25
By: [Signature]

ERC CASE NO. 2024-035MC

ENERGY DEVELOPMENT CORPORATION (EDC),
Applicant.

x-----x

COMPLIANCE

Applicant ENERGY DEVELOPMENT CORPORATION (“EDC” or “Applicant”), through undersigned counsel, respectfully states: That –

1. On 1 July 2025,¹ Applicant received a copy of the Decision of this Honorable Commission dated 25 June 2025 (“Decision”) partially denying the Application for authority to develop, own, and operate dedicated point-to-point transmission facilities to connect the Tongonan Battery Energy Storage System (“Tongonan BESS” or “Project”) to the Visayas Grid (“Application”), to wit:

“WHEREFORE, the foregoing premises considered, the Application filed by ENERGY DEVELOPMENT CORPORATION (EDC) to develop, own and/or operate dedicated point-to-point limited facilities to connect its ±10 MW Tongonan Battery Energy Storage System (BESS) to the

¹ Received at 11:10 p.m of 30 June 2025. Per Section 1, Rule VI of the Guidelines Governing Electronic Applications, Filings and Virtual Hearings before the Energy Regulatory Commission (“E-filing Guidelines”), Orders or Decisions received beyond working hours or days shall be deemed received on the next working day. Per Section 3, Rule V of the E-filing Guidelines, [w]orking hours mean from 8:00 A.M. to 5:00 P.M. and working days mean from Mondays to Fridays.

Visayas Grid via the Tongonan 138 kV Substation of the EDC, is hereby RESOLVED as follows:

*1. EDC is hereby **AUTHORIZED** to develop and own the dedicated point-to-point limited transmission facilities to connect its ± 10 MW Tongonan BESS to the Visayas Grid via a direct connection to the Tongonan 138 kV Substation of EDC, subject to the following conditions:*

1.1. The generated energy of EDC's ± 10 MW Tongonan BESS shall be subject to generation curtailment and appropriate dispatch prioritization during simultaneous maximum dispatch of power plants of all the connected power plants in Leyte-Samar Sub-grid as well as the additional generation coming from Luzon via the Naga-Ormoc HVDC Interconnection, until the completion of the Cebu-Leyte 230 kV Interconnection Lines 3 and 4 Project.

1.2. The dedicated point-to-point limited transmission facilities shall be used solely by the generating facility;

1.3. The subject facilities shall be developed and constructed in accordance with the System Impact Study (SIS), Facility Study (FS), and NGCP's requirements listed on the FS review report which shall be complied with by EDC and NGCP prior to the commercial operation Tongonan BESS so as not to result in the degradation of NGCP's transmission system;

1.4. The metering point shall be at the connection point in accordance with the Philippine Grid Code (PGC);

1.5. Should any portion of the dedicated point-to-point limited facilities be required for competitive purposes or to connect any other users, ownership of the same shall be transferred immediately to NGCP. In such case, NGCP shall pay EDC using the fair market price of the said facilities, subject to optimization. The following shall be complied with by NGCP and EDC:

1.5.1. The transfer of the asset, as the case may be, shall be effected on the same day that another user is physically connected. A report on such transfer shall be submitted to the Commission within thirty (30) days from the subject physical connection by another user to the facility.

1.5.2. NGCP and EDC shall ensure the completion of the transactions and requirements for the legal transfer of ownership of the subject assets no later than one (1) year from the physical connection of another user to the facility. A report on such legal transfer of ownership shall be submitted to the Commission within thirty (30) days from the subject physical connection by another user to the facility.

1.5.3. Non-compliance with the above directives as provided in 1.5, its subclauses, and other pertinent provisions of this Decision shall merit the issuance of a Show Cause Order, and subject to penalties as may be imposed by the Commission.

1.6. In the event that EDC's ± 10 MW Tongonan BESS enters into Ancillary Service Procurement Agreement (ASPA) with NGCP, the cost of the connection assets should not form part of the Capital Recovery Fee (CRF) under the said ASPA.

2. EDC is **NOT AUTHORIZED** to develop and own the assets for the Second Facility which are not dedicated point-to-point limited transmission facilities. NGCP shall construct the said facilities in accordance with the FS it approved. EDC shall immediately coordinate with NGCP, upon receipt of the Decision, for the installation and construction of the same, so as not to delay the project.

NGCP is hereby **DIRECTED** complete the installation of the Second Facility prior to the target testing and commissioning of the ± 10 MW Tongonan BESS.

Further, EDC is **DIRECTED TO SUBMIT** a report, within sixty (60) calendar days upon receipt of the Decision, regarding the construction of the foregoing assets by NGCP.

3. The prayer of EDC for authority to operate and maintain the subject facilities is hereby **DENIED**. NGCP shall operate and maintain the subject dedicated point-to-point limited facilities to ensure and maintain the reliability, adequacy, security, stability, and integrity of the nationwide electrical grid, subject to applicable charges to EDC;

Further, EDC is **DIRECTED** to submit a copy of the executed Operation and Maintenance Agreement between EDC and NGCP for the subject facilities within thirty (30) days from its execution.

4. NGCP is **DIRECTED** to continue implementing the current active SIPS, with the inclusion of the subject plant, to mitigate the overloading issues of Cebu-Leyte Interconnection Lines 1 and 2 pending the completion of Cebu-Leyte Interconnection Lines 3 and 4;

5. NGCP is hereby **DIRECTED** to expedite the completion of the Cebu-Leyte Interconnection Lines 3 and 4 to solve the overloading issues and ensure the reliability of the Visayas Grid;

6. The EDC's Tongonan 138 kV Substation shall be reclassified as Transmission Asset and shall be transferred immediately to NGCP. NGCP shall pay EDC using the fair market price of the said facilities, subject to optimization.

EDC is **DIRECTED TO SUBMIT** a Report, within sixty (60) calendar days upon receipt of the Decision, regarding the transfer of the foregoing assets by NGCP;

7. EDC is hereby **DIRECTED** to submit a Report on its plans and status of the connection of its proposed Phase 2 ± 20 MW Tongonan BESS Project, within thirty (30) calendar days upon receipt of the Decision; and

8. EDC is hereby **DIRECTED** to pay and remit to the Commission the full amount of **Two Million Eight Hundred Twenty-Six Thousand Three Hundred Ninety-Five Pesos and Seventy-Seven Centavos (PhP2,826,395.77)**, within fifteen (15) calendar days from receipt of the Decision resolving the instant application, as payment for the permit fee, pursuant to Section 40 of the Public Service Act, as amended, and the Commission's Revised Schedule of Fees and Charges.

The permit fee computed herein shall be considered in the determination of the fair market price of the assets in the event that these assets are transferred to NGCP.

RELATIVE TO THE FOREGOING, EDC is hereby **DIRECTED** to submit a Compliance Report showing its Compliance or Compliance Plan with all the foregoing directives of the Commission, **within thirty (30) calendar days** from receipt hereof.

FURTHERMORE, the resolution of the instant case shall be without prejudice to EDC's compliance with the Certificate of Compliance (COC) requirements of the Commission, as well as other government agencies' requirements, rules, and regulations.

***FINALLY**, a Show Cause Order (SCO), separate from this Decision shall be issued against EDC, for its failure to observe the pertinent provision of the EPIRA and the rules and regulations of the Commission.*

SO ORDERED.”

2. Under the penultimate paragraph of the dispositive portion of this Decision, Applicant was directed to submit, within thirty (30) calendar days from receipt of the Decision, or until July 31, 2025, a Compliance Report showing its Compliance or Compliance Plan with all of the directives of the Honorable Commission.

3. Hence, this Compliance was timely made.

4. In line with the first paragraph of Item 8 of the dispositive portion of the Decision, Applicant respectfully manifests that it has complied with the payment of the permit fee. This was stated in a Compliance dated and filed before this Honorable Commission last July 16, 2025, a copy of which is attached hereto as **Annex “A”**.

5. Applicant further manifests that it has requested reconsideration and/or clarification of the following directives of this Honorable Commission, as stated in its Motion for Partial Reconsideration (“MPR”) dated and filed with this Honorable Commission on July 16, 2025, a copy of which is attached as **Annex “B”**:

a. Item 1.5 of the dispositive portion of the Decision, on the directive to transfer the dedicated point-to-point limited facilities if they are required for competitive purposes. EDC manifests that the single-line diagram (SLD) of the proposed interconnection shows that the point-to-point limited transmission facilities will be exclusively used to connect the Project to the Visayas Grid, through the 138 kV Tongonan Substation. The SLD also shows that the point-to-point limited transmission facilities are not designed and configured to serve end-users or suppliers directly. Thus, there is no legal requirement to transfer the subject facilities to NGCP;²

b. Item 2 of the dispositive portion of the Decision, on the directive for NGCP to develop and own the assets for the Second Facility;³

² Par. 4-23, MPR.

³ Par. 28-32, MPR.

c. Item 3 of the dispositive portion of the Decision, on the denial of Applicant's authority to operate and maintain the subject facilities;⁴ and

d. Item 6 of the dispositive portion of the Decision, on the reclassification of the Tongonan 138kV Substation as a Transmission Asset and the directive to transfer it to NGCP.⁵

6. Applicant additionally manifests that it has complied, or commenced compliance, with the remaining directives of this Honorable Commission pursuant to the Decision, as outlined in its Compliance Plan/Report attached hereto as "**Annex C**".

RESPECTFULLY SUBMITTED.

Pasig City, July 31, 2025.

**The Law Firm of
QUIASON MAKALINTAL**
Counsel for Applicant
Energy Development Corporation (EDC)
21/F Robinsons Equitable Tower
4 ADB Avenue, Ortigas Center,
Pasig City, Philippines 1605
Tel. No. +63 (2) 8631-0981 to 0985
ercfilings@qmlaw.com.ph

By:



MIGUEL K. MATHAY
ROLL OF ATTORNEYS NO. 43982
MCLE COMPLIANCE NO. VIII-0023334; 4/14/2028
PTR NO. 3040417; 01/03/2025
PASIG CITY
IBP NO. 511708; 01/03/2025
RIZAL (RSM)

⁴ Par. 24-27, MPR.

⁵ Par. 33-45, MPR.

GIANNA MARIA C. COMSTI
ROLL OF ATTORNEYS NO. 63071
MCLE COMPLIANCE NO. VIII-0022934; 4/14/2028
PTR NO. 3040424; 01/03/2025
PASIG CITY
IBP NO. 511715; 01/03/2025
RIZAL (RSM)


JOHN MAVERICK G. ESPINOLA
ROLL OF ATTORNEYS NO. 81683
MCLE COMPLIANCE NO. VIII-0022951; 4/14/2028
PTR NO. 3040432; 01/03/2025
PASIG CITY
IBP NO. 511723; 01/03/2025
RIZAL (RSM)

EXPLANATION

Due to the volume of pleadings, motions and other correspondence filed/sent by the Firm daily, the Firm is constrained to cause the service of the copy of the foregoing pleading to the other parties by registered mail or private courier instead of by personal service.


JOHN MAVERICK G. ESPINOLA

Copy furnished:

Office of the Solicitor General
134 Amorsolo Street, Legaspi Village,
1229 Makati City

Commission on Audit (COA)
Commonwealth Avenue,
1121 Quezon City

Senate Committee on Energy
GSIS Bldg. Roxas Blvd.,
1300 Pasay City

House Committee on Energy

Batasan Hills,
1126 Quezon City

Regulatory Operations Service

14th Floor Exquadra Tower
1 Jade Drive Ortigas Center
1605 Pasig City

Office of the City Mayor

1600 Pasig City

Office of the Local Government Unit (LGU) Legislative Body

1600 Pasig City

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Ormoc City, 6541 Leyte

Office of the Provincial Governor

Province of Leyte, 6500

Office of the Local Government Unit (LGU) Legislative Body

Province of Leyte, 6500

National Grid Corporation of the Philippines (NGCP)

NGCP Building, Quezon Avenue cor. BIR Road
Diliman, 1100 Quezon City

FILE COPY

ANNEX "A"

REPUBLIC OF THE PHILIPPINES
ENERGY REGULATORY COMMISSION
JADE DRIVE, PASIG CITY

IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO DEVELOP, OWN, AND/OR OPERATE A DEDICATED POINT-TO-POINT LIMITED FACILITIES TO CONNECT THE TONGONAN BATTERY ENERGY STORAGE SYSTEM TO THE VISAYAS GRID, WITH PRAYER FOR PROVISIONAL AUTHORITY AND FOR CONFIDENTIAL TREATMENT OF INFORMATION,

RECEIVED BY:

25 JUL 16 P5:08



ERC CASE NO. 2024-035MC

ENERGY DEVELOPMENT CORPORATION (EDC),

Applicant.

x-----x

COMPLIANCE

Applicant ENERGY DEVELOPMENT CORPORATION (EDC), through undersigned counsel, respectfully states: That –

1. On 1 July 2025¹, Applicant received a copy of the Decision of this Honorable Commission dated 25 June 2025 (“Decision”) resolving the instant Application, to wit:

“WHEREFORE, the foregoing premises considered, the Application filed by ENERGY DEVELOPMENT CORPORATION (EDC) to develop, own and/or operate dedicated point-to-point limited facilities to connect its ±10 MW Tongonan Battery Energy Storage System (BESS) to the Visayas Grid via the Tongonan 138 kV Substation of the EDC, is hereby RESOLVED as follows:

¹ Received at 11:10 p.m of 30 June 2025. Per Section 1, Rule VI of the Guidelines Governing Electronic Applications, Filings and Virtual Hearings before the Energy Regulatory Commission (“E-filing Guidelines”), Orders or Decisions received beyond working hours or days shall be deemed received on the next working day. Per Section 3, Rule V of the E-filing Guidelines, [w]orking hours mean from 8:00 A.M. to 5:00 P.M. and working days mean from Mondays to Fridays.

1. EDC is hereby **AUTHORIZED** to develop and own the dedicated point-to-point limited transmission facilities to connect its ± 10 MW Tongonan BESS to the Visayas Grid via a direct connection to the Tongonan 138 kV Substation of EDC, subject to the following conditions:

1.1 The generated energy of EDC's ± 10 MW Tongonan BESS shall be subject to generation curtailment and appropriate dispatch prioritization during simultaneous maximum dispatch of power plants of all the connected power plants in Leyte-Samar Sub-grid as well as the additional generation coming from Luzon via the Naga-Ormoc HVDC Interconnection, until the completion of the Cebu-Leyte 230 kV Interconnection Lines 3 and 4 Project.

1.2 The dedicated point-to-point limited transmission facilities shall be used solely by the generating facility;

1.3 The subject facilities shall be developed and constructed in accordance with the System Impact Study (SIS), Facility Study (FS), and NGCP's requirements listed on the FS review report which shall be complied with by EDC and NGCP prior to the commercial operation Tongonan BESS so as not to result in the degradation of NGCP's transmission system;

1.4 The metering point shall be at the connection point in accordance with the Philippine Grid Code (PGC);

1.5 Should any portion of the dedicated point-to-point limited facilities be required for competitive purposes or to connect any other users, ownership of the same shall be transferred immediately to NGCP. In such case, NGCP shall pay EDC using the fair market price of the said facilities, subject to optimization. The following shall be complied with by NGCP and EDC:

1.5.1 The transfer of the asset, as the case may be, shall be effected on the same day that another user is physically connected. A report on such transfer shall be submitted to the Commission within thirty (30) days from the subject physical connection by another user to the facility.

1.5.2 NGCP and EDC shall ensure the completion of the transactions and requirements for the legal transfer of ownership of the subject assets no later than one (1) year from the physical connection of another user to the

facility. A report on such legal transfer of ownership shall be submitted to the Commission within thirty (30) days from the subject physical connection by another user to the facility.

1.5.3 Non-compliance with the above directives as provided in 1.5, its subclauses, and other pertinent provisions of this Decision shall merit the issuance of a Show Cause Order, and subject to penalties as may be imposed by the Commission.

1.6 In the event that EDC's ± 10 MW Tongonan BESS enters into Ancillary Service Procurement Agreement (ASPA) with NGCP, the cost of the connection assets should not form part of the Capital Recovery Fee (CRF) under the said ASPA.

2. EDC is **NOT AUTHORIZED** to develop and own the assets for the Second Facility which are not dedicated point-to-point limited transmission facilities. NGCP shall construct the said facilities in accordance with the FS it approved. EDC shall immediately coordinate with NGCP, upon receipt of the Decision, for the installation and construction of the same, so as not to delay the project.

NGCP is hereby **DIRECTED** complete the installation of the Second Facility prior to the target testing and commissioning of the ± 10 MW Tongonan BESS.

Further, EDC is **DIRECTED TO SUBMIT** a report, within sixty (60) calendar days upon receipt of the Decision, regarding the construction of the foregoing assets by NGCP.

3. The prayer of EDC for authority to operate and maintain the subject facilities is hereby **DENIED**. NGCP shall operate and maintain the subject dedicated point-to-point limited facilities to ensure and maintain the reliability, adequacy, security, stability, and integrity of the nationwide electrical grid, subject to applicable charges to EDC;

Further, EDC is **DIRECTED** to submit a copy of the executed Operation and Maintenance Agreement between EDC and NGCP for the subject facilities within thirty (30) days from its execution.

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8. EDC is hereby **DIRECTED** to pay and remit to the Commission the full amount of **Two Million Eight Hundred Twenty-Six Thousand Three Hundred Ninety-Five Pesos and Seventy-Seven Centavos (PhP2,826,395.77)**, within **fifteen (15) calendar days** from receipt of the Decision resolving the instant application, as payment for the permit fee, pursuant to Section 40 of the Public Service Act, as amended, and the Commission's Revised Schedule of Fees and Charges.

The permit fee computed herein shall be considered in the determination of the fair market price of the assets in the event that these assets are transferred to NGCP.

RELATIVE TO THE FOREGOING, EDC is hereby **DIRECTED** to submit a Compliance Report showing its Compliance or Compliance Plan with all the foregoing directives of the Commission, **within thirty (30) calendar days** from receipt hereof.

FURTHERMORE, the resolution of the instant case shall be without prejudice to EDC's compliance with the Certificate of Compliance (COC) requirements of the Commission, as well as other government agencies' requirements, rules, and regulations.

FINALLY, a Show Cause Order (SCO), separate from this Decision shall be issued against EDC, for its failure to observe the pertinent provision of the EPIRA and the rules and regulations of the Commission.

SO ORDERED."

2. In line with the Decision of the Honorable Commission, Applicant respectfully manifests that it has paid the amount of Two Million Eight Hundred Twenty-Six Thousand Three Hundred Ninety-Five Pesos and Seventy-Seven Centavos (PhP2,826,395.77) as permit fee in compliance with Item 8 of the said Decision. A copy of the proof of payment is attached hereto as **Annex "A"**.

RESPECTFULLY SUBMITTED.

Pasig City, July 16, 2025.

**The Law Firm of
QUIASON MAKALINTAL**
Counsel For Energy Development Corporation (EDC)
21/F Robinsons Equitable Tower
4 ADB Avenue, Ortigas Center,
Pasig City, Philippines 1605
Tel. No. +63 (2) 8631-0981 to 0985
ercfilings@qmlaw.com.ph

By:



MIGUEL K. MATHAY

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RIZAL (RSM)

EXPLANATION

Due to the volume of pleadings, motions and other correspondence filed/sent by the Firm daily, the Firm is constrained to cause the service of the copy of the foregoing pleading to the other parties by registered mail or private courier instead of by personal service.


JOHN MAVERICK G. ESPINOLA

Copy furnished:

Office of the Solicitor General
134 Amorsolo Street, Legaspi Village,
1229 Makati City

REF 606 761 355 22

Commission on Audit (COA)
Commonwealth Avenue, 1121 Quezon City

REF 606 761 341 22

Senate Committee on Energy
GSIS Bldg. Roxas Blvd., 1300 Pasay City

REF 606 761 338 22

House Committee on Energy
Batasan Hills, 1126 Quezon City

REF 606 761 324 22

Regulatory Operations Service
14th Floor Exquadra Tower
1 Jade Drive Ortigas Center
1605 Pasig City

REF 606 761 315 22

Office of the City Mayor
1600 Pasig City

REF 606 761 307 22

Office of the Local Government Unit (LGU) Legislative Body
1600 Pasig City

RF 606 761 289 22

Office of the Municipal Mayor
Kananga, 6531 Leyte

RF 606 761 284 22

Office of the Local Government Unit (LGU) Legislative Body
Kananga, 6531 Leyte

RF 606 761 275 22

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Ormoc City, 6541 Leyte

RF 606 761 267 22

Office of the Local Government Unit (LGU) Legislative Body
Ormoc City, 6541 Leyte

RF 606 761 257 22

Office of the Provincial Governor
Province of Leyte, 6500

RF 606 761 240 22

Office of the Local Government Unit (LGU) Legislative Body
Province of Leyte, 6500

RF 606 761 236 22

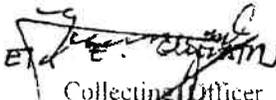
National Grid Corporation of the Philippines (NGCP)
NGCP Building, Quezon Avenue cor. BIR Road
Diliman, 1100 Quezon City

RF 606 761 222 22

ANNEX A

ACCOUNTABLE FORM NO. 514
Revised January, 1992

(ORIGINAL)

	Official Receipt of the Republic of the Philippines	
	Nº 5693195 T 5693195	
	Date 7/10/2005	
Agency ENERGY REGULATORY COMMISSION	Fund	
Payor Energy Development Corporation (EDC)		
Nature of Collection	Account Code	Amount
Other Permit Fee		P2,826,395.77
2075 - SD - 4140		S
402-01-010-99		
TOTAL		P2,826,395.77
Amount in Words Two Million Eight Hundred		
Twenty Six Thousand Three Hundred Ninety Five		
<input type="checkbox"/> Cash	Receivable Security Deposit	Bank Number Date
<input checked="" type="checkbox"/> Check	Secur PG	100/PL 0005014159 7/10/2005
<input type="checkbox"/> Money Order		
Received the amount stated above.		
 Collecting Officer		
NOTE: Write the number and date of this receipt on the back of check or money order received.		



STATEMENT OF ACCOUNT

STATEMENT NO: 2025-SD-4140

ENERGY REGULATORY COMMISSION

<https://www.erc.gov.ph>

1 Jade Drive Ortigas Center, Brgy. San Antonio
Exquadra Tower, Pasig City 1605
Phone 689-5372 loc.5378 Fax 638-4519

DATE ISSUED: July 7 2025

DUE DATE: July 14 2025

EXTENDED DATE:

BILLED TO: Energy Development Corporation (EDC)
Rockwell Business Center Tower 3, Ortigas
Avenue, Pasig City

PARTICULARS	AMOUNT
Permit Fee per Decision dated 25 June 2025 under ERC Case No. 2024-035 MC (1 x 2826395.77) : 4-02-01-010-99	2,826,395.77

TOTAL AMOUNT (PHP) PHP
2,826,395.77

TWO MILLION EIGHT HUNDRED TWENTY-SIX THOUSAND THREE HUNDRED NINETY-FIVE PESOS AND 77/100 CENTS ONLY

Assessed By : Joshua Sibayan
Division, ROS

Approved by: Alvin Jones M. Ortega
Officer-in-Charge

Attested by: Von Carlo Anonuevo
Billing Section



TRANSACTION CODE :

PURPOSE OF THIS PAYMENT: - Permit Fee per Decision dated 25 June 2025 under ERC Case No. 2024-035 MC

TOTAL AMOUNT (PHP): 2826395.77

STATEMENT NO : 2025-SD-4140

BILLED TO : Energy Development Corporation (EDC)
Rockwell Business Center Tower 3, Ortigas
Avenue, Pasig City

DATE ISSUED : July 7 2025

DUE DATE : July 14 2025

EXTENDED DATE :

Assessed By : Joshua Sibayan

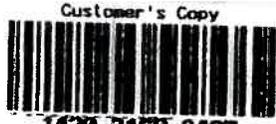
Agency Code : 26-008-0000000

Note: You may settle your account at the ERC Cashier Section or proceed to any Landbank branch or visit

<http://www.lbp-eservices.com/>

OFFICES: METRO MANILA * CEBU CITY * DAVAO CITY

LBC EXPRESS, INC.
 848 PARK AVENUE, ROBINSONS GALERIA, EDSA
 COR. ORTIGAS AVE., QUEZON CITY
 Tel. No : (63) 2 - 86337478
 VAT TIN : 008-782-148-88452



Customer's Copy

THIS SERVES AS AN INVOICE
 RIR : 15882917358428461
 Serial No : PC201387
 Invoice No : JRM831884

SHIPPER: **THE LAW FIRM OF, QUIASON MAKALINTAL**
 Address: 21ST FLR ROBINSONS EQUITABLE TOWER, 4 ADB AVE COR POVEDA ST SAN ANTONIO CITY OF PASIG NATIONAL CAPITAL REGION NCR
 Contact No.: 6318981 / 9687615259
 TIN: Email:

CONSIGNEE: **ENERGY REGULATORY COMMISSION**
 And or / care of / Address: CENTRAL RECORDS DIVISION JADE DRIVE SAN ANTONIO CITY OF PASIG NATIONAL CAPITAL REGION NCR
 Contact No.: 9008000000

Courier N-Pouch SS

Quantity	: 1	VATable(Freight)	: 147.32
Origin	: TNA-JRM83-ROBINSONS GALLERIA	Supplies Fee	: (0.00)
Tran. Date	: 07/16/2025 06:43:39 PM	VAT-Exempt	: 0.00
Delivery Date	: 07/17/2025	VAT Corp-Rated	: 0.00
Area Dest.	: METRO MANILA	1800 Pickup Fee	: 0.00
Tran. Type	: Delivery	Total Sales/Unit Cost:	147.32
Cut-Off	: 07:00 PM	12% VAT	: 17.66
Actual Wt (Kg.)	: 0.00	Amount Due	: 165.00
		Discount	: 0.00
		Mode	: CASH

Track your padala at:
www.lbcexpress.com

Talk to our Care Representative
 Tel. : (632) 8858-5999
 1-800-10-8585-999
 *Only for PH outside MCR

Said to Contain : DOCUMENTS

LBC Express values your privacy. For more info, visit www.lbcexpress.com/privacy

Let us know of your experience
bit.ly/CSATPh

SHIPPER WARRANTS THAT THE SHIPMENT HAS NO CASH INSIDE. CLAIMS OF CARGO ARE LIMITED UP TO ACTUAL DECLARED VALUE ONLY.
 I hereby agree to be bound with the terms and conditions written at the back set forth by LBC EXPRESS

JESSICA LIPO
 Signature of Associate

THE LAW FIRM OF, QUIASON MAKALINTAL
 Signature of Shipper

Invoice Series No : JRM831888000001 to JRM831888000000 BIR Final PTUB:FP002015-122-0051313-00452
 BIR Accreditation No: 1220007021482015000310 Date Issued: 06/26/2015

ANNEX "B"

IN THE APPLICATION TO DEVELOP, OPERATE AND POINT-TO-POINT FACILITIES, TONGONAN STORAGE VISAYAS GRID, WITH MOTION FOR PROVISIONAL AUTHORITY AND FOR CONFIDENTIAL TREATMENT OF INFORMATION,

ERC CASE NO. 2024-035MC

ENERGY DEVELOPMENT CORPORATION (EDC),

Applicant.

X-----X

MOTION FOR PARTIAL RECONSIDERATION

Applicant ENERGY DEVELOPMENT CORPORATION ("EDC" or "Applicant"), through undersigned counsel, respectfully states: That –

1. On 1 July 2025,¹ Applicant received a copy of the Decision of this Honorable Commission dated 25 June 2025 ("Decision") partially denying the Application for authority to develop, own, and operate dedicated point-to-point transmission facilities to connect the Tongonan Battery Energy Storage System ("Tongonan BESS" or "Project") to the Visayas Grid ("Application"), to wit:

"WHEREFORE, the foregoing premises considered, the Application filed by ENERGY DEVELOPMENT CORPORATION (EDC) to develop, own and/or operate dedicated point-to-point limited facilities to connect its ±10 MW Tongonan Battery Energy Storage System (BESS) to

¹ Received at 11:10 p.m of 30 June 2025. Per Section 1, Rule VI of the Guidelines Governing Electronic Applications, Filings and Virtual Hearings before the Energy Regulatory Commission ("E-filing Guidelines"), Orders or Decisions received beyond working hours or days shall be deemed received on the next working day. Per Section 3, Rule V of the E-filing Guidelines, [w]orking hours mean from 8:00 A.M. to 5:00 P.M. and working days mean from Mondays to Fridays.

the Visayas Grid via the Tongonan 138 kV Substation of the EDC, is hereby RESOLVED as follows:

1. EDC is hereby **AUTHORIZED** to develop and own the dedicated point-to-point limited transmission facilities to connect its ± 10 MW Tongonan BESS to the Visayas Grid via a direct connection to the Tongonan 138 kV Substation of EDC, subject to the following conditions:

1.1. The generated energy of EDC's ± 10 MW Tongonan BESS shall be subject to generation curtailment and appropriate dispatch prioritization during simultaneous maximum dispatch of power plants of all the connected power plants in Leyte-Samar Sub-grid as well as the additional generation coming from Luzon via the Naga-Ormoc HVDC Interconnection, until the completion of the Cebu-Leyte 230 kV Interconnection Lines 3 and 4 Project.

1.2. The dedicated point-to-point limited transmission facilities shall be used solely by the generating facility;

1.3. The subject facilities shall be developed and constructed in accordance with the System Impact Study (SIS), Facility Study (FS), and NGCP's requirements listed on the FS review report which shall be complied with by EDC and NGCP prior to the commercial operation Tongonan BESS so as not to result in the degradation of NGCP's transmission system;

1.4. The metering point shall be at the connection point in accordance with the Philippine Grid Code (PGC);

1.5. Should any portion of the dedicated point-to-point limited facilities be required for competitive purposes or to connect any other users, ownership of the same shall be transferred immediately to NGCP. In such case, NGCP shall pay EDC using the fair market price of the said facilities, subject to optimization. The following shall be complied with by NGCP and EDC:

1.5.1. The transfer of the asset, as the case may be, shall be effected on the same day that another user is physically connected. A report on such transfer shall be submitted to the Commission within thirty (30) days from the subject physical connection by another user to the facility.

1.5.2. NGCP and EDC shall ensure the completion of the transactions and requirements for the legal transfer of ownership of the subject assets no later than one (1) year from the physical connection of another user to the facility. A report on such legal transfer of ownership shall be submitted to the Commission within thirty (30) days from the subject physical connection by another user to the facility.

1.5.3. Non-compliance with the above directives as provided in 1.5, its subclauses, and other pertinent provisions of this Decision shall merit the issuance of a Show Cause Order, and subject to penalties as may be imposed by the Commission.

1.6. In the event that EDC's ± 10 MW Tongonan BESS enters into Ancillary Service Procurement Agreement (ASPA) with NGCP, the cost of the connection assets should not form part of the Capital Recovery Fee (CRF) under the said ASPA.

2. EDC is **NOT AUTHORIZED** to develop and own the assets for the Second Facility which are not dedicated point-to-point limited transmission facilities. NGCP shall construct the said facilities in accordance with the FS it approved. EDC shall immediately coordinate with NGCP, upon receipt of the Decision, for the installation and construction of the same, so as not to delay the project.

NGCP is hereby **DIRECTED** complete the installation of the Second Facility prior to the target testing and commissioning of the ± 10 MW Tongonan BESS.

Further, EDC is **DIRECTED TO SUBMIT** a report, within sixty (60) calendar days upon receipt of the Decision, regarding the construction of the foregoing assets by NGCP.

3. The prayer of EDC for authority to operate and maintain the subject facilities is hereby **DENIED**. NGCP shall operate and maintain the subject dedicated point-to-point limited facilities to ensure and maintain the reliability, adequacy, security, stability, and integrity of the nationwide electrical grid, subject to applicable charges to EDC;

Further, EDC is **DIRECTED** to submit a copy of the executed Operation and Maintenance Agreement between EDC and NGCP for the subject facilities within thirty (30) days from its execution.

4. NGCP is **DIRECTED** to continue implementing the current active SIPS, with the inclusion of the subject plant, to mitigate the

overloading issues of Cebu-Leyte Interconnection Lines 1 and 2 pending the completion of Cebu-Leyte Interconnection Lines 3 and 4;

5. NGCP is hereby **DIRECTED** to expedite the completion of the Cebu-Leyte Interconnection Lines 3 and 4 to solve the overloading issues and ensure the reliability of the Visayas Grid;
6. The EDC's Tongonan 138 kV Substation shall be reclassified as Transmission Asset and shall be transferred immediately to NGCP. NGCP shall pay EDC using the fair market price of the said facilities, subject to optimization.

EDC is **DIRECTED TO SUBMIT** a Report, within sixty (60) calendar days upon receipt of the Decision, regarding the transfer of the foregoing assets by NGCP;

7. EDC is hereby **DIRECTED** to submit a Report on its plans and status of the connection of its proposed Phase 2 ± 20 MW Tongonan BESS Project, within thirty (30) calendar days upon receipt of the Decision; and
8. EDC is hereby **DIRECTED** to pay and remit to the Commission the full amount of **Two Million Eight Hundred Twenty-Six Thousand Three Hundred Ninety-Five Pesos and Seventy-Seven Centavos (PhP2,826,395.77)**, within **fifteen (15) calendar days** from receipt of the Decision resolving the instant application, as payment for the permit fee, pursuant to Section 40 of the Public Service Act, as amended, and the Commission's Revised Schedule of Fees and Charges.

The permit fee computed herein shall be considered in the determination of the fair market price of the assets in the event that these assets are transferred to NGCP.

RELATIVE TO THE FOREGOING, EDC is hereby **DIRECTED** to submit a Compliance Report showing its Compliance or Compliance Plan with all the foregoing directives of the Commission, **within thirty (30) calendar days** from receipt hereof.

FURTHERMORE, the resolution of the instant case shall be without prejudice to EDC's compliance with the Certificate of Compliance (COC) requirements of the Commission, as well as other government agencies' requirements, rules, and regulations.

FINALLY, a Show Cause Order (SCO), separate from this Decision shall be issued against EDC, for its failure to observe the pertinent provision of the EPIRA and the rules and regulations of the Commission.

SO ORDERED."

2. Under Rule 23 of this Honorable Commission's Revised Rules of Practice and Procedure, a Motion for Reconsideration may be filed within fifteen (15) days from the receipt of the Decision, to wit:

"Section 1. Filing of Motion for Reconsideration. — A party adversely affected by an order on the merits or decision of the Commission, may within fifteen (15) days from receipt of a copy thereof, file a motion for reconsideration.

No more than one motion for reconsideration by each party shall be entertained."

3. Since the Applicant received the Decision after working hours, at 11:10 PM on 30 June 2025, the Decision is considered to have been received the next working day, or on 1 July 2025. Thus, the Applicant has until 16 July 2025 to file this Motion for Partial Reconsideration. Thus, Applicant respectfully files the instant Motion to seek the partial reconsideration and/or clarification of the following items in this Honorable Court's Decision.

Denial of EDC's prayer to operate and maintain the subject facilities

4. In its Decision, the Honorable Commission stated that the Applicant failed to prove that it is capable of operating the subject facilities without any adverse effect to the grid's reliability, to wit:

Thus, the Commission has consistently ruled that the dedicated point-to-point limited transmission facilities should be operated and maintained by the NGCP because there should be an assurance that the subject facility will be operated without adverse effect to the reliability of the Grid.

*The only exception recognized in the EPIRA is when a generation company acquires prior approval from the Commission to operate such dedicated point-to-point limited facility. This exception, however, is bound by numerous strict conditions, one of which is that **the generation company applying for such authority should be able to prove that it is capable to operate a point-to-point facility, and that its operation of the said facility is in the best interest of the consumers.** However, none of these conditions are present in this case.*

In view of the foregoing, the Commission resolves to deny the prayer and manifestation of EDC to operate and maintain the subject facilities. To ensure and maintain the reliability, adequacy, security, stability, and integrity of the power system, the operation and maintenance of the subject facilities shall be through NGCP.

Furthermore, NGCP shall undertake the operation, service, and maintenance of the dedicated facility involving, among others, periodic inspection

of the dedicated point-to-point limited facilities and regular assessment of poles and wire conditions, subject to applicable charges to EDC. [Emphasis supplied]

5. Applicant respectfully disagrees, and asserts that Applicant is qualified to operate and maintain the subject facilities. EDC has longstanding experience and technical expertise, as well as the necessary resources to operate and maintain the said dedicated point-to-point facilities.

6. Applicant has a track record which shows that it has the technical capability to develop, construct, operate and maintain point-to-point limited transmission facilities. The Honorable Commission may recall that the Application states as follows:

23. Likewise, EDC's track record shows that it has the technical capability to develop, construct, operate, and maintain the Connection Asset based on the design and configuration in the SLD attached to the SIS as accepted by NGCP.

23.1 EDC owns and operates the Unified Leyte Geothermal Power Plant Complex (the "ULGPP") including the Unified Leyte - Central Switching Station ("UL-CSS") which is the switchyard located inside the ULGPP and which serves as the centralized dispatching asset of the six power plants constituting the ULGPP (the "UL Plants") in relation to the import and export of generation output to the Grid.

23.2 The electricity generated by the UL Plants is aggregated and conveyed to the UL CSS through a 230 kV network composed of seven (7) switchyards, 23-km transmission lines, and 33 towers. The generated electricity is aggregated and is then dispatched to the grid through two points of interconnection to Cebu and to Luzon Grids.

The operation and maintenance of the Connection Asset is planned to be carried out by personnel belonging to the Facilities Operations and Maintenance ("FOM") Group of EDC. These personnel will be under the supervision and direction of Engr. Liberato S. Virata, as the Head of EDC FOM. The personnel can all be contacted through EDC at its principal office address.

7. Based on the foregoing, it is clear that the Applicant possesses the necessary technical capability to develop, construct, operate, and maintain the dedicated point-to-point limited facilities of the Tongonan BESS, aligning with the design and configuration approved by NGCP. This capability is demonstrated by the Applicant's ownership and operation of the Unified Leyte

Geothermal Power Plant Complex (ULGPP). Within the ULGPP, the Applicant manages the Unified Leyte - Central Switching Station (UL-CSS), a critical switchyard that centralizes the dispatch of power from the six plants within the complex. The UL-CSS handles the aggregation and transmission of electricity generated by the UL Plants. This involves a robust 230 kV network consisting of seven switchyards, 23 kilometers of transmission lines, and 33 towers. From the UL-CSS, the aggregated electricity is dispatched to the national Grid through two interconnection points, serving both the Cebu and Luzon Grids.

8. In the same vein, EDC will be in charge of the operation and maintenance of the dedicated point-to-point limited transmission facilities which will connect the Project to the Visayas Grid, through the Tongonan 138 kV Substation. For this purpose, EDC will utilize the manpower, experience, and expertise that has enabled it to operate and maintain the UL-CSS for more than a decade. It bears stressing that during this time of EDC's operation of the UL-CSS, no major issue on the reliability of the Grid has been attributed to EDC's failure to properly operate, service, and maintain the UL-CSS. We respectfully submit that the Honorable Commission should take these into account in ascertaining the ability of EDC to operate and maintain the subject facilities.

9. In this regard, the Applicant has submitted in its application, Exhibits "C", "Q", "R-2", and "U", which are the Latest General Information Sheet, Affidavit of Undertaking with the Philippine Grid Code, Proof of Technical Capability (Curriculum Vitae of Relevant EDC Personnel and List of Operations and Maintenance Team on site), and relevant certifications from DOE, respectively as supporting documents to show the technical capability and experience of the Applicant and its personnel. The Applicant is re-submitting the documents for the Honorable Commission's convenience as Annexes "A", "B", "C", and "D".

10. For the Honorable Commission's reference, the technical team who will operate, service, and maintain the dedicated point-to-point limited facilities of the Tongonan BESS is composed of the following personnel:

Names	Positions
Joel Lagan	Lead - Production Shift
Emmanuel Baliña	Senior Operator - Production
Lexter Alonzo	Engineer- Production
Joderic Quiros	Engineer- Production
Christian Sotto	Senior Engineer- Maintenance
Wiljun Cañete	Engineer- Maintenance
Emiliano Abarquez	Senior Technician - Maintenance

Elmer Sano	Senior Engineer- Maintenance
Ranolfo Konahap	Head - Specialized Electrical Services
Dennis Puray	Engineer - Electrical Maintenance
Amory Lunod	Senior Engineer - Electrical Maintenance
Armando Gamutan	Engineer - Electrical Maintenance
Danilo Maturan	Senior Engineer - Electrical Maintenance
Jhon Ronald Alba	Engineer - Electrical Maintenance
Mike Daniel Magalona	Engineer - Electrical Maintenance
Victorino Castillote	Senior Engineer - Electrical Maintenance
Voltaire Baquial	Engineer - Electrical Maintenance

11. In this regard, the Applicant is attaching the Work Profiles and Job Descriptions of the personnel charged with the operation and maintenance of the subject facilities as Annexes “E-Series” and “F-Series” of this Motion.

12. The Applicant highlights the following:

(a) The Work Profiles specify the relevant work experience and professional licenses/ certifications of each personnel who will handle the operations and maintenance of the subject facilities; and

(b) The Job Descriptions for each of the positions occupied by the operations and maintenance team mentioned above indicate the Scope and Responsibilities, Qualifications and Experiences, and Competencies required for each position. These are specific and relevant to ensure that the subject facilities are smoothly operated and well-maintained by technically qualified and experienced individuals.

13. Furthermore, as discussed in the SIS, the Applicant’s operation of the subject facilities and connection asset will not have any adverse effect on the Grid’s reliability, to wit:

“As regards the voltage analysis, no voltage problems were identified upon entry of the Project. The result confirms that the voltage levels of the monitored substations remain within acceptable limits during normal and N-1 conditions for both study years 2024 and 2029.

The short circuit simulation results indicate that the increased fault levels in the monitored substations associated with the entry of the Project are within acceptable limits and will not breach the interrupting capacity of the installed circuit breakers. Moreover, the computed Short Circuit Ratio (SCR) at the

Point of Interconnection (POI) in years 2024 and 2029 indicate that the operation of the Project will be unaffected by the changes in the active and reactive power injections.

The transient stability assessment shows that there are no stability issues after the clearance of three-phase fault for both normal and delayed clearing time in years 2024 and 2029. To ensure the grid transient stability, protection scheme shall be established according to the requirement of the PGC and Network Protection Philosophy.

The frequency assessment results show that the sudden loss of the Project while supplying full capacity to the grid will not cause the system frequency to drop below 59.2 Hz and will not trigger the Automatic Load Dropping (ALD) relays.

14. It also should be noted that NGCP, as Grid Operator, did not oppose the instant Application. If the subject facility was truly integral to the Grid's reliability, and if NGCP did not believe that the Applicant could operate and maintain the point-to-point limited transmission facilities, then NGCP would have duly and timely filed its opposition with the Honorable Commission, as it has done so in many other instances or applications where it finds that the reliability of the Grid may be affected or where it deems facilities to be transmission assets in nature.

15. It is also worth recalling that in its Manifestation dated 26 September 2024 in relation to the Application, NGCP only raised the matter of reclassification of the Tongonan 138 kV Substation as a transmission asset. It did not interpose any objection or express any reservation on EDC's ability to operate and maintain the Tongonan BESS point-to-point limited transmission facilities. If NGCP had genuine doubt about EDC's capability to operate, service, and maintain the subject facilities and such uncertainty may adversely affect the reliability of the Grid, it would have opposed EDC's prayer to operate and maintain the subject facilities.

16. As shown in the above discussion, it is evident that the Applicant has established that it has the technical capability to operate and maintain the point-to-point limited transmission facilities, contrary to this Honorable Commission's unsupported statement in its Decision that such is not present in the instant case.

17. In addition, the operation and maintenance of the subject facilities by the Applicant is in the best interest of the consumers. Having EDC operate its own dedicated point-to-point limited facilities would save NGCP from incurring additional operational costs which form part of the NGCP's rate base that will be used for its petitions for adjustment to its transmission charge. This transmission charge would eventually be passed on to all grid users, including those that are not served by EDC.

18. In the case of *Central Negros Power Reliability, Inc.*, ERC Case No. 2015-016MC, this Honorable Commission approved the operation of the dedicated point-to-point facilities. In this Honorable Commission's Decision dated 29 October 2015, the applicant in the case (i.e. Central Negros Power) was found to be technically capable to operate the facilities given the submission of the members of the technical team, which showed them to be highly technical and experienced personnel, as well as considering the undertaking to comply with the Philippine Grid Code (PGC), etc. It is of note that in the instant case of Applicant EDC, as mentioned earlier and similar to the case of Central Negros Power Reliability, Inc., the Applicant submitted, among other evidence, an Affidavit of Undertaking with the Philippines Grid Code and Proof of Technical Capability (Curriculum Vitae of Relevant EDC Personnel and List of Operations and Maintenance Team on site). Yet, unlike Central Negros Power Reliability, Applicant EDC was not found to be technically capable to operate and maintain the subject facilities, despite the similar nature of supporting documents provided.

19. As can be seen in the above discussion, it is evident the Applicant has established, contrary to the Decision, that it has the technical capability to operate and maintain the said dedicated point-to-point limited facilities, as well as the benefit to the consumers of the operation of the facility by the Applicant, in line with the exception provided by the Honorable Commission in its Decision.

20. EDC likewise notes the last part of the Decision pertaining to NGCP undertaking the operating, service and maintenance of the facility, provides as follows::

*“Furthermore, NGCP shall undertake the operation, service, and maintenance of the dedicated facility involving, among others, periodic inspection of the dedicated point-to-point limited facilities and regular assessment of poles and wire conditions, **subject to applicable charges to EDC.**”*
[Emphasis supplied]

21. Assuming without admitting and in the event that the Honorable Commission would still deny the Applicant's prayer for authority to operate and maintain the point-to-point limited facilities, EDC wishes to clarify this Honorable Commission's qualification and statement of “subject to applicable charges to EDC”.

22. The last portion of the Decision is unclear. In the event that NGCP takes over the operation, service and maintenance of the point-to-point limited facilities, what are included in the applicable charges to EDC mentioned in the Decision? Are these the regular transmission charges imposed on EDC and all other generation companies, as well as industry participants interacting with NGCP?

23. With all due respect, the term “applicable charges” in the said statement does not provide guidance as to what will be applied, and the basis on what such application will be done.

The Applicant wishes to clarify the directive to transfer the dedicated point-to-point limited facilities if they are required for competitive purpose

24. The Decision likewise states that “[s]hould any portion of the dedicated point-to-point limited facilities be required for competitive purposes or to connect any other users, ownership of the same shall be transferred immediately to NGCP.”

25. Assuming *arguendo* that the operation of the said connection asset should be turned over to NGCP once it acquires a competitive purpose, Applicant respectfully requests clarification as to how to operationalize such transfer and the steps/process/timelines to effect such transfer of operations, as this is unclear in the Decision.

26. Likewise, Applicant respectfully raises the following queries - in the event that NGCP does not take steps to take over the dedicated point-to-point limited facilities, what will happen to its operation? In the event that NGCP would not assume the operation of the asset, would Applicant then be allowed to operate the asset by default just so the connection can still be operated and no delays in delivery of power would occur, and would it then be authorized to charge costs of such operation to NGCP?

27. We respectfully seek clarification on the foregoing items to aid the Applicant and NGCP in understanding how compliance with such item in the Decision will be operationalized should the factors giving rise to the need for such compliance arise.

The Applicant wishes to clarify the directive with regard to the Second Facility

28. With regard to the Second Facility (i.e., Assets to be installed for the connection of the Tongonan BESS at the Tongonan 138 kV Substation), the Honorable Commission did not grant the Applicant the authority to develop and own the assets thereof, and directed NGCP to construct the said facilities in accordance with the Facilities Study it approved, to wit:

“On the other hand, the assets for the Second Facility are not considered dedicated point-to-point limited transmission facilities or connection assets,

rather, these are considered as transmission assets. As shown in Figure 1, these assets are already inside the Tongonan Substation connection $\pm 10\text{MW}$ Tongonan BESS and Tongonan Geothermal Power Plant (TGPP), which is a Transmission Asset under Commission's Resolution No. 23, Series of 2016. Hence, EDC shall not be authorized to develop and own the said facilities, considering that the said assets will not be functioning as a dedicated point-to-point transmission facility- NGCP should construct said facilities in accordance with the Facilities Study (FS) it approved."

29. Similar to the earlier clarification raised by Applicant, Applicant respectfully requests clarification as to how to operationalize such transfer and the steps/process/timelines to effect such transfer of operations, as this is unclear in the Decision.

30. It is respectfully raised by the Applicant that the construction of the Second Facility has already been completed, in accordance with the Facilities Study approved by the NGCP. Given that the Second Facility is already constructed, the Applicant respectfully raises the following queries - what will happen in the event that NGCP, despite the order, does not act or take steps in operating the Second Facility in time? In the event that NGCP does not take steps to take over the Second Facility, what will happen to its operation?

31. Furthermore, in the event that NGCP would not assume the operation of the Second Facility, would Applicant then be allowed to operate the Second Facility by default just so the connection can still be operated and no delays in delivery of power would occur, and would it then be authorized to charge costs of such operation to NGCP?

32. Furthermore, Applicant also respectfully requests clarification if NGCP shall also pay the fair market value of the Second Facility, considering the construction of the same and given the directive in the Decision to NGCP to construct the said facilities, and how such fair market value shall be computed.

Directive to turnover the
Tongonan 138 kV Substation
to NGCP

33. In the Decision, the Honorable Commission held that the "Tongonan 138 kV Substation shall be reclassified as Transmission Asset since it is not anymore dedicated to TGPP. It will now connect TGPP and Tongonan BESS with separate COCs. As such, EDC shall turn over the said substation to NGCP. EDC shall submit a report regarding the transfer of the said assets to NGCP within sixty (60) calendar days upon receipt of this Decision." Thus, the Honorable Commission directed that the EDC's Tongonan 138 kV Substation shall be reclassified as Transmission Asset and shall be transferred immediately to NGCP, and the latter shall pay EDC using the fair market price of the said facilities, subject to optimization.

34. The Applicant respectfully submits that the ownership, operation, and maintenance of the Tongonan 138kV Substation should remain with GCGI, who is the current owner and operator of the asset. While centralized control by the NGCP of the transmission system is understandable, Applicant believes that certain circumstances warrant that ownership, operation and maintenance of the Tongonan 138kV Substation should remain with GCGI. In this case, specifically, Applicant contends that transferring ownership, operation and maintenance of the Tongonan 138kV Substation to NGCP could introduce significant risks to the very reliability and stability of the Grid that both Applicant and the Honorable Commission are striving to protect.

35. Applicant's primary concern centers on the loss of intimate, specialized knowledge and breakdown of integrated operational synergy with respect to the operation and maintenance of the Tongonan 138kV Substation. The Tongonan 138kV Substation is designed and customized to interface with the generating facilities connected to it, as well as to the Grid. It was designed and engineered to optimize the output of specific generating facilities, and to integrate seamlessly to the Grid. The operation and maintenance (O&M) team of GCGI possess an unparalleled, granular understanding of this Tongonan 138kV Substation - its unique design specifications, historical performance data, specific operational quirks, and the nuances of its interaction and interface with the generating facilities connected to it. This deep institutional knowledge of the Tongonan 138kV Substation, accumulated over years of development and operation, is invaluable and assures that GCGI is in a better, if not the best, position to operate and maintain the Tongonan 138kV Substation, ensuring the reliability and stability of the Grid.

36. One of the functions of the National Transmission Corporation and by extension, NGCP, is to ensure and maintain the reliability, adequacy, security, stability and integrity of the nationwide electrical grid in accordance with the performance standards for the operations and maintenance of the grid.² Two (2) of the key parameters for the operation and maintenance of the grid are "Reliability" and "Stability", which are defined in the Philippine Grid Code (PGC)³ as follows:

- (a) "Reliability" - the performance of the elements of the bulk electric system that results in electricity being delivered to Customers within accepted standards and in the amount desired. Reliability may be measured by the Frequency, duration, and magnitude of adverse effects on the electric supply.⁴

² EPIRA, Sec. 9(c)

³ PGC 2016 Edition; All capitalized terms not defined in this Motion for Reconsideration shall be given the meaning ascribed to them under the PGC

⁴ PGC, Sec. GC 1.7.

- (b) "Stability" - the ability of the dynamic Components of the Power System to return to a normal or stable operating point after being subjected to some form of change or disturbance.⁵

37. Insofar as Transmission Reliability is concerned, the ERC is mandated to prescribe Reliability Performance Indicators (RPIs) that will measure, among others, the total number and duration of power Interruptions in the Grid.⁶ "Interruption" is the result of one or more Component Outages, or when a Component is not available to perform its intended function due to some Event (i.e., unscheduled or unplanned occurrence of an abrupt change or disturbance in a Power System due to fault, Equipment Outage, Adverse Weather condition or natural phenomena) directly associated with that Component.⁷ On the other hand, Grid Stability is measured by how quick the Component of a Power System can return to a normal or stable operating point after being subjected to some form of change or disturbance.

38. Stated differently, the performance of the Grid is measured through, among others, the frequency and duration of outages due to, *inter alia*, disturbance in a Power System (i.e., the integrated system of transmission, distribution network and Generating Plant for the supply of electricity).⁸ Thus, any issue with the Components of the Power System that results in electricity not being delivered to Customers within accepted standards and in the amount desired is detrimental to Grid Reliability.

39. Based on the foregoing framework, we wish to point out that the Tongonan 138 kV Substation is a critical Component to the Power System, in that the Tongonan Geothermal Power Plant (TGPP) will not be able to deliver electricity and the Tongonan BESS will be unable to draw and discharge electricity to the Grid if there are issues with such substation. In other words, if the Tongonan 138 kV Substation is not functioning properly, there will be power Interruptions in the Grid due to the disconnection of the TGPP and the Tongonan BESS from the Grid.

40. Should the ownership, operation and maintenance of the Tongonan 138 kV Substation remain with GCGI, in the event that an anomaly or fault occurs, the on-site O&M team of GCGI can immediately diagnose the issue, leveraging on their comprehensive knowledge and understanding of the substation's internal workings, and its direct relationship with the generating units connected to the substation. This swift, informed response is paramount in minimizing Interruptions and outage durations, and preventing cascading failures that could affect the reliability and stability of the Grid.

⁵ Id.

⁶ Id., Sec. PST 3.3.2.1.

⁷ Id., Sec. GC 1.7.

⁸ Id.

41. Moreover, any potential delay in NGCP's repair of the Tongonan 138 kV Substation means longer time for the TGPP and Tongonan BESS to be re-synchronized to the Grid. This then affects Grid Stability, which as mentioned above pertains to the ability of the dynamic Components of the Power System to return to a normal or stable operating point after being subjected to some form of change or disturbance.

42. Lastly, transferring ownership, operation and maintenance of the Tongonan 138 kV Substation to NGCP could likewise pose significant operational difficulties. The current O&M strategy for the Tongonan 138 kV Substation is integrated with the operational plant schedule and performance targets of the generating units connected to the substation. This enables the conduct of preventive maintenance, predictive analytics, and minor adjustments that are precisely timed and tailored to ensure that the Tongonan 138 kV Substation supports the optimal and reliable dispatch of power from the generating units connected to it. Separating this function risks a disconnect, where maintenance of the Tongonan 138 kV Substation without full consideration of the generation unit's needs, could potentially lead to suboptimal performance or forced outages.

43. Currently, the Tongonan 138 kV Substation houses the following: (a) breakers (i.e., closing interlocks, tripping interlocks, protection zones commonality) of the Tongonan GPP, and (b) protection panels and relays used for 138kV bus, generators, generator step-up transformer, and BESS line. Thus, even if NGCP were to take over the operation and maintenance of this substation, EDC and GCGI will have to co-manage it with NGCP as there are components therein that still belong to these generation companies. Having separate entities simultaneously operate, service, and maintain the same substation is a complex undertaking, given the constant coordination and delineation of responsibilities needed.

44. Based on the foregoing, it is clear that the ownership, operation and maintenance of the Tongonan 138 kV Substation is a specialized function best performed by those who designed, built, and historically operated the same. Disrupting this established system would be to dismantle an existing, proven, and highly efficient operational nexus between the substation and the generating units connected to it, replacing it with a more generalized approach that could risk dilution of critical expertise, create operational bottlenecks, and ultimately compromise the very reliability and stability of the Grid. We respectfully request the Honorable Commission to consider these critical implications and revisit its directive mandating the transfer of the Tongonan 138 kV Substation to NGCP.

45. In case the Honorable Commission will uphold its directive despite the foregoing considerations, Applicant respectfully requests clarification as to how to operationalize such transfer and the steps/process/timelines to effect such transfer of ownership and operations, as this is unclear in the Decision. Applicant respectfully raises the following queries - in the event that NGCP does

not take steps to or take over the Tongonan 138 kV Substation, what will happen to its operation? In the event that NGCP would not assume the operation of the asset, would Applicant then become the operator of the asset by default just so the connection can still be operated and no delays in delivery of power would occur, and would it then be authorized to charge costs of such operation to NGCP?

46. In view of the foregoing, it is only reasonable that this Honorable Commission grant this instant motion, and reconsider its Decision dated 25 June 2025.

PRAYER

WHEREFORE, premises considered, Applicant EDC respectfully prays that this Honorable Commission:

- (i) partially reconsiders and clarifies its Decision dated 25 June 2025;
- (ii) authorizes Applicant EDC to operate and maintain the subject dedicated point-to-point facilities;
- (iii) clarify the procedure as to the operation and maintenance of the subject dedicated point-to-point limited facilities, taking into consideration the possibility that NGCP does not, or is not able to, immediately takeover or accept turnover of the said operation and maintenance, in case the Honorable Commission upholds its decision for NGCP to operate and maintain these facilities;
- (iv) clarify the phrase "*subject to applicable charges to EDC*" in number 3 of the dispositive portion of the Decision;
- (v) issue a clarificatory order as to the steps, process, and timelines to effect the transfer of the dedicated point-to-point limited facilities of the Project, in case it is required for competitive purpose;
- (vi) issue a clarificatory order as to the steps, process, and timelines to effect the transfer of the Second Facility; and
- (vii) reconsider the reclassification of Tongonan 138kV Substation and the directive to turn over the same to NGCP.

Other reliefs just and equitable under the premises are likewise prayed for

Pasig City, 16 July 2025.

**The Law Firm of
QUIASON MAKALINTAL**
Counsel For Energy Development Corporation (EDC)
21/F Robinsons Equitable Tower
4 ADB Avenue, Ortigas Center,
Pasig City, Philippines 1605
Tel. No. +63 (2) 8631-0981 to 0985
ercfilings@qmlaw.com.ph

By:



MIGUEL K. MATHAY
ROLL OF ATTORNEYS NO. 43982
MCLE COMPLIANCE NO. VIII-0023334; 4/14/2028
PTR NO. 3040417; 01/03/2025
PASIG CITY
IBP NO. 511708; 01/03/2025
RIZAL (RSM)

GIANNA MARIA C. COMSTI
ROLL OF ATTORNEYS NO. 63071
MCLE COMPLIANCE NO. VIII-0022934; 4/14/2028
PTR NO. 3040424; 01/03/2025
PASIG CITY
IBP NO. 511715; 01/03/2025
RIZAL (RSM)



JOHN MAVERICK G. ESPINOLA
ROLL OF ATTORNEYS NO. 81683
MCLE COMPLIANCE NO. VIII-0022951; 4/14/2028
PTR NO. 3040432; 01/03/2025
PASIG CITY
IBP NO. 511723; 01/03/2025
RIZAL (RSM)

EXPLANATION

Due to the volume of pleadings, motions and other correspondence filed/sent by the Firm daily, the Firm is constrained to cause the filing with the Honorable Office and the service of the copy of the foregoing pleading to the other parties by registered mail or private courier instead of by personal service.



JOHN MAVERICK G. ESPINOLA

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1229 Makati City

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Senate Committee on Energy

GSIS Bldg. Roxas Blvd., 1300 Pasay City

House Committee on Energy

Batasan Hills, 1126 Quezon City

Regulatory Operations Service

14th Floor Exquadra Tower
1 Jade Drive Ortigas Center
1605 Pasig City

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1600 Pasig City

Office of the Local Government Unit (LGU) Legislative Body

1600 Pasig City

Office of the Municipal Mayor

Kananga, 6531 Leyte

Office of the Local Government Unit (LGU) Legislative Body

Kananga, 6531 Leyte

Office of the City Mayor

Ormoc City, 6541 Leyte

Office of the Local Government Unit (LGU) Legislative Body

Ormoc City, 6541 Leyte

Office of the Provincial Governor

Province of Leyte, 6500

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Province of Leyte, 6500

National Grid Corporation of the Philippines (NGCP)

NGCP Building, Quezon Avenue cor. BIR Road
Diliman, 1100 Quezon City

1420 3162 8280

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CONSIGNEE: OFFICE OF THE, SOLICITOR GENERAL
 And or/ care of:
 Address: 134 AMORSOLO ST LEGASPI VILLAGE SAN LORENZO CITY OF MAKATI NATIONAL CAPITAL REGION NCR
 Contact No.: 89881674

Courier N-Pouch SS

Quantity	: 1	VATable(Freight)	: 147.32
Origin	: MMA-JRA03-ROBINSONS GALLERIA	Supplies Fee	: (0.00)
Tran. Date	: 07/16/2025 06:15:07 PM	VAT-Exempt	: 0.00
Delivery Date	: 07/17/2025	VAT Zero-Rated	: 0.00
Area Dest.	: METRO MANILA	10AM Pickup Fee	: 0.00
Tran. Type	: Delivery	Total Sales/Unit Cost	: 147.32
Cut-Off	: 07:00 PM	12% VAT	: 17.68
Actual Wt (Kg.)	: 0.00	Amount Due	: 165.00
		Discount	: 0.00
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 Signature of Associate

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 And or/ care of:
 Address: DON MARIANO MARCOS AVENUE DILIMAN COMMONWEALTH QUEZON CITY NATIONAL CAPITAL REGION NCR
 Contact No.: 9000000000

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Quantity	: 1	VATable(Freight)	: 147.32
Origin	: MMA-JRA03-ROBINSONS GALLERIA	Supplies Fee	: (0.00)
Tran. Date	: 07/16/2025 06:15:50 PM	VAT-Exempt	: 0.00
Delivery Date	: 07/17/2025	VAT Zero-Rated	: 0.00
Area Dest.	: METRO MANILA	10AM Pickup Fee	: 0.00
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Cut-Off	: 07:00 PM	12% VAT	: 17.68
Actual Wt (Kg.)	: 0.00	Amount Due	: 165.00
		Discount	: 0.00
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 Contact No.: 6310981 / 9687615259
 TIN: Email:

CONSIGNEE: SENATE COMMITTEE, ON ENRGY
 And or/ care of:
 Address: GSIS BLDG ROXAS BLVD BARANGAY 76 PASAY CITY NATIONAL CAPITAL REGION NCR
 Contact No.: 9100000000

Courier N-Pouch SS

Quantity	: 1	VATable(Freight)	: 147.32
Origin	: MMA-JRA03-ROBINSONS GALLERIA	Supplies Fee	: (0.00)
Tran. Date	: 07/16/2025 06:17:01 PM	VAT-Exempt	: 0.00
Delivery Date	: 07/17/2025	VAT Zero-Rated	: 0.00
Area Dest.	: METRO MANILA	10AM Pickup Fee	: 0.00
Tran. Type	: Delivery	Total Sales/Unit Cost	: 147.32
Cut-Off	: 07:00 PM	12% VAT	: 17.68
Actual Wt (Kg.)	: 0.00	Amount Due	: 165.00
		Discount	: 0.00
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 Signature of Shipper

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And or/ care of: /
Address: BATASAN HILLS QUEZON CITY NATIONAL
CAPITAL REGION NCR
Contact No.: 000

Courier N-Pouch SS

Quantity : 1
Origin : MMA-JRAB3-ROBINSONS GALLERIA
Tran. Date : 07/16/2025 06:17:44 PM
Delivery Date : 07/17/2025
Area Dest : METRO MANILA
Tran. Type : Delivery
Cut-Off : 07:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 147.32
Supplies Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
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Total Sales/Unit Cost: 147.32
12% VAT : 17.68
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And or/ care of: /
Address: ENERGY REGULATORY COMMISSION 14F EXQUADRA
TOWER 1 JADE DRIVE SAN ANTONIO CITY OF PASIG
NATIONAL CAPITAL REGION NCR
Contact No.: 9100000000

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Quantity : 1
Origin : MMA-JRAB3-ROBINSONS GALLERIA
Tran. Date : 07/16/2025 06:18:45 PM
Delivery Date : 07/17/2025
Area Dest : METRO MANILA
Tran. Type : Delivery
Cut-Off : 07:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 147.32
Supplies Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
10AM Pickup Fee : 0.00
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Discount : 0.00
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Quantity : 1
Origin : MMA-JRAB3-ROBINSONS GALLERIA
Tran. Date : 07/16/2025 06:19:55 PM
Delivery Date : 07/17/2025
Area Dest : METRO MANILA
Tran. Type : Delivery
Cut-Off : 07:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 147.32
Supplies Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
10AM Pickup Fee : 0.00
Total Sales/Unit Cost: 147.32
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Signature of Shipper

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Address: LEGISLATIVE BODY SAN NICOLAS CITY OF
PASIG NATIONAL CAPITAL REGION NCR
Contact No.: 00

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Quantity : 1
Origin : MMA-JRA03-ROBINSONS GALLERIA
Tran. Date : 07/16/2025 06:21:02 PM
Delivery Date : 07/17/2025
Area Dest. : METRO MANILA
Tran. Type : Delivery
Cut-Off : 07:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 147.32
Supplies Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
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And or/ care of: /
Address: ... POBLACION KANANGA LEYTE
Contact No.: 9100000000

Courier N-Pouch SS

Quantity : 1
Origin : MMA-JRA03-ROBINSONS GALLERIA
Tran. Date : 07/16/2025 06:22:19 PM
Delivery Date : 07/19/2025 - 07/21/2025
Area Dest. : Visayas
Tran. Type : Delivery
Cut-Off : 07:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 188.36
Supplies Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
10RM Pickup Fee : 0.00
Total Sales/Unit Cost: 188.36
12% VAT : 22.64
Amount Due : 202.00
Discount : 0.00
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Signature of Associate

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Signature of Shipper

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Contact No.: 6310981 / 9687615259
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CONSIGNEE: **OFFICE OF THE LOCAL GOVERNMENT UNIT LEGISLATIVE BODY KANANGA**
And or/ care of: /
Address: ... POBLACION KANANGA LEYTE
Contact No.: 000

Courier N-Pouch SS

Quantity : 1
Origin : MMA-JRA03-ROBINSONS GALLERIA
Tran. Date : 07/19/2025 06:19:44 PM
Delivery Date : 07/19/2025 - 07/21/2025
Area Dest. : Visayas
Tran. Type : Delivery
Cut-Off : 07:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 188.36
Supplies Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
10RM Pickup Fee : 0.00
Total Sales/Unit Cost: 188.36
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JESSICA LIPO
Signature of Associate

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Signature of Shipper

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PASIG NATIONAL CAPITAL REGION NCR
Contact No.: 6318981 / 9687615259
TIN: Email:

CONSIGNEE: **OFFICE OF THE, MAYOR ORMOG CITY**
And or/ care of:
Address: COGON COMBADO ORMOG CITY LEYTE
Contact No.: 000

Courier N-Pouch SS

Quantity : 1
Origin : NVA-JRB03-ROBINSONS GALERIA
Trans. Date : 07/16/2025 06:21:55 PM
Delivery Date : 07/19/2025 - 07/21/2025
Area Dest. : Visayas
Trans. Type : Delivery
Cut-Off : 07:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 188.36
Supplier Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
180M Pickup Fee : 0.00
Total Sales/Unit Cost: 188.36
12% VAT : 21.64
Amount Due : 202.00
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Trans. Type : Delivery
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VAT-Exempt : 0.00
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 Supplies Fee : (0.00)
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CONSIGNEE: **NATIONAL GRID CORPORATION, OF THE PHILIPPINES**
 Address: NGCP BLDG QUEZON AVE COR BIR RD DILIMAN
 SOUTH TRIANGLE QUEZON CITY NATIONAL CAPITAL REGION
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 Contact No.: 3334302

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Quantity : 1
 Origin : NWA-JRM03-ROBINSONS GALLERIA
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 Tran. Type : Delivery
 Cut-Off : 07:00 PM
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 BIR Accreditation No: 1220007821482015060310 Date Issued: 06/26/2015

Compliance Report
ERC Case No. 2024-035 MC
28 July 2025

This Compliance Report is being submitted to the Energy Regulatory Commission by Energy Development Corporation (EDC) in relation to EDC's Tongonan Energy Storage System (the "Project"), specifically with respect to EDC's application for the authority to develop, own, and operate dedicated point-to-point limited facilities to connect the Project to the Visayas Grid via direct connection to the Tongonan 138kV substation, with prayer for provisional authority and for confidential treatment of information under ERC Case No. 2024-035 MC, and the Decision dated 25 June 2025 (the "Decision"), which EDC received on 01 July 2025. A Motion for Partial Reconsideration was filed last 16 July 2025 to seek reconsideration and/or clarification on some of the items in the Honorable Commission's Decision.

In compliance with the Honorable Commission's directives in the Decision to submit a Compliance Report within thirty (30) days from receipt of the Decision, we respectfully submit:

1. Item 1, Dispositive Portion of the Decision

a. Item 1.1, Dispositive Portion:

"1.1 The generated energy of EDC's ± 10 MW Tongonan BESS shall be subject to generation curtailment and appropriate dispatch prioritization during simultaneous maximum dispatch of power plants of all the connected power plants in Leyte-Samar Sub-grid as well as the additional generation coming from Luzon via the Naga-Ormoc HVDC Interconnection, until the completion of the Cebu-Leyte 230 kV Interconnection Lines 3 and 4 Project.:

Status: For Compliance

The Project will be complying to the ERC directive by implementing a Special Protection for Output Optimization (SPOO) logic to allow the battery energy storage system to automatically stop ramping up or ramping down when NGCP's protection relays give the signal during times when the grid is overloaded. This will be tested with NGCP during the Project's Grid Compliance Testing scheduled on August 1 to 4, 2025.

b. Item 1.2, Dispositive Portion:

"1.2 The dedicated point-to-point limited transmission facilities shall be used solely by the generating facility;"

Status: Complied

The dedicated point-to-point limited transmission facilities shall be used solely by the Project.

c. Item 1.3, Dispositive Portion:

"1.3. The subject facilities shall be developed and constructed in accordance with the SIS, FS and NGCP's requirements listed on the FS review report which shall be complied with by EDC prior to the commercial operation Tongonan BESS, so as not to result in the degradation of NGCP's transmission system;"

Status: Complied

The point-to-point limited facilities complied with and followed the System Impact Study (SIS), Facility Study (FS), and other requirements of NGCP. NGCP has validated these through a combination of reviewing the equipment test reports and actual on-site testing culminating in NGCP's issuance of the Project's Provisional Certificate of Authority to Connect last May 21, 2025 (Appendix "1").

d. Item 1.4, Dispositive Portion:

"1.4. The metering point shall be at the connection point in accordance with the PGC;"

Status: Complied

The metering point is located at the Project's switchyard which is ~120m from the connection point in accordance with the Philippine Grid Code, with full guidance of NGCP, as supported by the Facilities Study Report issued by NGCP (Appendix "2").

2. Item 2, Dispositive Portion, Decision

"2. EDC is **NOT AUTHORIZED** to develop and own the assets for the *Second Facility* which are not dedicated point-to-point limited transmission facilities. NGCP shall construct the said facilities in accordance with the FS it approved. EDC shall immediately coordinate with NGCP, upon receipt of the Decision, for the installation and construction of the same, so as not to delay the project.

NGCP is hereby **DIRECTED** complete the installation of the Second Facility prior to the target testing and commissioning of the ±10 MW Tongonan BESS.

Further, EDC is **DIRECTED TO SUBMIT** a report, within sixty (60) calendar days upon receipt of the *Decision*, regarding the construction of the foregoing assets by NGCP."

Status: Complied

The construction of the Second Facility has already been completed, in accordance with the Facilities Study approved by the NGCP.

3. Item 3, Dispositive Portion, Decision

"3. The prayer of EDC for authority to operate and maintain the subject facilities is **DENIED**. NGCP shall operate and maintain the subject dedicated point-to-point limited facilities to ensure and maintain the reliability, adequacy, security, stability, and integrity of the nationwide electrical grid, subject to applicable charges to EDC.

Further, EDC is **DIRECTED** to submit a copy of the executed Operation and Maintenance Agreement between EDC and NGCP for the subject facilities within thirty (30) days from its execution."

Status: Subject of Motion for Partial Reconsideration with the ERC

EDC has filed a Motion for Partial Reconsideration last 16 July 2025 to seek reconsideration and/or clarification on the Decision of the Honorable Commission for NGCP to operate and maintain the subject facilities. EDC believes that the existing operator of the subject facilities is fully qualified to operate and maintain the same, given its longstanding experience and technical expertise, as well

as the necessary resources, and that its continued operation and maintenance of the subject facilities will redound to the benefit of consumers.

During the interim, EDC will begin coordinating with NGCP with regard to the operation and maintenance of the subject facilities, but such coordination is without prejudice to EDC's prayer in the Motion for Partial Reconsideration.

4. Item 6, Dispositive Portion, Decision

"6. The EDC's Tongonan 138 kV Substation shall be reclassified as Transmission Asset and shall be transferred immediately to NGCP. NGCP shall pay EDC using the fair market price of the said facilities, subject to optimization.

EDC is **DIRECTED TO SUBMIT** a Report, within sixty (60) calendar days upon receipt of the Decision, regarding the transfer of the foregoing assets by NGCP;"

Status: Subject of Motion for Partial Reconsideration with the ERC

EDC filed a Motion for Partial Reconsideration last 16 July 2025 to seek reconsideration and/or clarification on the Decision of the Honorable Commission to turnover the Tongonan 138kV Substation to NGCP.

In any event, even while its Motion for Partial Reconsideration is pending, EDC has already initiated steps to discuss with NGCP with respect to the transfer of the Tongonan 138kV Substation to NGCP, as shown in EDC's letter to NGCP dated July 18, 2025 (**Appendix "3"**). A joint site walkthrough was conducted with NGCP last July 22 to inspect the facilities and identify potential technical challenges should the said transfer push through.

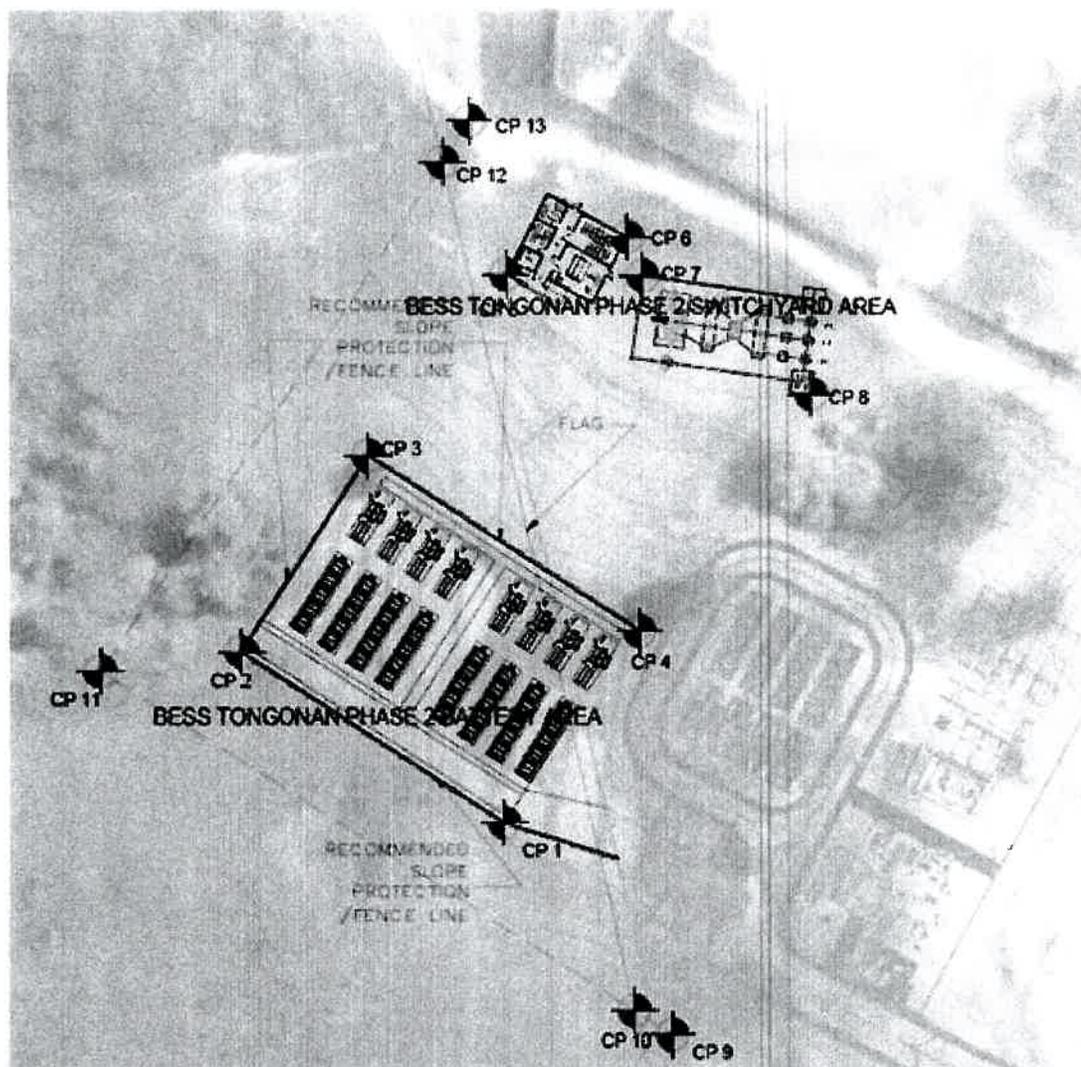
5. Item 7, Dispositive Portion, Decision

"7. EDC is hereby **DIRECTED** to submit a Report on its plans and status of the connection of its proposed Phase 2 ±20MW Tongonan BESS Project, within thirty (30) calendar days upon receipt of the Decision;"

Status: Complied

EDC hereby provides the following updates for Phase 2 ±20MW Tongonan BESS Project, which is not a separate Facility, but a part of the entire ±30MW Tongonan BESS Project:

- EDC is targeting to commence the construction for the proposed Phase 2 +/-20MW Tongonan Energy Storage System (the "Phase 2 Project") by Q1, 2026 and the target to achieve commercial operations for the Phase 2 Project is by December 2027.
- The tender for the Engineering Procurement and Construction (EPC) contracts of the Phase 2 Project started Q1 2025 and is expected to close this Q3 2025. In parallel, EDC has engaged a consultant to start critical electrical front end engineering design work. This aims to be completed by August 2025.
- A suitable area and layout adjacent to the Phase 1 of the Project has been identified as seen in the photo below. EDC is currently in the process of securing the relevant tenorial instruments to secure the rights to develop on the land.



Tongonan Energy Storage System Phase 2 – Conceptual Layout

ENERGY DEVELOPMENT CORPORATION

By:

MIGUEL LORENZO S. DE VERA
 Vice President and Head,
 New Business and Technologies

APPENDIX 1

Provisional Certificate of Authority to Connect

SAP-CAD-RRA-2025-05-309
May 21, 2025

MR. MIGUEL LORENZO DE VERA

Vice President – New Business and Technologies
Energy Development Corporation (EDC)
6th Floor, Rock Business Center
Tower 3, Ortigas Avenue, Pasig City

Subject: PROVISIONAL CERTIFICATE OF APPROVAL TO CONNECT – EDC

Dear Mr. De Vera:

We write with reference to the Application for Transmission Service (the “Application”) of EDC for the energization of the ±10 MW Tongonan Battery Energy Storage System (BESS) Power Plant Phase 1 (the “Power Plant”).

NGCP, as the Transmission Provider / System Operator, hereby approves the connection of the Applicant’s User System to the Grid as specified in the Application and certifies that such connection for feedback power purposes shall take place effective 23 May 2025 and upon EDC’s conformance below, subject however, to the following conditions:

1. This approval shall only be limited to the energization of the Power Plant as load (for back feed power purposes only); and
2. It is understood that EDC shall submit a separate ERF application for the energization of the Power Plant “as generator”.

This approval is without prejudice to the discretion of NGCP, as System Operator, to defer such energization if the Grid Operation as described by the PGC 2016 Edition is at risk.

As such, EDC as a Transmission Customer, shall have to comply with its responsibilities to the Transmission Provider / System Operator as specified under the Open Access Transmission Service Rules and PGC 2016 Edition.

Sincerely,



MA. CYNTHIA Y. MANRIQUE

Vice President and Head, Revenue & Regulatory Affairs

Conforme:



MIGUEL LORENZO DE VERA

Vice President – New Business and Technologies

Cf: **ATTY. RICHARD J. NETHERCOTT**
President and CEO - IEMOP

APPENDIX 2

Facilities Study Report

SAP-CAD-RRA-2024-06-087
 June 10, 2024

MR. MIGUEL LORENZO DE VERA
 Vice President – New Business and Technologies
 Energy Development Corporation (EDC)
 6th Floor, Rockwell Business Center
 Tower 3, Ortigas Avenue, Pasig City

Subject : **INTERCONNECTION FACILITIES STUDY REPORT FOR ±30MW TONGONAN BATTERY ENERGY STORAGE SYSTEM PROJECT**

Dear Mr. De Vera,

This refers to the Facilities Study (FS) Report for the proposed connection to the Grid of the ± 30 MW Tongonan Battery Energy Storage System (the "Project") in Kaňanga, Leyte.

Based on our review, the proposed interconnection scheme of the Project will be connected to the Visayas Grid via direct connection to connection asset (CA), EDC Tongonan 138kV Substation (S/S) through 180 meters, single circuit, XLPE underground cable. The said S/S is in turn connected to NGCP Ormoc and Isabel S/S. Below Figure 1 shows the overall interconnection single line diagram.

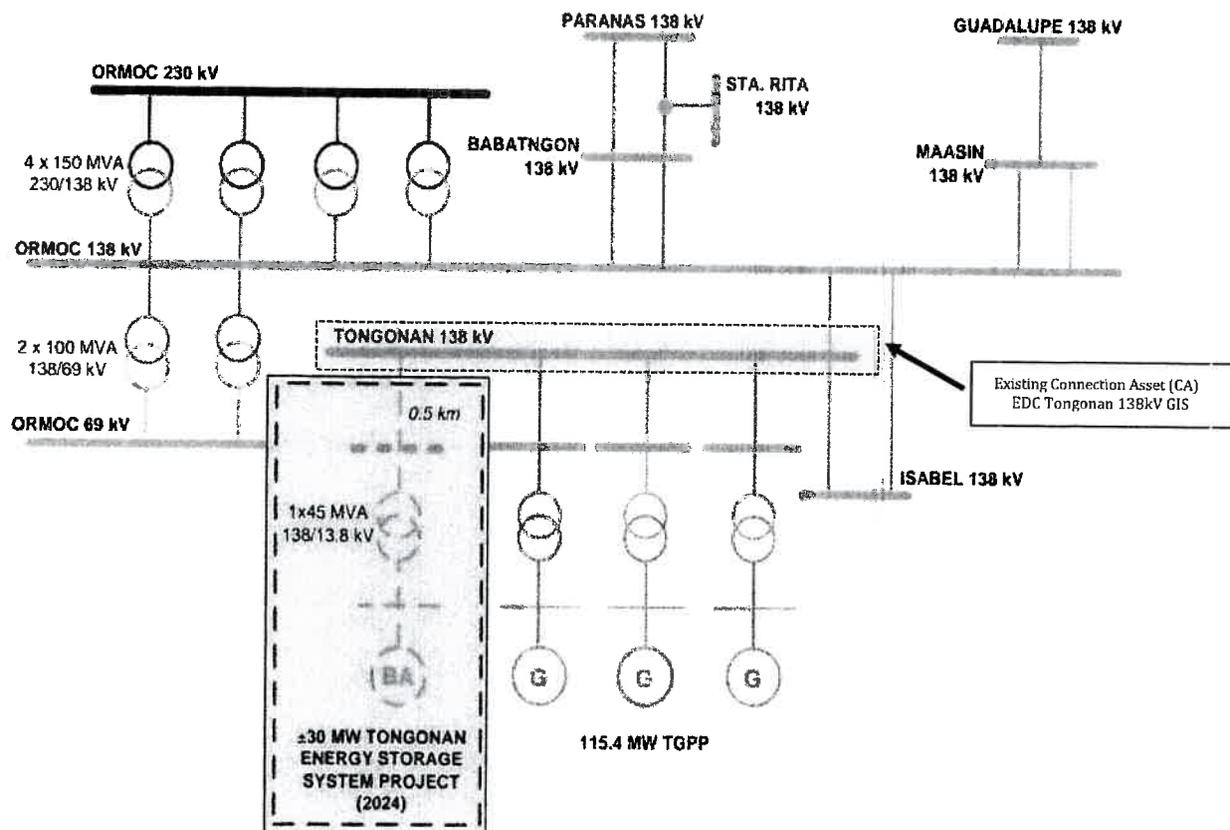


Figure 1. Overall interconnection Single Line Diagram of ±30MW Tongonan BESS

The following are the essential components of the Project that were presented in the FS Report:

1. Plant's RTU/Gateway is provided for the monitoring purposes of the proposed power plant;
2. Main 1 and Main 2 Transformer Differential Protection (87T) with built-in function of non-directional overcurrent protection (50/51, 50/51 N) for the main transformer unit at EDC Take-off Substation (TOSS); and
3. The 125VDC and 48VDC Distribution System at the plant side is fully redundant for reliability (i.e., DC1 & DC2 with corresponding Battery Bank1 & Battery Bank2 and Charger1 & Charger2). Main 1, and Main 2 protection systems shall be powered using DC1 and DC2 and shall be wired to Trip Coil1 and TripCoil2 of the associated PCB.

On the other hand, hereunder are the essential requirements that needs to be considered prior to the implementation of the Project:

1. As per SIS, the proposed connection scheme is not aligned with the requirements of ERC Resolution No. 15, series of 2015, which will potentially involve asset reclassification pursuant to ERC Resolution No. 23, series of 2016. Nevertheless, should there be asset reclassification, all assets to be acquired shall be in compliance with NGCP standards.
2. In case the EDC Tongonan S/S will be re-classified as Transmission Assets (TA), the following substation facilities shall be constructed:
 - a. Control Building
 - b. Auxiliary Building
 - c. Genset House
 - d. Pump House
 - e. Waste Management House
 - f. Guardhouse
 - g. Elevated Water Tank
 - h. Dedicated NGCP access road

In addition, new 138V High Voltage Equipment (HVE) and Secondary Devices at EDC Tongonan S/S shall be provided to accommodate the entry of EDC Tongonan BESS, including but not limited to the following:

- 2.1 High voltage equipment and associated secondary devices:
 - a. Isolating PCB
 - b. Station Service Voltage Transformers (SSVT)
 - c. Switchyard asset boundary marshalling kiosk
3. Power plant's 1x12.5MVA and 1x25MVA step-up Power Transformers shall have a winding configuration of Wye_{gnd} (high-side/138 kV) – Delta (low-side/34.5 kV).
4. The line protection for the 200m, 138kV single circuit XLPE underground transmission line between the EDC's Tongonan 138kV GIS and Tongonan 30MW BESS shall be a line differential relay (Main 1 & Main 2). The relays to be supplied and installed under this project shall follow the minimum requirements necessary to satisfy the network protection guidelines for transmission lines as per NGCPs approved Network Protection Philosophy.
5. The transformer protection system at the Tongonan 30MW BESS facility shall be coordinated with Tongonan GIS. EDC shall submit their recommended relay settings with calculations of all protective relays of their protection system for NGCP's review/evaluation to check the coordination with Ormoc and Isabel Substations with the entry of the BESS.

6. EDC shall likewise ensure that the fault clearing time of any of their protective relay within the 138kV side of the Tongonan 30MW BESS facility shall not be longer than 100msec to comply with Section GPR 7.3.2.2.1 of the PGC 2016 Edition.
7. The proponent shall closely coordinate with NGCP on the proper relay setting coordination involving the Main 1 and Main 2 Line Differential Protection Relays at both Tongonan-Ormoc and Tongonan-Isabel lines.
8. NDME shall be installed at the plant side and should be capable of remote communication to the master station at NGCP, Banilad, Cebu. Pertinent interface/software as well as associated training necessary for NGCP to communicate with the plant's NDME shall likewise be provided.
9. NGCP will provide the gateway for the proposed plant. The plant RTU/DCS/SAS shall exchange operational data with said gateway. SAS/DCS elements should be synchronized to Philippine Standard Time (PST) accurate to millisecond scale, possibly through on-site GPS/GNSS-disciplined clock. Sequence-of-Events (SOE) of all status indications shall be time stamped based on the time traceable to the GPS clock. Following are the minimum capability, performance, and interface requirements for the plant SAS/DCS:
 - a. Capable to communicate via DNP 3.0/TCP/IP latest version (SA)
 - b. Capable of SOE indication
 - c. Time synch through the Power Plant's GPS clock
 - d. Complies with 1 – 2 second analog periodicity

All status, analog and control points shall be based on the approved SCADA I/O mapping points and shall comply with the following requirements:

- a. Class 1, 2 and 3—500ms to 1 second
- b. Integrity poll period—1 minute
- c. Status—double point
- d. Analog—up to four decimal places
- e. Control—priority

Take-off substation, plant devices and high voltage equipment such as lines, buses, transformer windings other relevant operational parameters as NGCP deemed necessary shall be monitored thru DCS/SCS and transmitted to NGCP Control Centers via NGCP Gateway.

10. For cyber security, NGCP will provide firewall/s to protect its network and assets from cyber threats. It is recommended that the power plant implement also necessary cyber protection on its side of the network to protect its assets.
11. The proposed communication medium, fiber optics, is acceptable. However, the proponent must install two runs of OPGW along Tongonan GIS - Tongonan BESS 138kV Line for the redundancy requirements of the proposed line protection scheme. It is also recommended to install 36-core OPGW. All underground fiber optic cables (e.g., approach cable) shall be armored-type and shall be enclosed in HDPE pipe for added physical protection. NGCP will provide telecom equipment (switches/converters) to cater the voice and NDME channel requirements. Below Figure 2 depicts the SCADA, and telecommunications set up for the proposed plant.

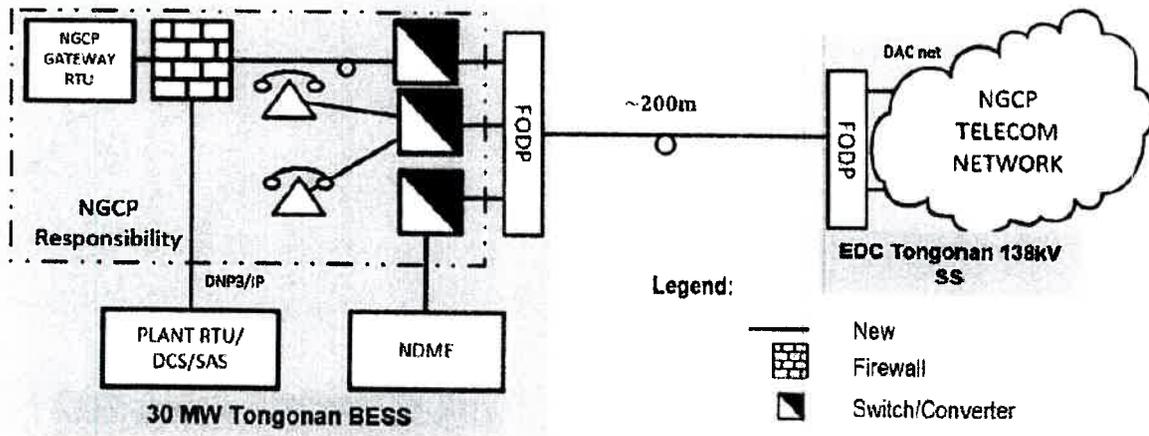


Figure 2. SCADA and telecom scheme for the proposed 30 MW Tongonan Energy Storage System Project

12. All NGCP SCADA and telecom equipment at the power plant shall be segregated and enclosed in a temperature-controlled lockable room to prevent unauthorized access. Proponent to provide cabinets for SCADA and Telecom equipment, if necessary. SCADA and Telecom standard power supply is 48Vdc, the power plant shall allow NGCP to tap to its 48Vdc power supply. Likewise, 125 Vdc and 220 Vac service breakers shall also be provided. Below Figure 3 shows the standard SCADA and Telecom room layout.

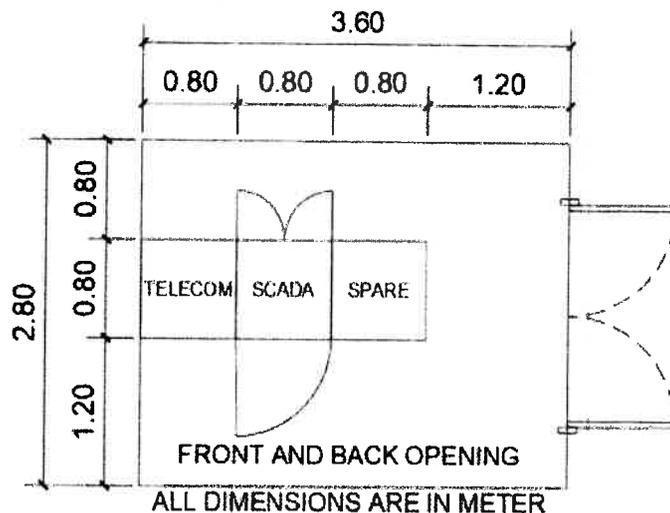


Figure 3. Standard SCADA and Telecom room layout

13. Detailed technical specifications and engineering design involving Transmission Assets (i.e., SCADA and Telecom Facility) shall be submitted to NGCP for review and approval prior its purchase and the said assets shall be in accordance with the NGCP's List of Approved Equipment Manufacturer and shall adhere with NGCP's Construction Quality and Workmanship Standards.
14. Integrity and functional testing of Fault Clearance System (FCS) at the power plant shall be conducted by the generator proponent and the activity shall be witnessed by NGCP.
15. The following are the evaluation on the metering facility:

Requirements	Evaluation/Comments
Connection Point/ Location of the Metering Point	The appropriate connection point is at EDC Tongonan 138kV GIS.
Connection Scheme	Direct connection to existing EDC Tongonan GIS via 138kV, 0.2km., transmission line using XLPE Underground cable.
Type of Metering Service	Full Metering. NGCP-O&M will provide the instrument transformers, revenue meters, and appurtenances (i.e., meter box, test switch, modem). Concrete foundations, metering structures, and disconnect switch will be provided by the proponent.
Single Line Diagram Showing the Location and Arrangement of Metering Point	Proper arrangement of metering equipment: Generator – CB – VT _m – CT _m – SA – DS – Line – Grid (EDC Tongonan 138kV GIS)
Location of Metering Point	Metering facility shall be located at 30MW Tongonan BESS 138kV Take-off Substation. (within 0.5km from the connection point.) Note: In addition to the dedicated metering facility for the 30MW Tongonan BESS, per unit metering facilities will also be installed for all generating entities connected to EDC Tongonan GIS; specifically, Generator 1, 2, and 3, and Station Transformers 1 and 2. Please see attached SLD for reference.
Number of required Metering Point/s	One (1) for 30MW BESS; Five (5) for the other generators and station transformers.
Commercial Implication on Billing Settlement	None.
Commissioning Date	Q4 2024

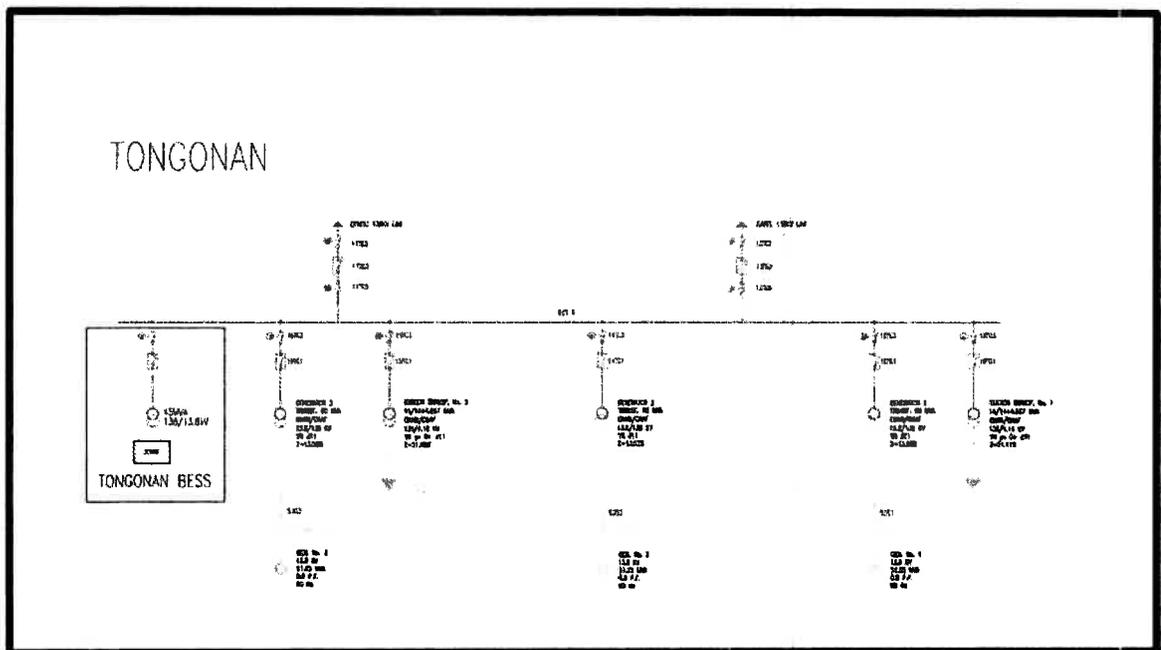


Figure 5. Single Line Diagram of 30MW Tongonan BESS' Metering point

The above considerations shall form part of the final review and approval of the submitted FS pursuant to Rule B18.3 of the Open Access Transmission Service (OATS) Rules. Please note that this FS assessment shall not be interpreted to exempt EDC from complying with any additional requirements set by the Philippine Grid Code (PGC) and OATS Rules, as applicable to the Project. EDC shall have to follow the requirements set by the PGC and OATS Rules on the actual connection prior to the commercial operations of the plant.

Furthermore, we wish to highlight the following pertinent requirements for BESS projects:

I. GRID CODE REQUIREMENTS

1. Voltage Control

The BESS (20MW, 5MW, 5MW for LVM respectively) shall be capable of contributing to Voltage Control by Automatic continuous regulation of the Reactive Power supplied to the Grid in any of the following modes, as determined by the System Operator:

- a. Maintaining the Voltage (1.05pu to 0.95pu) at the connection point of the BESS, at a set point instructed by the System Operator; provided the limits of Reactive Power output (0.95 lagging and leading power factor) are not exceeded.
- b. Maintaining a constant Power Factor of the injected Energy at the Connection Point, at a value prescribed by the System Operator through Manual setpoint or setpoint through SCADA.

In order to comply with the requirements established with the above, the BESS shall be equipped with an appropriate control system able to control Voltage / Reactive Power interchange without instability over the entire operating range. For added flexibility in controlling voltage, the BESS step up transformer shall have an On-Load Tap Changer (OLTC) installed at the high side.

2. Protection Requirements

- a. Voltage Ride-through Capability (same with PGC GCR 4.4.4.4.3) The BESS shall be able to withstand, without Disconnection, Voltage Sags at the Connection Point, produced by faults or disturbances in the network, whose magnitude and duration profiles are within the shaded area in Figure 4.4. This area is defined by following characteristics:
 - i. If the Voltage at the Connection Point falls to zero in any of the three phases, the BESS shall remain connected for at least 0.15 second.
 - ii. If the Voltage at the Connection Point falls, but is still at the level of 30% of the nominal value, in any of the three phases, the BESS shall remain connected for at least 0.60 second.
 - iii. If the Voltage at the Connection Point is equal to or above 90% of the nominal value, in all the three phases, the BESS shall remain connected.
 - iv. For voltages between 30% and 90% of the nominal value, the time the BESS shall remain connected shall be determined by linear interpolation between following pairs of values [Voltage = 30%; time = 0.60 seconds] and [Voltage = 90%; time = 3.0 seconds].

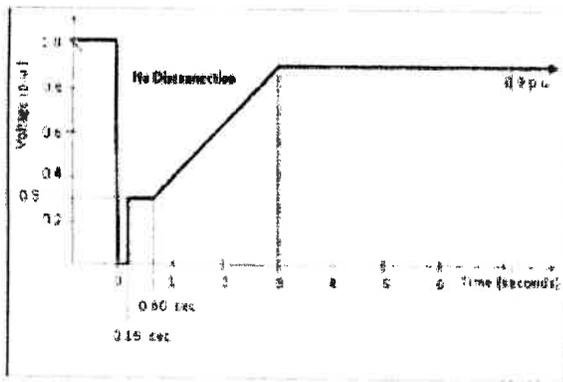


Figure 6. Low Voltage Withstand Capability -PVS

- b. Frequency Withstand Capability (same with PGC GCR 4.4.4.2.3) No disconnection for System Frequency between 62.4Hz (for 5 seconds) to 57.6Hz (for 5 seconds).

System Frequency	Disconnection
>62.4Hz	Allowed to Disconnect (5s TD)
62.4 > Frequency > 57.6	NO DISCONNECTION
<57.6 Hz	Allowed to Disconnect (5s TD)

- c. Monitoring Requirements

The BESS shall be equipped with Network Disturbance Monitoring Equipment (NDME) capable for remote communication interface to be able to communicate with the Master Station at NGCP.

II. FREQUENCY CONTROL ANCILLARY (FCAS)

1. Capacity

- a. Net Duration: 1 hour (net allowable SoC)

For example: A 40MW, 40MWhr BESS with an allowable SoC of 5% to 95% only has a net duration of 54 minutes (90% of 60mins). Therefore, the gross energy capacity should be 44.44MWh (at 40MW) to have a Net Duration of 1 hour.

2. Droop Control

- a. Droop: 1%
 b. Frequency Deadband: +/-0.05Hz
 c. Reaction Time: within 2 seconds (63% of the desired)

3. Automatic Generation Control

- a. Frequency Deadband: +/-0.05Hz
 b. Participation Factor: 1

The BESS is only allowed to charge/discharge on its own to maintain an SoC of 50% when the following conditions are BOTH satisfied:

- a. System Frequency is within 60.05Hz to 59.95Hz
 b. SoC of the BESS is beyond 40% to 60% This will be part of the penalty criteria. Non-compliance may trigger cancellation of ASPA.

This will be part of the penalty criteria. Non-compliance may trigger cancellation of ASPA.

1. Metering Requirement

Dedicated Full Metering Scheme should be implemented.

2. Monitoring

NGCP should be able to monitor the following BESS parameters with the corresponding decimal places. For clarity, NGCP meters shall be installed at the Connection Point. That is, at the high side of the BESS step up transformer.

Parameter	Description	Decimal Places
SoC	State of Charge	4
Temperature	Running Temperature	2
MW	Real Power Output	2
MVAR	Reactive Power Output	2
Power Factor	Power Factor at the Connection Point	2

Other parameter shall be monitored as deemed necessary by NGCP.

For any queries or clarification, please get in touch with Ms. Riza C. Ereno of our Customers Affairs Department at telephone number 09176538851 or you may email her at rcereno@ngcp.ph.

Sincerely,


MA. CYNTHIA Y. MANRIQUE
Vice President and Head - Revenue & Regulatory Affairs

APPENDIX 3

EDC's letter to NGCP dated July 18, 2025

18 July 2025

MA. CYNTHIA Y. MANRIQUE

VP and Head, Revenue & Regulatory Affairs
National Grid Corporation of the Philippines
Power Center, Quezon Avenue cor. BIR Road,
Diliman, Quezon City 1100

SUBJECT: DECISION ON ERC CASE NO. 2024-035MC – ENERGY DEVELOPMENT CORPORATION POINT-TO-POINT LIMITED FACILITIES OF TONGONAN BESS

Dear Ms. Manrique,

We write in response to the letter of the National Grid Corporation of the Philippines (“NGCP”) dated July 14, 2025 with respect to the Decision of the Energy Regulatory Commission (“ERC”) dated June 25, 2025 in ERC Case No. 2024-035MC (“Decision”) regarding the application of Energy Development Corporation (“EDC”) to develop, own, and/or operate the dedicated point-to-point limited transmission facilities (“P2P Facilities”) to connect the +/- 10MW Tongonan Energy Storage System Project (the “Project”) to the Visayas Grid.

We would like to inform NGCP that EDC filed a Motion for Partial Reconsideration of the Decision to, among others, seek the reconsideration of the denial of EDC’s prayer to operate and maintain the P2P facilities of the Project, on the ground that EDC has the technical capability to perform these operation and maintenance services and doing so will benefit the consumers.

We would also like to highlight that item 1.5 of the dispositive portion of the Decision, which states that the ownership of the P2P facilities shall be transferred to NGCP if it is required for competitive purpose, has not been triggered yet as the Project’s P2P facilities have no competitive purpose and are not used to connect with another user.

In any event, we are open to discuss with NGCP the operation and maintenance of the subject P2P Facilities. We’d also like to discuss with NGCP the steps necessary to come up with the Compliance Report required in the ERC’s Decision. Please let us know your preferred schedule for the meeting.

Should your good office have further inquiries on the matter, please feel free to reach out to our Mr. Edrick Jordan L. Regalario at mobile number 0917-8815-4988 or via email at regalario.ejl@energy.com.ph

Very truly yours,

ENERGY DEVELOPMENT CORPORATION

By:



MIGUEL LORENZO S. DE VERA

Head, New Business and Technologies