



Item No.: 02
Date: 23 2025 SEP

September 4, 2025

SANGGUNIANG PANLALAWIGAN
Province of Leyte

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: SEP 10 2025
By: Jamil Vi

THRU: **HON. LEONARDO M. JAVIER, JR.**
Vice Governor

Re: IN THE MATTER OF THE APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A SYSTEM FOR THE DISTRIBUTION OF ELECTRICITY FOR THE CITY OF TACLOBAN AND THE MUNICIPALITIES OF PALO AND BABATNGON, ALL IN THE PROVINCE OF LEYTE, WITH PRAYER FOR THE ISSUANCE OF PROVISIONAL AUTHORITY AND/OR INTERIM RELIEF **ERC CASE NO. 2025-028 MC**

Greetings!

In compliance with the Rules of Practice and Procedure of the Energy Regulatory Commission (“ERC”), as well as the Order and the Notice of Virtual Hearing, both dated August 29, 2025, we respectfully furnish this Honorable Office with copies of the said Order and Notice, including its Annex “A” (Joint Application).

In line with this, we are requesting that the said Order and Notice of Virtual Hearing be posted on the Sanggunian bulletin board of this Honorable Office, in compliance with the ERC Rules of Practice and Procedure.

Consequently, we formally request from this Office a **Certification of Posting with Dry Seal**, stating that a complete copy of the Order and Notice of Virtual Hearing, together with Annex “A”, of the above-captioned case was served to, duly received, and duly posted by this Honorable Office.

For your reference, we have enclosed a template of the requested certification.

Thank you and best regards.

Sincerely,


ENGR. FERNAN PAUL R. TAN, PhD-TM, DPA
General Manager

Real St., Sagkahan District, Tacloban City 6500
Tel. No. (053) 832-1731

email: leyeco2@yahoo.com

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR THE
ISSUANCE OF A
CERTIFICATE OF PUBLIC
CONVENIENCE AND
NECESSITY FOR THE
OPERATION OF A SYSTEM
FOR THE DISTRIBUTION
OF ELECTRICITY FOR THE
CITY OF TACLOBAN AND
THE MUNICIPALITIES OF
PALO AND BABATNGON,
ALL IN THE PROVINCE OF
LEYTE, WITH PRAYER FOR
THE ISSUANCE OF
PROVISIONAL AUTHORITY
AND/OR INTERIM RELIEF**

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: SEP 10 2025
By: J. Romillo

ERC CASE NO. 2025-028 MC

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

Applicant.

X-----X

Promulgated:
August 29, 2025

ORDER

On 1 August 2025, Leyte II Electric Cooperative, Inc. (LEYECO II) filed an *Application*¹, dated 27 June 2025, seeking the Commission's approval of the Application for the Issuance of a Certificate Of Public Convenience and Necessity for the Operation of a System for the Distribution of Electricity for the City of Tacloban and the Municipalities of Palo and Babatngon, all in the Province of Leyte, with Prayer for the Issuance of Provisional Authority and/or Interim Relief.

¹ The original copy docketed by the Commission bears no date of the *Application*. A copy with stamped date of the *Application* was subsequently submitted by LEYECO II. The date reflected is consistent with what appears in the *jurat* of the Verification and Certification of Non-Forum Shopping for both copies. Pursuant to Rule 7, Section 1 of the Revised Rules of Practice and Procedure of the ERC, amendment may be made once as a matter of right before a responsive pleading thereto is filed or served, whichever comes first. Hence, the *Application* stamped with the date of its execution is herein duly recognized.

The docketed copy of the *Application*, excluding its annexes, is attached as Annex “A” of the *Notice of Virtual Hearing*.

Finding the *Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for hearing, pursuant to the pertinent rules of the Commission, as follows:

Date and Time	Platform	Activity
26 September 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Determination of compliance with jurisdictional requirements and Expository Presentation, Pre-Trial Conference and Presentation of Evidence

Accordingly, Applicant is hereby directed to mirror the virtual hearings, to be hosted by the Commission, at, as the designated venue for the conduct thereof and ensure that the same is open to the public. Moreover, Applicant shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

RELATIVE THERETO, Applicant is hereby directed to:

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

- 3) Inform the consumers within **LEYECO II's** franchise area, by any other means available and appropriate, of the filing *Joint Application*, their reasons therefor, and of the scheduled virtual hearings;
- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex "A" thereof, the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire, to send their duly authorized representatives and attend the scheduled hearings; and
- 5) Furnish with copies of the *Joint Application* and its attachments, except those subject of a motion for confidential treatment of information, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Within five (5) calendar days prior to the date of the initial virtual hearing, Applicants must submit to the Commission via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of their written compliance with the aforementioned jurisdictional requirements, attaching the following methodically arranged and duly marked documents:

- 1) The evidence of publication of the attached *Notice of Virtual Hearing*, including Annex "A" thereof, consisting of affidavits of the Editors or Business Managers of the newspapers where the same were published, and the complete issues of the said newspapers;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing* including Annex "A" thereof, consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayors and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by Applicants to inform the consumers within **LEYECO II's** franchise area of the filing of the *Joint Application*, their reasons therefor, and of the scheduled hearings;

- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing* including Annex "A" thereof, by the OSG, the COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Joint Application* and its attachments, except those subject of a motion for confidential treatment of information, if any, by all those making requests therefor; and
- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, Applicants are hereby required to post on their bulletin boards, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

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

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

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

Applicants must also be prepared to make an expository presentation of the *Application*, aided by whatever communication medium that they may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, the nature of the *Application*. Relevant

information and pertinent details substantiating the reasons and justifications for the *Application* must be cited in support thereof.

Applicant is hereby directed to file a copy of their Expository Presentation via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicants are also required to provide a copy of their Expository Presentation to any stakeholder requesting therefor **at least five (5) calendar days** prior to the scheduled virtual hearing.

Applicant and interest parties are hereby directed to submit, either through personal service, registered or ordinary mail/private courier, all the pleadings and required submissions, **within five (5) working days** from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission.

Finally, Applicant, including their authorized representatives and witnesses, and interested parties who wish to attend the scheduled virtual hearings are hereby directed to provide the Commission, through legal.virtualhearings@erc.ph, their respective e-mail addresses upon receipt of this *Order*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearings.

SO ORDERED.

Pasig City, 28 August 2025.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines

ATTY. MARIA CORAZON C. GINES²
Director III, Legal Service


LS/ LPS / JGGW

² Authority granted during CM on 20 August 2025

ERC CASE NO. 2025-028 MC
ORDER/ 28 August 2025
PAGE 6 OF 6

Copy Furnished:

1. Leyte II Electric Cooperative, Inc. (LEYECO II)
Applicant
Real St., Sagkahan District, Tacloban City
2. Atty. Tyron Jan G. Albao
Counsel for Applicant LEYECO II
Unit 2, 2nd Floor, Tacloban Convention Center
Real St., Tacloban City
attyteejalbao@gmail.com
3. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village, Makati City
4. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
5. Senate Committee on Energy
GSIS Bldg., Roxas Blvd., Pasay City
6. House Committee on Energy
Batasan Hills, Quezon City
7. Office of the Governor
Province of Leyte
8. Office of the LGU Legislative Body
Province of Leyte
9. Office of the Mayor
Tacloban, Leyte
10. Office of the Mayor
Tacloban, Leyte
11. Office of the Mayor
Palo, Leyte
12. Office of the LGU Legislative Body
Palo, Leyte
13. Office of the Mayor
Babatngon, Leyte
14. Office of the LGU Legislative Body
Babatngon, Leyte
15. Regulatory Operations Service (ROS)
Energy Regulatory Commission
Exquadra Tower, Ortigas Center, Pasig City
Email: ros@erc.ph

Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City

IN THE MATTER OF THE
APPLICATION FOR THE
ISSUANCE OF A CERTIFICATE
OF PUBLIC CONVENIENCE AND
NECESSITY FOR THE
OPERATION OF A SYSTEM FOR
THE DISTRIBUTION OF
ELECTRICITY FOR THE CITY OF
TACLOBAN AND THE
MUNICIPALITIES OF PALO AND
BABATNGON, ALL IN THE
PROVINCE OF LEYTE, WITH
PRAYER FOR THE ISSUANCE OF
PROVISIONAL AUTHORITY
AND/OR INTERIM RELIEF,

ERC CASE NO. 2025-028 MC
August 01, 2025

LEYTE II ELECTRIC
COOPERATIVE, INC. (LEYECO
II),

Applicant.

x-----x

APPLICATION

COMES NOW, Applicant LEYTE II ELECTRIC COOPERATIVE, INC. (LEYECO II), through the undersigned counsel, most respectfully alleges:

THE APPLICANT

1. Applicant LEYECO II is a non-stock, non-profit electric cooperative duly organized and existing under and by virtue of Presidential Decree No. 269 (P.D. 269), as amended, and other laws of the Republic of the Philippines, with principal office at Real Street, Sagkahan District, Tacloban City, herein represented by its Board President, Feliciano E.

Elizon, Jr. and General Manager, Engr. Fernan Paul R. Tan evidence by a Board Resolution specifically issued for such purpose. A copy of the Board Resolution is hereto attached and marked as **Annex "U"**.

2. It is engaged in the distribution of electric power to end-users in its franchise area, particularly in the City of Tacloban and the Municipalities of Palo and Babatngon, all in the Province of Leyte.

LEGAL BASES OF THE APPLICATION

3. This Application is filed pursuant to:
 - 3.1. *Section 15 of Commonwealth Act No. 146 (The Public Service Act), as amended, which provides that "No public service as herein defined shall operate in the Philippines without having first secured from the Commission a certificate, which shall be known as Certificate of Public Convenience or as Certificate of Public Convenience and Necessity (CPCN), as the case may be, to the effect that the operation of said service and the authorization to do business will promote the public interests in a proper and suitable manner."*
 - 3.2. *Section 43 (p) of the Republic Act No. 9136 (The Electric Power Industry Reform Act or the EPIRA) empowers the Energy Regulatory Commission (ERC) to act on application for or modifications of CPCN and revoke, review and modify such certificates.*
 - 3.3. *ERC Resolution No. 05, series of 2008 entitled "A Resolution Adopting the Rules to Govern the Issuance of Certificate of Public Convenience and Necessity (CPCN) to Entities Engaged in the Transmission and Distribution of Electricity" established procedures, standards and criteria for the issuance of a Certificate of Public Convenience and Necessity (CPCN) to entities engaged in the transmission and distribution of electricity.*
 - 3.4. *NEA Memorandum No. 2025-15 with the subject "Application for Certificate of Public Convenience and Necessity (CPCN) with the Energy Regulatory Commission (ERC) of Electric Cooperatives (ECS) Applying for Legislative Franchise" which mandates the filing of the applications for electric distributions franchise and CPCN, the soonest possible time.*

- 3.5. *Section 3 of the Republic Act No. 12017 entitled “An Act Granting a Franchise to the Leyte II Electric Cooperative, Inc. (LEYECO II) to Construct, Install, Establish, Operate, Own, Manage and Maintain Distribution Systems for the Conveyance of Electric Power to the End-Users in the City of Tacloban and Municipalities of Babatngon and Palo, Province of Leyte” which provides that “the Grantee shall secure from the ERC or the NEA or any government agency having jurisdiction over its operations, the certificate of public convenience and necessity and any other license, permit or authority indispensable for the construction and operation of the electric power distribution system.”*

STATEMENT OF MATERIAL FACTS

4. LEYECO II has been continuously providing electric service in its franchise area since its establishment. It maintains and operates electric distribution line, substation, transformers and service drops for household, businesses and institutions within Tacloban City, Palo and Babatngon. Its track record shows uninterrupted and committed service delivery to member-consumer-owners (MCOs), which is crucial for economic activity, public welfare and government service continuity.
5. Last August 9, 2024, Republic Act No. 12017 was enacted, granting LEYECO II a 25-year franchise to construct, install, establish, operate and maintain a power distribution system in its existing service areas. This franchise affirms and legitimized LEYECO II's operational presence and obligates the electric cooperative to continue its service under government regulation. The franchise took effect fifteen (15) days after publication in the Official Gazette or in a newspaper of general circulation and shall remain valid until 2048. A copy of the Republic Act No. 12017 is hereto attached and marked as Annex “A”.
6. LEYECO II remains under the regulatory supervision of the National Electrification Administration (NEA) and continues to comply with performance standards under the total electrification program and EC classification guidelines. It has maintained a good operational standing and cooperative classification over the years. In fact, LEYECO II is one of the top performing and model electric cooperatives in the country, consistently being categorized as a “AAA” cooperative for its outstanding performance throughout the years.

7. While LEYECO II has long operated in its franchise area, the recent enactment of Republic Act No. 12017 and the updated regulatory environment now require that it secure a CPCN as a mandatory condition for continued operation. This Application seeks to formalize and align LEYECO II's authority with the franchise granted by Congress and the regulatory framework of ERC.
8. LEYECO II is capable of delivering reliable electricity services in its coverage area. It possesses the necessary assets, including substations (Annex "L"), feeders (Annex "M" to "O"), metering systems (Annex "P") and skilled personnel (Annex "J)". It has demonstrated financial capacity through audited financial statements (Annex "R") and has consistently reinvested in system upgrades to meet demand and efficiency targets.
9. This Application is submitted in accordance with the guidelines of the ERC. All documentary requirements have been collated, validated and are attached to his filing. LEYECO II has also published and served copies of this Application to the Province of Leyte and to the LGU where the principal office operates, pursuant to ERC Pre-filing Rules.

SUPPORTING DATA AND DOCUMENTS

10. In support of the instant Application, Applicant LEYECO II is submitting and adopting the documents and the data contained herein, attached hereto and made as integral parts hereof, to wit:

ANNEX MARKINGS	NATURE OF DOCUMENT
"A"	Republic Act No. 12017 LEYECO II Franchise
"B"	LEYECO II Key Management Officials
"C"	LEYECO II Certificate of Registration
"D"	Amended Articles of Incorporation
"E"	Amended By-Laws
"F"	LEYECO II. System Map
"G"	List of Energized Barangays on LEYECO II
"H"	Rate Schedule Summary from 2024 to Present
"I"	Rate Schedule from 2024 to Present
"J"	Names and Addresses of LEYECO II Technical Personnel
"K"	LEYECO II Power Supply
"L"	LEYECO II Single Line Diagram
"M"	LEYECO II No. of Poles per Feeder

“N”	LEYECO II Circuit kM per Feeder
“O”	LEYECO II Distribution Transformers per Feeder
“P”	LEYECO II No. of Customers per Feeder
“Q”	Write up on the Use of Joint Poles
“R”	LEYECO II Audited Financial Statement of the year 2024
“S”	LEYECO II PGC PDC 2024 Compliance Monitoring Report
“T”	Authority of Counsel to File the Instant Application
“U”	Authority of Affiant to Execute Verification and Certification of Non-Forum Shopping
“V”	Service to the Local Government Units (LGUs) of the Province, City or Municipality where Applicant Principally Operates
“W”	Affidavit of Publication
“X”	Newspaper Issue Containing the Publication

ALLEGATIONS IN SUPPORT OF THE PRAYER FOR PROVISIONAL AUTHORITY AND/OR INTERIM RELIEF

11. LEYECO II has a continuing obligation to ensure uninterrupted electric service to the residents and businesses of Tacloban City, Palo and Babatngon, all of which depend on a stable and reliable electricity supply for essential services, commerce, industry and public governance.
12. The recent approval of LEYECO II’s legislative franchise under Republic Act No. 12017 necessitate regulatory confirmation of its authority to operate through the issuance of a CPCN. However, in the interim period pending the final resolution of this Application, the absence of a confirmed CPCN may rise to legal ambiguity affecting operational continuity, regulatory reporting, power procurement and coordination with third-party stakeholders, like with NGCP and suppliers.
13. Applicant humbly prays Provisional Authority or Interim Relief from the Honorable Commission, authorizing it to continue operating its distribution system within the covered areas to prevent any disruption of public utility service, which would otherwise be prejudicial to public interest, welfare and safety.

14. The issuance of such provisional authority is consistent with the mandate of the Honorable Commission under the ERC Revised Rules of Practice and Procedure, which allows provisional authority and/or interim relief where warranted by the urgency of public service or preservation of consumer interest.
15. LEYECO II assures the Honorable Commission of its full compliance with all applicable regulatory obligations and the timely submission of required documentary and procedural requirements in support of this Application. LEYECO II further undertakes to abide by the terms and conditions that may be attached to the grant of provisional authority.

PRAYER

WHEREFORE, premises considered, Applicant LEYECO II respectfully prays that the Honorable Commission:

1. After due notice and hearing on the merits, issue a decision granting a Certificate of Public Convenience and Necessity (CPCN) authorizing it to operate and maintain an electric distribution system within the territorial jurisdiction of the City of Tacloban and the Municipalities of Palo and Babatngon, all in the Province of Leyte.
2. In view of the necessity to ensure uninterrupted public service during the pendency of this Application, issue a Provisional Authority and/or Interim Relief to enable it to continue operating within the scope of its legislative franchise while awaiting the final resolution of this Application.

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

Tacloban City for Pasig City. JUN 27 2025

RESPECTFULLY SUBMITTED

<Signature Page Follows>

TYRONIAN G. ALBAO

Counsel for LEYECO II

Roll of Attorneys No. 66859

PTR No. 51550 / 01-07-2025; Leyte

IBP No. 501685 / 01-07-2025; Leyte Chapter

MCLE Compliance No. VIII-0025126

Valid until 14 April 2028

Unit 2, 2nd Flr. Tacloban Convention Center, Real St.,

Tacloban City 6500

Contact No.

Email Address:

**EXPLANATION OF FILING AND
SERVICE BY ELECTRONIC MEANS**

Pursuant to ERC Resolution No. 9, series of 2020, the undersigned counsel respectfully manifests that the foregoing APPLICATION will be filed and served by electronic means.

TYRONIAN G. ALBAO

ERC Case No. _____

Application for the Issuance of CPCN

Page 7

Republic of the Philippines)
City of Tacloban) S.S.

VERIFICATION AND CERTIFICATION **ON NON-FORUM SHOPPING**

We, **FERNAN PAUL R. TAN** and **FELICIANO E. ELIZON, JR.**, of legal age, and with office address at Real Street, Sagkahan District, Tacloban City, after having been duly sworn to in accordance with law, do hereby depose and state for ourselves and for Leyte II Electric Cooperative, Inc. ("LEYECO II"), that:

1. We are currently the General Manager and Board President, respectively, of LEYECO II with authority to commence, initiate, sign and file the foregoing Application with the Energy Regulatory Commission ("ERC") for the issuance of a Certificate of Public Convenience and Necessity for the Operation of a System for the Distribution of Electricity for the City of Tacloban and the Municipalities of Palo and Babatngon, with prayer for the Issuance of Provisional Authority and/or Interim Relief (the "Application").
2. We have read the Application and the allegations therein are true and correct based on our personal knowledge or authentic records of LEYECO II.
3. The Application is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation.
4. The factual allegations in the Application have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery;
5. We or LEYECO II, have not commenced any other action or proceeding involving the same issues in the Supreme Court, the Court of Appeals or before any court, tribunal, or quasi-judicial agency and, to the best of my knowledge, no such other action or claim is pending therein, and
6. If we or LEYECO II should hereinafter learn that the same or a similar action or claim has been filed or is pending in the Supreme Court, the Court of Appeals or any court, tribunal, or quasi-judicial agency, we shall report the said fact within five (5) days from discovery thereof to the Honorable Commission.

IN WITNESS WHEREOF, we have hereunto affixed our signatures
this JUN 27 2025 in Tacloban City, Philippines.

FERNAN PAUL R. TAN

Affiant

FELICIANO E. ELIZON, JR.

Affiant

SUBSCRIBED AND SWORN TO before me this 27 JUN 2025
in Tacloban City, with affiants Fernan Paul R. Tan and Feliciano E. Elizon, Jr.
having presented to me their government issued ID as competent evidence of
their identity, to wit:

NAME	GOVT ID	DATE/PLACE ISSUED
Fernan Paul R. Tan	SSS ID No.	Tacloban City
Feliciano E. Elizon, Jr.	PRC ID No.	Tacloban City

WITNESS MY HAND AND SEAL on the date and place as above-
indicated.

Doc No. 362

Page No. 74

Book No. VIII

Series of 2025

Atty. IVY N. CASTLAN
Notary Public until December 31, 2025
Within the territorial jurisdiction of RTC Tacloban
Notarial Commission No. 2024-01-69
Roll of Attorneys' No. 79916
IBP OR No. 488139 | 12/27/2024 | Leyte
PTR No. 0020401 | 01/02/2025 | Tanauan, Leyte
MCLE Compliance No. VIII-0001785 until 04/14/2028
Unit 5, Pi-indele Arcade, Brgy. 59, Tacloban City, Philippines

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR THE
ISSUANCE OF A
CERTIFICATE OF PUBLIC
CONVENIENCE AND
NECESSITY FOR THE
OPERATION OF A SYSTEM
FOR THE DISTRIBUTION
OF ELECTRICITY FOR THE
CITY OF TACLOBAN AND
THE MUNICIPALITIES OF
PALO AND BABATNGON,
ALL IN THE PROVINCE OF
LEYTE, WITH PRAYER FOR
THE ISSUANCE OF
PROVISIONAL AUTHORITY
AND/OR INTERIM RELIEF**

ERC CASE NO. 2025-028 MC

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

Applicant.

X-----X

Promulgated:
August 29, 2025

NOTICE OF VIRTUAL HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 1 August 2025, Leyte II Electric Cooperative, Inc. (LEYECO II) filed an *Application*¹, dated 27 June 2025, seeking the Commission's approval of the Application for the Issuance of a Certificate Of Public Convenience and Necessity for the Operation of a System for the Distribution of Electricity for the City of Tacloban and the Municipalities of Palo and Babatngon, all in the

¹ The original copy docketed by the Commission bears no date of the *Application*. A copy with stamped date of the *Application* was subsequently submitted by LEYECO II. The date reflected is consistent with what appears in the *jurat* of the Verification and Certification of Non-Forum Shopping for both copies. Pursuant to Rule 7, Section 1 of the Revised Rules of Practice and Procedure of the ERC, amendment may be made once as a matter of right before a responsive pleading thereto is filed or served, whichever comes first. Hence, the *Application* stamped with the date of its execution is herein duly recognized.

ERC CASE NO. 2025-028 MC
NOTICE OF VIRTUAL HEARING/ 28 August 2025
PAGE 2 OF 4

Province of Leyte, with Prayer for the Issuance of Provisional Authority and/or Interim Relief.

The docketed copy of the *Application*, excluding its annexes, is attached as Annex "A" hereof.

The Commission has set the *Application* for hearing, pursuant to the pertinent rules of the Commission, as follows:

Date and Time	Platform	Activity
26 September 2025 (Friday) at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Determination of compliance with jurisdictional requirements and Expository Presentation, Pre-Trial Conference and Presentation of Evidence

Accordingly, Applicant is hereby directed to mirror the virtual hearings, to be hosted by the Commission, at **LEYECO II's Principal Office at Real Street, Sagkahan District, Tacloban City**, as the designated venue for the conduct thereof and ensure that the same is open to the public. Moreover, Applicants shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

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

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

- 1) The petitioner's name, mailing address, and e-mail address;

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

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

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

All interested parties filing their Petition to Intervene, Opposition or Comment are required to submit the hard copies thereof through personal service, registered mail or ordinary mail/private courier, **within five (5) working days** from the date that the same were electronically submitted, as reflected in the acknowledgement receipt e-mail sent by the Commission.

(Remainder of page left intentionally blank)

ERC CASE NO. 2025-028 MC
NOTICE OF VIRTUAL HEARING/ 28 August 2025
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Finally, all interested persons may be allowed to join the scheduled virtual hearings by providing the Commission, through legal.virtualhearings@erc.ph, their respective e-mail addresses, indicating therein the case number of the instant *Application*. The Commission will send the access link/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearings.

WITNESS, the Honorable Chairperson and CEO **FRANCIS SATURNINO C. JUAN** and the Honorable Commissioners **FLORESINDA G. BALDO-DIGAL**, **MARKO ROMEO L. FUENTES**, **AMANTE A. LIBERATO**, and **PARIS G REAL**, Energy Regulatory Commission, this 28th day of August 2025 in Pasig City.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines

ATTY. MARIA CORAZON C. GINES²
Director III, Legal Service


LS/LPS / JGGW

² Authority granted during CM on 20 August 2025