Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

IN THE MATTER OF THE JOINT APPLICATION FOR APPROVAL FOR THE EMERGENCY POWER SUPPLY AGREEMENT BETWEEN PAMPANGA III ELECTRIC COOPERATIVE, INC. (PELCO III) AND SUAL POWER INC. (SPI), WITH MOTION FOR CONFIDENTIAL TREATMENT OF INFORMATION

ERC CASE NO. 2026-041 RC

PAMPANGA III ELECTRIC COOPERATIVE, INC. (PELCO III) AND SUAL POWER INC. (SPI),

Applicants.

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Promulgated:
April 01, 2026

ORDER

On 30 January 2026, Pampanga III Electric Cooperative, Inc. (PELCO III) and Sual Power Inc. (SPI) filed a *Joint Application* dated 06 January 2026, seeking the Commission's approval of their Emergency Power Supply Agreement (EPSA), with motion for confidential treatment of information.

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

Finding the *Joint 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
29 April 2026 (Wednesday) at nine o'clock in the morning (9:00 A.M.)	**Microsoft Teams**	Determination of compliance with jurisdictional requirements and Expository Presentation
06 May 2026 (Wednesday) at nine o'clock in the morning (9:00 A.M.)		Pre-Trial Conference and Presentation of Evidence

Accordingly, Applicants are hereby directed to mirror the virtual hearings, to be hosted by the Commission, at **PELCO III's principal office at Sampaloc, Apalit, Pampanga** 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.

RELATIVE THERETO, Applicants are 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 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 PELCO III's franchise area for the appropriate posting thereof on their respective bulletin boards;

3) Inform the consumers within PELCO III'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 PELCO III'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, by all those making requests therefor, if any; and

6) Such other proof of compliance with the requirements of the Commission.

Moreover, PELCO III and SPI 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 PELCO III and SPI 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.

Applicants PELCO III and SPI must ensure that all the documents or exhibits proposed to be presented have already been duly submitted to the Commission **at least five (5) calendar days** before the date of the scheduled virtual hearing and Pre-Trial Conference pursuant to the preceding paragraph.

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

Applicants PELCO III and SPI must also be prepared to make an expository presentation of the *Joint Application*, aided by whatever communication medium that it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, the nature of the *Joint Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Joint Application* must be cited in support thereof.

Applicants PELCO III and SPI are 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.

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

Finally, Applicants, 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.

FOR AND BY AUTHORITY OF THE COMMISSION:

Maria Corazon C. Gines

ATTY. MARIA CORAZON C. GINES[*]
Director III, Legal Service

LS: LRQ / RCD / MCCG

[*] Authority granted during Commission Meeting on 20 August 2025.

Copy Furnished:

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5. Office of the Solicitor General (OSG)
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docket@osg.gov.ph

6. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
citizensdesk@coa.gov.ph

7. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City
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8. House Committee on Energy
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9. Office of the Governor
Province of Pangasinan

10. Office of the Sangguniang Panlalawigan
Province of Pangasinan

11. Office of the Municipal Mayor
Sual, Pangasinan

12. Office of the Sangguniang Panlungsod
Sual, Pangasinan

13. Office of the City Mayor
Pasig City

14. Office of the Sangguniang Bayan
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15. Office of the Municipal Mayor
Apalit, Pampanga

16. Office of the Sangguniang Bayan
Apalit, Pampanga

17. Office of the Municipal Mayor
Macabebe, Pampanga

18. Office of the Sangguniang Bayan
Macabebe, Pampanga

19. Office of the Municipal Mayor
Masantol, Pampanga

20. Office of the Sangguniang Bayan
Masantol, Pampanga

21. Office of the Municipal Mayor
Minalin, Pampanga

22. Office of the Sangguniang Bayan
Minalin, Pampanga

23. Office of the Municipal Mayor
San Simon, Pampanga

24. Office of the Sangguniang Bayan
San Simon, Pampanga

25. Office of the Municipal Mayor
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27. Regulatory Operations Service (ROS)
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