

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF ITS CAPITAL
EXPENDITURE PROGRAM
FOR REGULATORY YEAR
(RY) 2020**

ERC CASE NO. 2019-091 RC

**ANGELES ELECTRIC
CORPORATION (AEC),**
Applicant.

Promulgated:
May 8, 2026

X-----X

ORDER

On 13 December 2019, Angeles Electric Corporation (AEC) filed an *Application* dated 26 November 2019, seeking the Commission's approval of its Capital Expenditure (CAPEX) Program for Regulatory Year (RY) 2020.

On 08 January 2020, the Commission issued an *Order* and a *Notice of Public Hearing*, both dated 20 December 2019, setting the instant *Application* for hearing for the determination of compliance with jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on 13 February 2020 at AEC's principal office.

In the *Order* dated 12 February 2020, the Commission cancelled the physical hearing set on 13 February 2020, due to the public health emergency brought about by the coronavirus disease 2019 (COVID-19).

On 28 February 2020, AEC filed its *Compliance of Notice Requirements* of even date.

On 10 July 2020, the Commission an *Order* and a *Notice of Public Hearing*, both dated 03 July 2020, setting anew the instant *Application* for hearing for the determination of compliance with jurisdictional requirements, expository presentation, Pre-trial

Conference, and presentation of evidence on 03 September 2020 at AEC's principal office.

On 14 August 2020, the Commission issued another *Order* and a *Notice of Virtual Hearing*, both dated 11 August 2020, setting the instant *Application* for virtual hearing for the determination of compliance with jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on 03 September 2020, through the Zoom Application as the online platform for the conduct thereof.

On 26 August 2020, AEC filed its *Supplemental Compliance of Notice Requirements* of even date.

During the 03 September 2020 hearing, the Commission declared to have acquired jurisdiction over the instant case.¹ Thereafter, the hearings for the expository presentation, Pre-trial Conference, and presentation of evidence proceeded, as scheduled.²

On 13 October 2020, AEC filed its *Formal Offer of Evidence* of even date.

On 15 March 2021, AEC filed its *Supplemental Formal Offer of Evidence* dated 12 March 2021.

On 11 January 2024, AEC filed a *Motion for Leave to Amend and to Admit Amended CAPEX Application* with attached *Amended Application*, both dated 09 January 2024.

On 26 January 2024, the Commission issued an *Order* of even date, directing AEC to furnish a copy of the *Amended Application* to the offices of the local government units (LGUs) within its franchise area, to cause the publication of the *Amended Application* in a newspaper of general circulation, and to submit proof of compliance within fifteen (15) days from receipt thereof.

¹ AEC presented its *Compliance of Notice Requirements* dated 28 February 2020, including the publication of the *Notice of Public Hearing* in the newspaper issues of *The Manila Times* dated 20 January 2020 and 27 January 2020, and the *Malaya Business Insight* dated 20 January 2020 and 27 January 2020. Likewise, AEC presented its *Supplemental Compliance of Notice Requirements* dated 26 August 2020, including the *Affidavit of Publication of AEC's Notice to Consumers* dated 22 August 2020 issued by *SunStar Pampanga*, to prove that AEC disseminated the scheduled hearing on 03 September 2020.

² The hearing was conducted on 03 September 2020.

On 13 February 2024, AEC filed its *Compliance* of even date, pursuant to the *Order* dated 26 January 2024.

Finding the *Amended Application* to be sufficient in form, the Commission hereby sets the same for hearing for the determination of compliance with jurisdictional requirements, expository presentation, and Pre-trial Conference³ on **17 June 2026 (Wednesday) at two o'clock in the afternoon (2:00 P.M.), through Microsoft Teams Application**, as the online platform for the conduct thereof, pursuant to the pertinent rules of the Commission.

Accordingly, Applicant is hereby directed to mirror the virtual hearing, to be hosted by the Commission, at **AEC's principal office at Don Juan Nepomuceno corner Dona Teresa Street, Nepo Mart Complex, Angeles City**, 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, AEC 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 its 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 hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex "A" thereof, the Offices of the Mayor and the Local Government Unit (LGU) legislative body within AEC's franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within AEC's franchise area, by any other means available and appropriate, of the filing of the *Amended Application*, its reasons therefor, and of the scheduled hearing thereon;

³ Summary Proceedings pursuant to the Commission's Resolution No. 16, Series of 2025.

- 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 hearing; and
- 5) Furnish with copies of the *Amended 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 hearing, AEC 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 its 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 newspaper where the same was published, and the complete issues of the said newspapers;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing* including Annex “A” thereof, consisting of certifications issued to that effect, signed by the aforementioned Mayor and LGU legislative body or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by AEC to inform the consumers within AEC’s franchise area of the filing of *Amended Application*, its reasons therefor, and of the scheduled hearing;
- 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 *Amended 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, AEC is hereby required to post on its bulletin board, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

AEC 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 form attached to the Pre-Trial Brief.

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

AEC must also be prepared to make an expository presentation of the *Amended 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 *Amended Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Amended Application* must be cited in support thereof.

AEC is hereby directed to file a copy of its 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 hearing. AEC is also required to provide a copy of its Expository Presentation to any stakeholder requesting therefor **at least five (5) calendar days** prior to the scheduled hearing.

AEC and all interested 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, AEC and all interested parties who wish to attend the scheduled virtual hearing 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.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines

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


LS: SCD/VMA/MVM

* Authority granted during Commission Meeting on 20 August 2025.

ERC CASE NO. 2019-091 RC
ORDER
PAGE 7 OF 7

Copy Furnished:

1. Atty. Ranulfo M. Ocampo
Counsel for AEC
7/F Strata 100 Bldg.
F. Ortigas Jr. Road
Ortigas Center, Pasig City
Email: ranulfoocampo@outlook.com
2. Angeles Electric Corporation (AEC)
Applicant
Don Juan Nepomuceno cor. Dona Teresa Street,
Nepe Mart Complex, Angeles City, Pampanga
Email: allansanti@yahoo.com; aecregulatoryaffairs@gmail.com
3. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village
Makati City, Metro Manila
Email: docket@osg.gov.ph
4. Commission on Audit
Commonwealth Avenue,
Quezon City, Metro Manila
Email: citizensdesk@coa.gov.ph
5. Senate Committee on Energy
GSIS Bldg., Roxas Blvd.,
Metro Manila
Email: senateenergycommittee@gmail.com
6. House Committee on Energy
Batasan Hills, Quezon City
Email: committee.energy@house.gov.ph
7. Office of the City Mayor
Angeles City
8. Office of the Local Government Unit (LGU) Legislative Body
Angeles City
9. Regulatory Operations Service
Energy Regulatory Commission
14th Floor, Excuada Tower, 1 Jade Drive,
San Antonio, Ortigas Center, Pasig City
Email: ros@erc.ph