


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

**IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF THE TARIFF
GLIDE PATH "B" (TGP "B")
CALCULATION PURSUANT
TO ARTICLE VII OF THE
RSEC-WR AND ERC
RESOLUTION NO. 8, SERIES
OF 2011, WITH PRAYER
FOR PROVISIONAL
AUTHORITY,**

ERC CASE NO. 2018-027 RC

**CEBU I ELECTRIC
COOPERATIVE, INC.
(CEBECO I),
Applicant.**

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DOCKETED
Date: JUL 16 2018
By: 

ORDER

On 26 April 2018, Cebu I Electric Cooperative, Inc. (CEBECO I) filed an *Application* dated 19 April 2018, seeking the approval of its Tariff Glide Path "B" (TGP "B") calculation, pursuant to Article VII of the RSEC-WR and Commission's Resolution No.8, Series of 2011, with prayer for provisional authority.

CEBECO I alleged the following in its *Application*:

THE APPLICANT

1. Applicant CEBECO I is an Electric Cooperative created and existing pursuant to the provisions of Presidential Decree No. 269 as amended, with principal office located at Bitoon, Dumanjug, Cebu, Philippines, represented herein by its General Manager, Getulio Z. Crodua, duly authorized by virtue of Board Resolution No. 22, series of 2018 dated March 10, 2018, of the Board of Directors, copy of which is attached hereto as **Annex "A"** and made an integral part hereof;

The filing of the instant *Application* is likewise authorized under the aforesaid Board Resolution;

2. Applicant has been granted by the National Electrification Administration (NEA) an authority to operate and distribute electric light and power within the coverage area comprising the City of Carcar and the Municipalities of Barili, Dumanjug, Ronda, Alcantara, Moalboal, Badian, Alegria, Malabuyoc, Ginatilan, Samboan, Santander, Sibonga, Argao, Dalaguete, Alcoy, Boljo-on and Oslob, all in the Province of Cebu;

THE APPLICATION AND ITS PURPOSE

3. That, on September 23, 2009, the Honorable Commission issued and approved Resolution No. 20 Series of 2009, otherwise known as "RULES FOR SETTING THE ELECTRIC COOPERATIVES WHEELING RATES (RSEC-WR), which established a new rate setting methodology for Electric Cooperatives, the issuance of which was made pursuant to its authority as provided under Section 43(f) of Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001" (EPIRA) and Section 5 (a), Rule 15 of its Implementing Rules and Regulations (IRR);
4. That, pursuant to the afore-mentioned ERC Resolution, Applicant filed an Application for approval of the Rate adjustment pursuant to the new rate setting methodology as provided under Resolution No. 20 dated September 23, 2009 on October 29, 2009. Accordingly, after the required public hearing, ERC in its Order dated January 11, 2010 granted Applicant the following provisional rates:

Particulars		Residential	Low Voltage	Higher Voltage
Distribution Charges:				
	PhP/Kw			219.68
	PhP/kWh	0.5782	0.7595	
Supply Charges:				
	PhP/cust/mo		42.92	42.92
	PhP/kWh	0.6001		
Metering Charges:				
	PhP/cust/mo	5.00	35.94	35.94
	PhP/kWh	0.4326		

5. That, on April 19, 2010, a Petition to Initiate Rule-Making on the Tariff Glide Path Pursuant to Article VII of the Rules for Setting the Electric Cooperatives Wheeling Rates (TGP Rules) was filed and docketed as ERC Case No. 2010-005;
6. That, after series of public consultations conducted by the ERC in Luzon, Visayas and Mindanao, in its Resolution No. 8, dated May 2, 2011, ERC resolved to adopt the "Rules Governing the Tariff Glide Path pursuant to Article VII of the Rules for Setting the Electric cooperatives' Wheeling Rates;
7. That, pursuant to Article VII of the RSEC-WR, the ERC adopts and promulgates the Rules governing the movement of the initial tariff caps during the Regulatory period, which shall be determined by the following formula:

Tariff x [1+Index "I"-Efficiency Factor "X" + Performance Incentive "S"]

The Index, "I" shall be an escalation factor to be used in adjusting the rates to reflect the combined impact of inflation and the load growth. There shall be an efficiency factor "X" to account for the operational efficiency of the ECs in setting their rates. There shall be a performance incentive "S" which shall reward or penalize the EC for the above or below standard performance, respectively.

8. Accordingly, on April 29, 2015, Applicant CEBECO I filed an application for the approval of the proposed Tariff Glide Path calculation for the first to the third year of the first regulatory period (**TGP "A"**) docketed as ERC Case No. 2015-083 RC as follows:

Type of Consumer	Particulars	Unit	Approved RSEC-Rates	Tariff Glide Path Rates including S	Tariff Glide Path Rates excluding S
Residential	Distribution	PhP/kWh	0.5782	0.6313	0.5902
	Supply	PhP/kWh	0.6001	0.6552	0.6126
	Metering	PhP/kWh	0.4326	0.4723	0.4416
	Metering	PhP/meter/mo	5.00	5.46	5.10
LOW VOL TAG E	Distribution	PhP/kWh	0.7595	0.8292	0.7753
	Supply	PhP/cust/mo	42.92	48.86	43.81
	Metering	PhP/meter/mo	35.94	39.24	36.69
HIGHER VOL TAG E	Distribution	PhP/kW	219.68	239.84	224.24
	Supply	PhP/cust/mo	42.92	46.86	43.81
	Metering	PhP/meter/mo	35.94	39.24	36.69

9. Pending resolution of ERC Case No. 2015-083 RC Applicant proposes the following Tariff Glide Path calculation for the fourth to the sixth year of the first regulatory period (**TGP "B"**):

9.a. Index "I" Calculation

9.a.1. CPI Calculation (2015-2018)

Particulars	Average CPI	CPI
YEAR n-1 (2015)	141.6	
YEAR n (2016)	144.2	1.84%
YEAR n+1 (2017)	147.9	2.57%
YEAR n+2 (2018)	153.0	3.45%

9.a.2. Growth Rate Calculation (2015-2018)

Particulars	Total KWh Sales	GR
YEAR n-1 (2015)	155,882,542	
YEAR n (2016)	164,393,956	5.46%

YEAR n+1 (2017)	189,857,863	15.49%
YEAR n+2 (2018)	198,321,458	4.46%

9.b. Efficiency Factor “X” Calculation

9.b.1. Calculation of Man-hours (2015-2018)

Personnel	2015	2016	2017	2018
Regular	464,045	510,180	512,859	579,665
Contractual				
Lineman & Other Office Personnel (Proba)	28,452	90,872	88,764	57,760
Lineman – Project Based	59,805	7,925	15,906	11,100
Staking Personnel	35,933	16,630	30,675	32,166
Security Guard	47,424	69,888	89,856	97,344
Total Man-hours	635,659	695,495	738,060	778,035

9.b.2. FTE/CPE (2015-2018)

Particulars	2015	2016	2017	2018
TOTAL MANHOURS	635,659	695,495	738,060	778,035
Full time equivalent man hours per year	2,080	2,080	2,080	2,080
FTE	305.6	334.4	354.8	374.1
Total number of billed connections (yearend)	110,463	119,232	126,364	131,598
CPE	361.5	356.6	356.1	351.8

9.c. Performance Incentive “S” Calculation

9.c.1. SAIDI Calculation (2016-2018)

	2016	2017	2018
Customer Minutes Affected	52,121,917	97,492,173	82,976,781
Average Billed Customers	115,485	123,425	129,195
SAIDI	451.33	789.89	642.26

9.c.2. SAIFI Calculation (2016-2018)

	2016	2017	2018
Customers Affected	1,085,113	1,698,577	1,434,757
Average Billed Customers	115,485	123,425	129,195
SAIFI	9.40	13.76	11.11

9.c.3. SL Calculation (2015-2018)

MWH	2015	2016	2017	2018
kWh Purchased	172,481,705	182,531,133	209,848,502	227,730,736
kWh Sold	155,882,541	164,393,956	189,857,863	208,173,520
System Loss (in kWh)	16,599,164	18,137,177	19,990,639	19,557,216
System Loss (in %)	9.62%	9.94%	9.53%	8.59%

Details of the aforementioned calculations are provided and contained in **Annex "B"** hereof.

10. That, as observed, there is a minimal upward adjustment in Applicant's rates resulting in a 5.90% adjustment including "S" and 0.00% adjustment excluding "S" on the rates, as shown hereunder:

	"I"	"X"	"S"	TGP B (including S)	TGP B (excluding S)
YEAR 2016	0.00%	0.00%	2.30%	2.30%	0.00%
YEAR 2017	0.00%	0.00%	1.50%	1.50%	0.00%
YEAR 2018	0.00%	0.00%	2.10%	2.10%	0.00%
TOTAL				5.90%	0.00%

11. That, in support of the application, attached herewith in a separate bundle are the following:

As Annex	Document
"C"	- MFSR (Sections B & E) (2014-2017)
"D"	- Billing Determinants Template (kWh Sales, No. of customers, kW Demand (2014-2017)
"E"	- Sample Bills (1 per customer type for the years 2014-2017)
"F"	- Regional CPI for the years 2014-2017
"G"	- RFSC/Reinvestment fund Utilization for the years 2015-2017
"H"	- Consumer Complaints (Summary or tracking form) for the years 2015-2017
"I"	- Audited Financial Statement (2015-2017)

COMPLIANCE
WITH PRE-FILING REQUIREMENTS

12. In compliance with Section 2, Rule 6 of the ERC Rules of Practice and Procedure, copies of this Application together with all its annexes and accompanying documents had been furnished by Applicant the Legislative Body of the Municipality of Dumanjug where Applicant principally operates and the Legislative Body of the Province of Cebu. Likewise, the Application was published in a newspaper of general circulation within the franchise area of the Applicant.
13. As proof of compliance of the service of the copies of the Application together with all its annexes are the Certifications issued by the Authorized Representatives of the Local Government Units and/or the Affidavit of Service executed by an employee of the Applicant and the first page of the Application bearing the receiving stamp of the aforementioned Offices as **Annexes "J" and "K"** respectively. Likewise attached hereto as **Annexes "L" and "M"** are the Affidavit of Publication and the newspaper issue containing the published Application;
14. Moreover, prior to the filing of this Application, a pre-filing conference with the concerned staff of the Commission was conducted pursuant to Section 4 of Rule 6, and for purposes of determining completeness of the supporting documents attached to the Application;

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15. That the current rate is no longer responsive and adequate to the needs of the Applicant since the costs of providing electric service to the consumers increased significantly;
16. That, with this unresponsive current rate, an urgent remedy is imperative and should necessarily be implemented;
17. That, considering the length of time to resolve the instant Application, it being not the only application to be resolved by the Commission, it is only appropriate and reasonable that a provisional authority to immediately implement the proposed rate herein prayed for shall be granted;
18. That, the provisional authority thus prayed for would bring forth relief on the financial constraints suffered by the Applicant, if not remedied, may resort to unreasonable operational decline. Attached herewith is the judicial affidavit of the Finance Manager, Juanito S. Gabales, Jr., in support of the prayer for provisional authority marked as **Annex "N"**.

PRAYER

WHEREFORE, foregoing premises considered, it is most respectfully prayed of this Honorable Commission, after due notice and hearing:

- To approve the proposed Tariff Glide Path “B” Rates (TGP “B”) calculated as follows:

Type of Consumer	Particulars	Unit	Provisionally Approved RSEC-Rates	TGP “A” Tariff Glide Path calculation for the first to the third year of the first regulatory period		TGP “B” Tariff Glide Path calculation for the fourth to the sixth year of the first regulatory period	
				including S	excluding S	including S	excluding S
Residential	Distribution	PhP/kWh	0.5782	0.6313	0.5902	0.6661	0.5902
	Supply	PhP/kWh	0.6001	0.6552	0.6126	0.6913	0.6126
	Metering	PhP/kWh	0.4326	0.4723	0.4416	0.4983	0.4416
	Metering	PhP/meter/mo	5.00	5.46	5.10	5.76	5.10
LOW VOLTAGE	Distribution	PhP/kWh	0.7595	0.8292	0.7753	0.8749	0.7753
	Supply	PhP/cust/mo	42.92	48.86	43.81	49.44	43.81
	Metering	PhP/meter/mo	35.94	39.24	36.69	41.40	36.69
HIGHER VOLTAGE	Distribution	PhP/kW	219.68	239.84	224.24	253.06	224.24
	Supply	PhP/cust/mo	42.92	46.86	43.81	49.44	43.81
	Metering	PhP/meter/mo	35.94	39.24	36.69	41.40	36.69

- To issue an Order granting Applicant a provisional authority to implement the proposed tariff glide path rates herein prayed for pending hearing and final evaluation of the application by the Honorable Commission.

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

Finding the said *Application* sufficient in substance with the required fees having been paid, the same is hereby set for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on **20 September 2018 (Thursday) at ten o’clock in the morning (10:00 AM), at CEBECO I’s Principal Office at Bitoon, Dumanjug, Cebu.**

Accordingly, CEBECO I is hereby directed to:

- Cause the publication of the attached Notice of Public Hearing 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 initial hearing;

- 2) Furnish the Offices of the Provincial Governor, the City and Municipal Mayors, and the Local Government Unit (LGU) legislative bodies within the affected franchise area with copies of this Order and the attached Notice of Public Hearing for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within the affected franchise area of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon, by any other means available and appropriate;
- 4) Furnish the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress with copies of this Order and the attached Notice of Public Hearing. They are hereby requested, if they so desire to send their duly authorized representatives at the scheduled hearing; and
- 5) Furnish all those making requests with copies of the *Application* and its attachments, subject to reimbursement of reasonable photocopying costs.

On the date of the initial hearing, Applicant must submit to the Commission its written compliance with the aforementioned jurisdictional requirements attaching therewith, methodically arranged and duly marked the following:

- 1) The evidence of publication of the attached Notice of Public Hearing consisting of affidavits of the Editors or Business Managers of the newspapers where the said Notice of Public Hearing were published, and the complete issues of the said newspapers;
- 2) The evidence of actual posting of this Order and the attached Notice of Public Hearing 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 the means employed by Applicant to inform the consumers within the affected franchise area of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon;
- 4) The evidence of receipt of copies of this Order and the attached Notice of Public Hearing by the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *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.

Applicant and all interested parties are also required to submit, at least five (5) days before the date of initial 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 therefor; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-trial Brief.

Failure of Applicant to submit the required Pre-Trial Brief and Judicial Affidavits of its witnesses within the prescribed period shall be a ground for cancellation of the scheduled hearing, and the resetting of which shall be six (6) months from the said date of cancellation.


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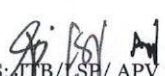
CEBECO I must also be prepared to make an expository presentation of the instant *Application*, aided by whatever communication medium that it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, what the *Application* is all about and the reasons and justifications being cited in support thereof.

SO ORDERED.

Pasig City, 10 July 2018.

FOR AND BY AUTHORITY
OF THE COMMISSION:


AGNES VST DEVANADERA
Chairman & CEO 2


LS: JTB/LSP/APV



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Copy Furnished:

1. A.C. Gaviola Law Office
Counsel for Applicant CEBECO I
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3rd Avenue, North Reclamation Area, Cebu City
2. Cebu I Electric Cooperative, Inc. (CEBECO I)
Applicant
Bitoon, Dumanjug, Cebu
3. Office of the Mayor
Carcar City, Cebu
4. Office of the Local Government Unit (LGU) legislative body
Carcar City, Cebu
5. Office of the Mayor
Barili, Cebu
6. Office of the LGU legislative body
Barili, Cebu
7. Office of the Municipal Mayor
Dumanjug, Cebu
8. Office of the LGU legislative body
Dumanjug, Cebu
9. Office of the Municipal Mayor
Ronda, Cebu
10. Office of the LGU legislative body
Ronda, Cebu
11. Office of the Municipal Mayor
Alcantara, Cebu
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Alcantara, Cebu
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Moalboal, Cebu
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Badian, Cebu
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Alegria, Cebu
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Malabuyoc, Cebu
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Malabuyoc, Cebu
21. Office of the Municipal Mayor
Ginatilan, Cebu

22. Office of the LGU legislative body
Ginatilan, Cebu
23. Office of the Municipal Mayor
Samboan, Cebu
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Samboan, Cebu
25. Office of the Municipal Mayor
Santander, Cebu
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27. Office of the Municipal Mayor
Sibonga, Cebu
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Argao, Cebu
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Argao, Cebu
31. Office of the Municipal Mayor
Dalaguete, Cebu
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Dalaguete, Cebu
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Alcoy, Cebu
34. Office of the LGU legislative body
Alcoy, Cebu
35. Office of the Municipal Mayor
Boljo-on, Cebu
36. Office of the LGU legislative body
Boljo-on, Cebu
37. Office of the Municipal Mayor
Oslob, Cebu
38. Office of the LGU legislative body
Oslob, Cebu
39. Office of the Governor
Province of Cebu
40. Office of the LGU legislative body
Province of Cebu
41. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village, Makati City
42. Commission on Audit
Commonwealth Avenue, Quezon City
43. Senate Committee on Energy
GSIS Bldg. Roxas Blvd., Pasay City

44. House Committee on Energy
Batasan Hills, Quezon City
45. Philippine Chamber of Commerce and Industry (PCCI)
3rd Floor, Chamber and Industry Plaza (CIP), 1030 Campus Avenue corner Park Avenue,
McKinley Town Center, Fort Bonifacio, Taguig City
46. Regulatory Operations Service
17th Floor Pacific Center, San Miguel Avenue, Pasig City