

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF THE
EMERGENCY CAPITAL
EXPENDITURE PROJECT
RE: PROCUREMENT,
INSTALLATION, TESTING,
COMMISSIONING, AND
ENERGIZATION OF BRAND
NEW 10/12.5 MVA POWER
SUBSTATION BY
REPLACING THE DAMAGED
5MVA POWER
TRANSFORMER AT
PARANAS SUBSTATION**

ERC CASE NO. 2025-179 RC

**SAMAR II ELECTRIC
COOPERATIVE, INC.
(SAMELCO II),**
Applicant.

Promulgated:
December 01, 2025

X-----X

ORDER

On 30 September 2025, Samar II Electric Cooperative, Inc. (SAMELCO II) filed, through the Energy Virtual One-Stop Shop (EVOSS) portal, an *Application* dated 29 August 2025, seeking the Commission’s approval of its Emergency Capital Expenditure (CAPEX) Project, relative to the procurement, installation, testing, commissioning, and energization of brand new 10/12.5 MVA power substation by replacing the damaged 5 MVA power transformer at Paranas Substation.

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

On 07 November 2025, the Commission issued an *Order* and a *Notice of Virtual Hearing*, setting the instant *Application* for hearing or the determination of compliance with the jurisdictional

requirements, expository presentation, and Pre-Trial Conference,¹ and presentation of evidence on 28 November 2025.

On 12 November 2025, SAMELCO II filed a *Motion to Reset the Hearing Set on 28 November 2025*, of even date (Motion to Reset), praying that the hearing be reset to a later date in view of the lack of sufficient time to comply with the publication requirements pursuant to the *Order* of the Commission on 07 November 2025.

The Commission finds SAMELCO II's *Motion to Reset* in order, thus the same is hereby **GRANTED**. In view thereof, the hearing scheduled on 28 November 2025, pursuant to the Commission's *Order* issued on 07 November 2025, is hereby **CANCELLED**.

RELATIVE THERETO, the Commission hereby sets anew the hearing for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence is hereby reset to **09 January 2026 (Friday) at nine o'clock in the morning (9:00 A.M.)**, through MS Teams Application, as the online platform for the conduct thereof, pursuant to the pertinent rules of the Commission.

Accordingly, SAMELCO II is hereby directed to mirror the virtual hearings, to be hosted by the Commission, at **SAMELCO II's Principal Office at Barangay 6 Poblacion, Paranas, Samar** as the designated venue for the conduct thereof and ensure that the same is open to the public. Moreover, SAMELCO II 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

¹ In the Commission's *Advisory* dated 26 July 2023, the Commission adopted the Summary Proceedings in accordance with Rule 17 of the Commission's Revised Rules of Practice and Procedure (ERC Revised RPP) in the filing, processing and evaluation of the applications for authority to develop and own or operate dedicated point-point limited transmission facilities, in the following instances: (1) Applications without intervenors, or uncontested applications; and (2) Applications with intervenors, provided all parties have agreed to subject the application to summary proceedings. Under the said summary proceedings and in accordance with Rule 17 of the ERC Revised RPP, the Applicant's presentation of evidence is through the submission and offering of the affidavits of its witnesses and other pieces of evidence within the time allowed by the Commission.

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 SAMELCO II’s franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within SAMELCO II’s franchise area, by any other means available and appropriate, of the filing *Application*, their reasons therefor, and of the scheduled virtual hearing;
- 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 *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.

No later than ten (10) calendar days prior to the date of the scheduled virtual hearing, SAMELCO II must submit to the Commission through the EVOSS portal and 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 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 SAMELCO II to inform the consumers within SAMELCO II's franchise area of the filing of the *Application*, their 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 *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, SAMELCO II 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.

Applicant 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.

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

Applicant 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, 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 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 virtual hearing. Applicant shall also be 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 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.

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Finally, SAMELCO II, including their authorized representatives and witnesses, and 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 hearing.

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: JBY/MVM

* Authority granted during Commission Meeting on 20 August 2025.

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Copy Furnished:

1. Samar II Electric Cooperative (SAMELCO II)
Applicant
Brgy. 6, Poblacion, Paranas,
Samar, Western Samar
samelcotwo@gmail.com
2. Dechavez Lerios-Amboy and Evangelista Law Offices
Atty. Joseph Ferdinand M. Dechavez and Marie Ann Claire D. Marqueda
Counsels for Applicant SAMELCO II
Unit 2008, Tycoon Centre Pearl Drive, Ortigas Center,
Pasig City 1605
powerlawfirm@gmail.com; jfmdechavez@gmail.com
3. Office of the Solicitor General (OSG)
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph
4. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
citizensdesk@coa.gov.ph
5. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City
senateenergycommittee@gmail.com
6. House Committee on Energy
Batasan Hills, Quezon City
committee.energy@house.gov.ph
7. Office of the Governor
Province of Samar
8. Office of the Local Government Unit (LGU) Legislative Body
Province of Samar
9. Office of the Mayor
Jiabong, Samar
10. Office of the Local Government Unit (LGU) Legislative Body
Jiabong, Samar
11. Office of the Mayor
Motiong, Samar
12. Office of the Local Government Unit (LGU) Legislative Body
Motiong, Samar
13. Office of the Mayor
Paranas, Samar
14. Office of the Local Government Unit (LGU) Legislative Body
Paranas, Samar
15. Office of the Mayor
Hinabangan, Samar
16. Office of the Local Government Unit (LGU) Legislative Body
Hinabangan, Samar
17. Office of the Mayor
San Sebastian, Samar
18. Office of the Local Government Unit (LGU) Legislative Body
San Sebastian, Samar
19. Office of the Mayor
Calbiga, Samar

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20. Office of the Local Government Unit (LGU) Legislative Body
Pinabacdao, Samar
21. Office of the Mayor
Villareal, Samar
22. Office of the Local Government Unit (LGU) Legislative Body
Villareal, Samar
23. Office of the Mayor
Talalora, Samar
24. Office of the Local Government Unit (LGU) Legislative Body
Talalora, Samar
25. Office of the Mayor
Daram, Samar
26. Office of the Local Government Unit (LGU) Legislative Body
Daram, Samar
27. Office of the Mayor
Santa Rita, Samar
28. Office of the Local Government Unit (LGU) Legislative Body
Santa Rita, Samar
29. Office of the Mayor
Basey, Samar
30. Office of the Local Government Unit (LGU) Legislative Body
Basey, Samar
31. Office of the Mayor
Marabut, Samar
32. Office of the Local Government Unit (LGU) Legislative Body
Marabut, Samar
33. Office of the Mayor
San Jose De Buan, Samar
34. Office of the Local Government Unit (LGU) Legislative Body
San Jose De Buan, Samar
35. Office of the Mayor
Zummaraga, Samar
36. Office of the Local Government Unit (LGU) Legislative Body
Zummaraga, Samar
37. Regulatory Operations Service
Energy Regulatory Commission
14th Floor, Exquadra Tower, 1 Jade Drive