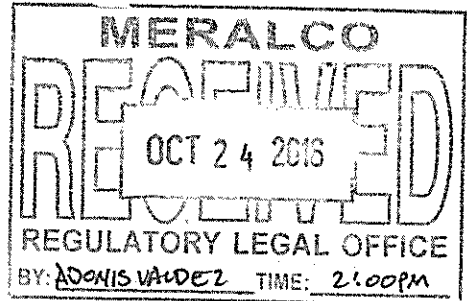


Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City

IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO RETIRE THE PALOMAR SUBSTATION LOCATED AT TONDO, MANILA AND TO WITHDRAW FROM SERVICE CERTAIN EQUIPMENT AND MACHINERY INSTALLED IN SAID SUBSTATION, WITH PRAYER FOR PROVISIONAL AUTHORITY



ERC CASE NO. 2016 – 158 RC

MANILA ELECTRIC COMPANY (MERCALCO)
Applicant.

X-----X

D O C K E T E D
Date: **OCT 21 2016**
By: *[Signature]*

ORDER

On 02 August 2016, the Manila Electric Company (MERCALCO) filed an Application dated 08 July 2016 for authority to retire the Palomar Substation located in Tondo, Manila, and to withdraw from service certain equipment and machinery installed in said substation, with prayer for provisional authority.

In the said Application, MERCALCO alleged the following:

1. Applicant is a private corporation duly organized and existing under the laws of the Republic of the Philippines, with principal office located at Lopez Building, Ortigas Avenue, Barangay Ugong, Pasig City. It may be served with notices and other processes of this Honorable Commission through its undersigned counsel at the address indicated herein.
2. Applicant has a legislative franchise to construct, operate and maintain an electric power distribution system for the conveyance of electric power to the end-

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users in the cities and municipalities of Metro Manila, Bulacan, Cavite and Rizal, and certain cities/municipalities/barangays in Batangas, Laguna, Quezon and Pampanga, pursuant to Republic Act No. 9209.

3. Applicant seeks for authority to retire the Palomar Substation and withdraw certain equipment and machineries in said substation.

4. The instant Application is filed pursuant to following:

a. Distribution Services and Open Access Rules (DSOAR)

“1.7 No DU shall increase, substitute or withdraw from service any of its authorized equipment and machinery without the prior authority from the ERC, except in case of emergency whereby the ERC shall be notified not later than seventy-two (72) hours of such increase, substitution or withdrawal of authorized equipment. Provided, however, that the utility shall comply with the ERC’s application for retirement.”

b. Amendments to DSOAR

“1.7.1

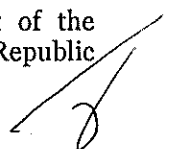
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The DU may increase, substitute or withdraw from service its authorized equipment and machinery in accordance with the Rules for Approval of Regulated Entities’ Capital Expenditure Projects, RDWR and other ERC Rules. If such undertaking is not covered by the RDWR or other rules, authorization shall be secured from the ERC in accordance with pertinent provision of the Rules for Approval of Regulated Entities’ Capital Expenditure Projects.”

c. Decision dated December 1, 2010¹ in ERC Case No. 2009-118 MC² and Decision dated

¹ Decision, page 9.

“A perusal of the evidence herein showed that the retirement of the Morong-Morong, Gaya –Gaya and Mauban substations and withdrawal of the equipment and machineries installed therein in the accordance with MERALCO’s Conversion Program will redound to the benefit of the consumers in terms of continuous, reliable and efficient power supply as mandated by Republic



December 12, 2011³ in ERC Case No.2010-146 RC⁴

In both Decisions, the Honorable Commission ruled that, "A perusal of evidence showed that the retirement of substations and withdrawal of the equipment and machineries installed therein will redound to the benefit of the consumers in terms of reliable and efficient power supply as mandated by Republic Act 9136, or the Electric Power Industry Reform Act of 2001 (Section 2. Declaration of Policy – (b) "to ensure the quality, reliability, security and affordability of the supply of electric power)."

BACKGROUND

5. The Palomar Substation is located at Tondo, Manila. The substation has two (2) - 12.5 MVA, 34.5 kV - 6.24 kV power transformer banks, which are both 56 years in service, and one (1) 61-yr old – 20 MVA 34.5 kV-13.8 kV and all of which have reached their standard asset lives.
6. Palomar Substation is one of the oldest MERALCO odd voltage substations (with voltage other than 34.5 kV or 13.8 kV) and is prone to flooding because of its location.
7. Applicant has programmed the gradual conversion of odd voltage systems (distribution system with voltages other than 34.5 kV or 13.8 kV) to the ultimate standardized 20 kV/34.5 kV (line-to-neutral/line to line) distribution voltage system within its franchise area. The voltage standardization will reduce technical system loss, improve flexibility and reliability of electric service

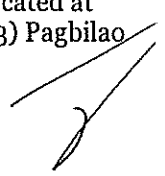
Act 9136, or the Electric Power Industry Reform Act of 2001 (Section 2. Declaration of Policy– (b) "to ensure the quality, reliability, security and affordability of the supply of electric power)."

² In the Matter of the Application for Authority to Retire the Morong Substation located at Morong, Province Rizal, the Gaya-Gaya Substation located as San Jose Del Monte, Province of Bulacan and the Mauban Substation located at Mauban, Province of Quezon and to Withdraw from Service Certain Equipment and Machinery Installed in the said Substations, with Prayer for Provisional Authority.

³ Decision, page 9.

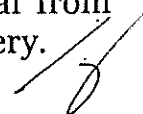
A perusal of the evidence presented herein showed that the retirement of substations in Cavite, Lucena II, Pagbilao, Forbes Park and Tondo as well as the withdrawal of the equipment and machineries installed therein, will redound to the benefit of the consumers in terms of continuous, reliable and efficient power supply as mandated by Republic Act 9136, or the Electric Power Industry Reform Act of 2001 (Section 2. Declaration of Policy – (b) "to ensure the quality, reliability, security and affordability of the supply of electric power.)"

⁴ In the Matter of the Application for Authority to Retire (1) The Cavite Substation located at Cavite City, (2) The Lucena II Substation located at Lucena City, Quezon Province, (3) Pagbilao Substation located at Pagbilao, Quezon Province, (4) Forbes Park Substation



by phasing out isolated odd voltage systems and minimize equipment inventory types. Applicant continuously implements its Conversion Program with the aim of having standard voltage systems for its entire franchise area.

8. Thus, Applicant seeks authority from the Honorable Commission to retire the Palomar Substation and withdraw from service the equipment and machinery installed therein in line with its conversion program.
9. The retirement of Palomar Substation will not have an adverse impact on the customers in Tondo, Manila area since the 13.8 kV system was converted to 34.5 kV and the 6.24 kV loads of Palomar Substation will be converted to 34.5 kV. The transfer of said loads will eliminate the redundant 34.5 kV-6.24 kV step-down stage.
10. The retirement of the power transformer banks and the complete conversion to 34.5 kV of circuits Palomar 15L and Palomar 18L, will result in technical system loss reduction of approximately 240,242 KWHR annually.
11. Currently, Palomar substation is part of Applicant's Regulatory Asset Base (RAB). Upon its retirement, some of the equipment and machinery will be reused for distribution services and others will be withdrawn from service. The total amount for equipment and machinery that will be withdrawn from service is Three Million Four Hundred Ninety Three Thousand Four Hundred Eighty Nine Pesos, (PhP3, 493,489).
12. In further support of the Application, attached hereto are the following documents
 - **Annex "A"** – Schematic Diagram showing the exact location of Palomar Substation and pictures thereof.
 - **Annex "B"**- Detailed List of Equipment and Machinery to be re-used and/or retired in Palomar Substation, with corresponding specifications and values.
 - **Annex "C"** –Load Simulation/study conducted on the effect of withdrawal from service of said equipment and machinery.



ISSUANCE OF PROVISIONAL AUTHORITY

13. The issuance of Provisional Authority is warranted under the circumstances considering that there is no reason to continue energizing the Palomar substation as the loads thereof may be transferred to adjacent source circuits. More importantly, the conversion of the loads of Palomar Substation to 34.5 kV will result in the reduction of technical system loss and improvement of the electric service by phasing out isolated odd-voltage system.
14. In further support of the Application and prayer for issuance of provisional authority, attached as **Annex "D"** is the Judicial Affidavit of Engr. Gerardo V. Lozada, Senior Manager and Officer of Applicant's Substation Asset Planning, Network Asset Planning Office

PRAYER

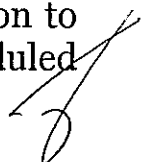
WHEREFORE, it is respectfully prayed to this Honorable Commission that: (1) Application for Retirement of Palomar Substation and withdrawal from service of equipment and machinery installed in said substation be **APPROVED**; and (2) Applicant be **ALLOWED** to re-use equipment in said substation that will not be retired.

Pending hearing, it is further prayed that a provisional authority be issued to Applicant.

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

Finding the said Application to be sufficient in form and 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 **11 November 2016 (Friday) at two o'clock in the afternoon (2:00 p.m.), at the ERC Hearing Room, 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig City.**

MERALCO is hereby directed to cause the publication of the attached Notice of Public Hearing, at their own expense, twice (2x) for two (2) successive weeks in two (2) newspapers of general circulation in the Philippines, with the date of the last publication to be made not later than ten (10) days before the date of the scheduled



initial hearing. They are also directed to inform the consumers within the franchise area of MERALCO, by any other means available and appropriate, of the filing of the Application, its reasons therefor, and of the scheduled hearing thereon.

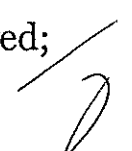
Let copies of the Application, this Order, and the attached Notice of Public Hearing be furnished the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire, to send their duly authorized representatives at the scheduled hearing.

Likewise, let copies of this Order and the attached Notice of Public Hearing be furnished the Offices of the Provincial Governors, the City and Municipal Mayors, and the Local Government Unit (LGU) Legislative Bodies within MERALCO's franchise area for the appropriate posting thereof on their respective bulletin boards.

MERALCO is hereby directed to furnish all those making requests therefor with copies of their Application and the attachments thereto, subject to reimbursement of reasonable photocopying costs.

On the date of the initial hearing, MERALCO must submit to the Commission their written Compliance with the jurisdictional requirements attaching therewith, methodically arranged and duly marked, the evidence on the actual posting and publication of the Notice of Public Hearing consisting of certifications issued to that effect, signed by the afore-mentioned Governors and Mayors, or their duly authorized representatives, and the duly authorized officials of the LGU Legislative bodies, bearing the seals of their offices, and the affidavits of the Editors or Business Managers of the newspapers where the said Notice of Public Hearing were published together with the complete issues of the said newspapers, and such other proofs of compliance with the requirements of the Commission.

MERALCO and all interested parties are directed 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:

- a. A summary of admitted facts and proposed stipulation of facts;
 - b. The issues to be tried or resolved;
- 

- c. The documents or exhibits to be presented, stating the purposes and proposed markings therefor; and
- d. The number and names of the witnesses, with their written testimonies in an individual affidavit form, to be attached to the Pre-trial Brief.

Failure by the Applicant to submit the required Pre-trial Brief and Judicial Affidavits of their 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 said date of cancellation.


As part of the Pre-Trial Conference, the Applicant must also be prepared to make an Expository Presentation of their 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, what their Application is all about and the reasons and justifications being cited in support thereof.

SO ORDERED.

Pasig City, 01 October 2016.

FOR AND BY AUTHORITY
OF THE COMMISSION:


JOSE VICENTE B. SALAZAR
Chairman and CEO

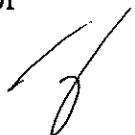

LS: MCC/ELS/NJM

ERC
Office of the Chairman

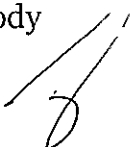
J-2016-019-OC-05233

Copy Furnished:

1. **Attys. Francis Dino S. Antonio, Hazel Rose B. See
And Monica M. Martin**
Counsels for MERALCO
7th Floor, Lopez Building Ortigas Avenue,
Brgy. Ugong, Pasig City
2. **Atty. Jose Ronald V. Valles**
VP and Head Regulatory Affairs Office, MERALCO
7th Floor, Lopez Building, Ortigas Avenue,
Barangay Ugong, Pasig City
3. **Office of the Solicitor General (OSG)**
134 Amorsolo Street, Legaspi Village
Makati City, Metro Manila
4. **Commission on Audit (COA)**
Commonwealth Avenue
Quezon City, Metro Manila
5. **Senate Committee on Energy**
GSIS Bldg. Roxas Blvd., Pasay City
Metro Manila
6. **House Committee on Energy**
Batasan Hills, Quezon City, Metro Manila
7. **Philippine Chamber of Commerce and Industry (PCCI)**
Campus Avenue corner Park Avenue,
McKinley Town Center, Fort Bonifacio, Taguig City
8. The City Mayor
City of Manila
9. LGU Legislative Body
City of Manila
10. The City Mayor
Quezon City
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Quezon City
12. The City Mayor
City of Caloocan
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City of Caloocan
14. The City Mayor
City of Makati



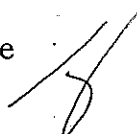
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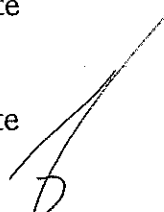
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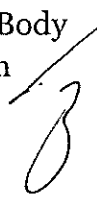
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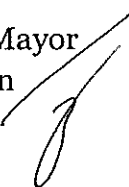
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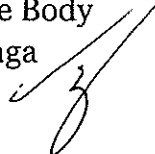
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Bay, Laguna



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Apalit, Pampanga



- 236. Office of the Governor
Province of Rizal
- 237. LGU Legislative Body
Province of Rizal
- 238. Office of the Governor
Province of Laguna
- 239. LGU Legislative Body
Province of Laguna
- 240. Office of the Governor
Province of Batangas
- 241. LGU Legislative Body
Province of Batangas
- 242. Office of the Governor
Province of Cavite
- 243. LGU Legislative Body
Province of Cavite
- 244. Office of the Governor
Province of Pampanga
- 245. LGU Legislative Body
Province of Pampanga
- 246. Office of the Governor
Province of Quezon
- 247. LGU Legislative Body
Province of Quezon
- 248. Office of the Governor
Province of Bulacan
- 249. LGU Legislative Body
Province of Bulacan

