

FINAL NOTICE TO THE PUBLIC

The Manila Electric Company (MERALCO) hereby gives **FINAL NOTICE** to all customers to claim any refund due pursuant to the Supreme Court decision in ***Republic of the Philippines, represented by Energy Regulatory Board vs. Manila Electric Company*** (G.R. No. 141314, November 15, 2002) to **30 June 2019** (ERC Order dated 19 December 2018).

All customers who have not filed their claims or who have unpaid claims are advised to comply with the guidelines specified below ("Guidelines"). All Documentary Requirements or Additional Documentary Requirements, as described in the Guidelines, **must be submitted on or before 30 June 2019** to allow MERALCO to process the claim. After such period, all unclaimed amounts shall be deposited in a separate interest-bearing bank account pursuant to the ERC Order.

I. Qualified Claimants

- A customer is qualified to apply for the Supreme Court refund if:
 - a. the customer had/has a contract of service with MERALCO;
 - b. the customer availed of MERALCO's service during the period from February 1994 to May 2003 ("Refund Period") and paid the corresponding bills; and
 - c. the customer has not filed his claim or has an unpaid claim.
- An actual user of service who is not the registered customer during the Refund Period or an heir of a deceased registered customer is also qualified to apply for a refund subject to the presentation of the required original documents and the submission of its certified true copies.

II. Refund Procedures

A. Submission of documentary requirements

- A claimant shall submit all the required documents to any MERALCO Business Center or to the Refund Office in MERALCO Center (Ortigas Ave., Pasig City).
- MERALCO shall process the refund claim only upon receipt of all the required documents including identification cards. Claims with incomplete or invalid documents shall not be processed.
- A claimant is required to accomplish the following MERALCO standard refund claim forms:
 - i. Refund Control Form
 - ii. Acknowledgment and Advice Form
 - iii. Undertaking and Quitclaim Form
- A claimant shall present original copies of the required documents and submit photocopy of the same documents.
- A claimant who is not the registered customer shall be required to submit additional documents.
- All IDs to be presented must be government-issued and must bear the photo and signature of the person concerned.
- An authorized representative cannot appoint another person to act in his behalf.
- Additional documents may be required on a case to case basis.

B. Verification of customer record, information and documents

- The authenticity and validity of the documents, identification cards and information shall be verified by MERALCO.

C. Processing and release of payment

- At the option of the customer, who is a valid claimant, refunds shall be paid in any of the following manner:
 - i. Check – one-time payment for both active and terminated services net of applicable withholding tax ; or
 - ii. Credit to monthly electric bills – for active services only net of applicable withholding tax.
- The refundable amount shall always be net of applicable withholding tax after which, all unpaid bills or obligations to MERALCO shall be applied. For this purpose, the gross amount of refund for accounts classified under Phase IV shall be subject to a creditable withholding tax of 25% for active services or 32% for services terminated as of April 30, 2003.
- The refund check and the Certificate of Withholding Tax, if applicable, shall be delivered to the claimant's delivery address.
- Upon delivery by the bank courier, the qualified claimant shall sign the Check Acknowledgment Receipt and surrender the signed "Acknowledgment and Advice Form" of MERALCO.

III. Documentary Requirements

A. Basic Documentary Requirements

i. CLAIMANT IS AN INDIVIDUAL

1. Two (2) valid government-issued IDs of the claimant;
2. Duly signed MERALCO standard refund claim forms;
3. Tax Identification Number (TIN) ID of the refund claimant (for phase IV);
and
4. If with authorized representative:
 - a. Two (2) valid IDs of the representative; and
 - b. Notarized Special Power of Attorney executed by the claimant authorizing the representative to act for and in his/her behalf and to sign all the documents relative to the refund claim.
5. Additional documents may be required on a case to case basis

ii. CLAIMANT IS A SOLE PROPRIETORSHIP

1. Two (2) valid government-issued IDs of the claimant;
2. Valid Department of Trade and Industry (DTI) Certification or Mayor's/ Business Permit;
3. Valid Bureau of Internal Revenue (BIR) Certificate of Registration (COR);
4. Duly signed MERALCO standard refund claim forms; and
5. If with authorized representative: same as (i)(4)
6. Additional documents may be required on a case to case basis

iii. CLAIMANT IS A CORPORATION/ PARTNERSHIP/ JOINT VENTURE/ GOVERNMENT OWNED OR CONTROLLED CORPORATION WITHOUT ORIGINAL CHARTER

1. SEC Registration and Articles of Incorporation, including amendments;
2. Latest General Information Sheet;

3. By-laws;
4. BIR Certificate of Registration (COR);
5. Two (2) valid government-issued IDs of the authorized representative;
6. Duly signed MERALCO standard refund claim forms; and
7. If active:
 - a. Board Resolution with notarized Secretary's/Directors' Certificate or notarized Board Resolution, authorizing the representative to act for and in behalf of the claimant and sign all the documents relative to the refund claim; and
 - b. One (1) valid government-issued ID of each signatory to the Board Resolution or Directors' Certificate, and of the Corporate Secretary.
8. If dissolved/ revoked:
 - a. Proof of dissolution/ revocation;
 - b. Proof of authority to claim; and
 - c. One (1) valid government-issued ID of each signatory to the Board Resolution or any document showing the authority to claim under (iii)(8)(b)
9. Additional documents may be required on a case to case basis

iv. CLAIMANT IS A NATIONAL GOVERNMENT AGENCY OR INSTRUMENTALITY/ GOVERNMENT OWNED OR CONTROLLED CORPORATION WITH ORIGINAL CHARTER

1. Copy of the Charter;
2. Authorization Letter by the Secretary/Head or Board Resolution or its equivalent and notarized Secretary's Certificate authorizing the representative to act for and in behalf of the claimant and sign all the documents relative to the refund claim;
3. Two (2) valid government-issued IDs of the authorized representative;
4. Duly signed MERALCO standard refund claim forms;
5. Certificate of Appointment of the Secretary/Head and the Members of the Board or Oath of Office (or any document showing that he/she is the appointed/elected Secretary/Head and that they are the appointed/elected board members); and
6. One (1) valid government-issued ID of the Secretary/Head or of each Board Member who signed the Board Resolution mentioned in (iv)(2) above.
7. Additional documents may be required on a case to case basis

v. CLAIMANT IS A LOCAL GOVERNMENT UNIT

1. For municipalities/cities/provinces:
 - a. Valid Resolution by the municipalities/cities/provinces Legislative Council authorizing the Municipal/City/Provincial Treasurer to act for and in behalf of the claimant and sign all the documents relative to the refund claim;
 - b. Appointment papers of the Municipal/City/Provincial Treasurer ;
 - c. Two (2) valid government-issued IDs of the Municipal/City/Provincial Treasurer;
 - d. Duly signed MERALCO standard refund claim forms;

- e. One (1) valid government-issued ID of each member of the Municipal/City/Provincial Legislative Council who signed the Resolution mentioned in (v)(1)(a); and
 - f. Documents showing that the persons who signed the Resolution are indeed validly-elected/appointed members of the Municipal/City/Provincial Legislative Council.
 - g. Additional documents may be required on a case to case basis
2. For barangay:
- a. Barangay Resolution authorizing the Barangay Treasurer to act for and in behalf of the claimant and sign all the documents relative to the refund claim;
 - b. Appointment papers of the Barangay Treasurer;
 - c. Two (2) valid government-issued IDs of the Barangay Treasurer;
 - d. Duly signed MERALCO standard refund claim forms;
 - e. One (1) valid government-issued ID of each member of the Barangay Council who signed the Barangay Resolution mentioned in (v) (2) (a); and
 - f. Documents showing that the persons who signed the Barangay Resolution are indeed validly-elected/appointed members of the Barangay Council.
 - g. Additional documents may be required on a case to case basis

B. Additional Documentary Requirements (For claimants who are not the registered customers)

i. IN CASE OF ACTUAL USER OF SERVICE:

- 1. Proof of occupancy of the premises and use of electric service during the refund period and/or:
 - a. Proof of payment of electric bills;
 - b. Notarized Deed from the registered customer:
 - i. confirming the actual occupancy of the premises by the claimant and the duration thereof; and the actual payment of the electric bills by the claimant during the refund period; and
 - ii. waiving the registered customer's right to claim the refund; and
 - c. One (1) valid government-issued ID of the registered customer.
- 2. In case the registered customer is a corporation, partnership, joint venture, national government agency or Instrumentality, government-owned or controlled corporation (with or without original charter) or a local government unit, the confirmation and waiver shall be embodied in a Board Resolution with notarized Secretary's/Directors' Certificate; notarized Board Resolution; or notarized Partners' Certificate.

One (1) valid government-issued ID of each signatory to the Board Resolution, Directors' Certificate or Partners' Certificate must be presented.

- 3. Additional documents may be required on a case to case basis

ii. IN CASE OF AN HEIR OF A DECEASED REGISTERED CUSTOMER OR ACTUAL USER:

1. Death certificate of the registered customer or actual user of service;
2. Proof of relationship with the registered customer or actual user of service;
3. Deed of Extra-Judicial Settlement of Estate, Affidavit of Adjudication, court decision, or order, whichever is applicable, if the Gross Refund Amount (GRA) is more than Php2,000.00;
4. Proof of publication of the Deed of Extra-Judicial Settlement or of the finality of the court decision or order, if the GRA is more than P10,000.00; and
5. One (1) valid government-issued ID of each party to the Deed of Extra-Judicial Settlement.
6. Additional documents may be required on a case to case basis