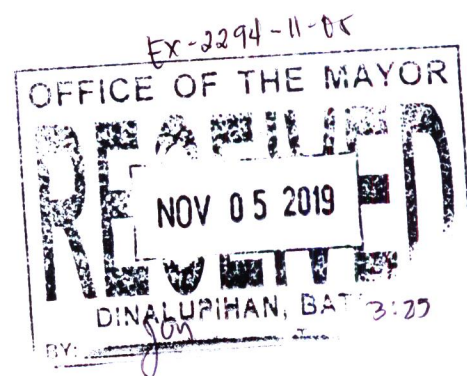


Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
San Miguel Avenue, Pasig City

IN THE MATTER OF THE  
JOINT APPLICATION FOR  
APPROVAL OF THE  
POWER SUPPLY  
CONTRACT (PSC)  
ENTERED INTO BY AND  
BETWEEN PENINSULA  
ELECTRIC COOPERATIVE,  
INC. (PENELCO) AND SAN  
MIGUEL ENERGY  
CORPORATION (SMEC),  
WITH PRAYER FOR  
PROVISIONAL  
AUTHORITY AND  
CONFIDENTIAL  
TREATMENT OF  
INFORMATION



ERC CASE NO. 2016-129 RC

PENINSULA ELECTRIC  
COOPERATIVE, INC.  
(PENELCO) AND SAN  
MIGUEL ENERGY  
CORPORATION (SMEC),  
Applicants.

X - - - - - X

SEP 20 2019

**ORDER**

On 29 April 2016, the Peninsula Electric Cooperative, Inc. (PENELCO) and San Miguel Energy Corporation (SMEC) filed a *Joint Application* for approval of their Power Supply Contract (PSC), with prayer for the issuance of provisional authority and confidential treatment of information.

On 03 May 2019, the Supreme Court issued its *Decision* in *Alyansa Para Sa Bagong Pilipinas (ABP), Inc. v. Energy Regulatory Commission (ERC), et al.*<sup>1</sup>, requiring all applications for power supply agreements filed before the Commission on or after 30 June 2015 to comply with the Competitive Selection Process (CSP) in accordance

<sup>1</sup> G.R. No. 227670, 3 May 2019;

Failure of the Applicants to comply with the foregoing directives within the prescribed period shall constrain the Commission to dismiss the instant case with prejudice.

**SO ORDERED.**

Pasig City, 11 September 2019.




(On-Leave)  
**AGNES VST DEVANADERA**  
*Chairperson and CEO*

  
**JOSEFINA PATRICIA A. MAGPALE-ASIRIT**  
*Commissioner*

  
**ALEXIS M. LUMBATAN**  
*Commissioner*

  
**CATHERINE P. MACEDA**  
*Commissioner*

  
**PAUL CHRISTIAN M. CERVANTES**  
*Commissioner*

LS:  DFG/ARG/GLO

Copy furnished:

1. Dechavez & Evangelista Law Offices  
Attention: Atty. Jeremiah D. Francisco  
*Counsel for Applicant PENELCO*  
Unit 1609-1610, Tycoon Centre, Pearl Drive,  
Ortigas Center, Pasig City
2. Peninsula Electric Cooperative, Inc. (PENELCO)  
Roman Superhighway, Tuyo, Balanga City, Bataan
3. Attys. Jupiter M. Cabaguio and Avelino G. Cedo III  
*Counsel for Applicant SMEC*  
23/F San Miguel Properties Centre,  
No. 7 St. Francis Street, Mandaluyong City
4. San Miguel Energy Corporation (SMEC)  
*Applicant*  
2/F 808 Building, MERALCO Ave. cor. Gen. Lim Street,  
Brgy. San Antonio, Pasig City
5. Office of the Solicitor General  
134 Amorsolo Street, Legaspi Village  
Makati City, Metro Manila
6. Commission on Audit  
Commonwealth Avenue, Quezon City

28. Office of the Municipal Mayor  
Orion, Bataan
29. Office of the Sangguniang Bayan  
Orion, Bataan
30. Office of the Municipal Mayor  
Pilar, Bataan
31. Office of the Sangguniang Bayan  
Pilar, Bataan
32. Office of the Municipal Mayor  
Samal, Bataan
33. Office of the Sangguniang Bayan  
Samal, Bataan
34. Office of the Governor  
Province of Bataan
35. Office of the Sangguniang Panlalawigan  
Province of Bataan
36. Regulatory Operations Services (ROS)  
Energy Regulatory Commission  
17F Pacific Center, San Miguel Avenue, Pasig City