

Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
Pasig City

**IN THE MATTER OF THE  
APPLICATION FOR  
CONFIRMATION AND  
APPROVAL OF  
CALCULATIONS OF OVER  
OR UNDER RECOVERIES  
IN THE IMPLEMENTATION  
OF AUTOMATIC COST  
ADJUSTMENTS AND TRUE-  
UP MECHANISMS FOR THE  
PERIOD 2023 TO 2025,  
PURSUANT TO ERC  
RESOLUTION NO. 02,  
SERIES OF 2021, AND ERC  
RESOLUTION NO. 14,  
SERIES OF 2022**

**ERC CASE NO. 2026-030 CF**

**BATANGAS II ELECTRIC  
COOPERATIVE, INC.  
(BATELEC II),**

*Applicant.*

X-----X

**Promulgated:**

May 18, 2026

**ORDER**

On 24 April 2026, the Batangas II Electric Cooperative, Inc. (BATELEC II) filed an *Application* dated 06 April 2026, seeking the Commission’s confirmation and approval of its calculations of over- or under-recoveries in the implementation of automatic cost adjustments and true-up mechanisms for the period 2023 to 2025, pursuant to the Commission’s Resolution No. 02, Series of 2021 and Resolution No. 14, Series of 2022.

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

Finding the *Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for hearing for the determination of compliance with the jurisdictional

requirements, expository presentation, and Pre-Trial Conference<sup>1</sup> on **19 June 2026 (Friday) at nine o'clock in the morning (9:00 AM)**, through **MS Teams Application** as the online platform for the conduct thereof, pursuant to applicable rules.

Accordingly, Applicant is hereby directed to mirror the virtual hearing, to be hosted by the Commission, at **BATELEC II's Principal Office located at Antipolo Del Norte, Lipa City, Batangas**, as the designated venue for the conduct thereof and ensure that the same is open to the public. Moreover, Applicant 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, once (1x) in a newspaper of nationwide circulation in the Philippines, at its own expense, the date of 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 the Applicant's franchise area, for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within the Applicant's franchise area, by any other means available and appropriate, of the filing of the *Application*, the 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

---

<sup>1</sup> Summary Proceedings pursuant to the Commission's Resolution No. 16, Series of 2025.

- 5) Furnish with copies of the *Application* and its attachments, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

**Within five (5) calendar days** prior to the date of the scheduled virtual hearing, Applicant must submit to the Commission via electronic mail (e-mail) at [docket@erc.ph](mailto:docket@erc.ph), and copy furnish the Legal Service through [legal@erc.ph](mailto: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 affidavit of the Editor or Business Manager of the newspaper where the same was published, and the complete issue of the said newspaper;
- 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 the Applicant to inform the consumers within its franchise area of the filing of the *Application*, the 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, Applicant is hereby required to post on its bulletin boards, 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](mailto:doCKET@erc.ph), and copy furnish the Legal Service through [legal@erc.ph](mailto: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 form attached to the Pre-Trial Brief.

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 *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](mailto:doCKET@erc.ph), copy furnish the Legal Service through [legal@erc.ph](mailto:legal@erc.ph), **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicant is also required to provide a copy of its Expository Presentation to any stakeholder requesting therefor **at least five (5) calendar days** prior to the scheduled virtual hearing.

Applicant and interest parties are hereby directed to submit, either through personal service, registered or ordinary mail/private courier, all the pleadings and required submissions, **within five (5) working days** from the date that the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission.

Finally, Applicant, including its 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](mailto: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<sup>2</sup>**  
*Director III, Legal Service*

  
LS: MLPA/ARG

---

<sup>2</sup> Authority granted pursuant to Office Order No. 71, Series of 2025.

**ERC CASE NO. 2026-030 CF**  
**ORDER**  
**PAGE 6 OF 8**

---

**Copy Furnished:**

1. Batangas II Electric Cooperative, Inc. (BATELEC II)  
*Applicant*  
Antipolo Del Norte, Lipa City, Batangas
2. Dechavez Lerios-Amboy and Evangelista Law Offices  
Attys. Joseph Ferdinand M. Dechavez and Dominic T. Araya  
*Counsel for Applicant BATELEC II*  
Unit 2008, Tycoon Centre, Pearl Drive, Ortigas Center,  
Pasig City, 1605  
[powerlawfirm@gmail.com](mailto:powerlawfirm@gmail.com); [dlaelaw@powerlawfirm.net](mailto:dlaelaw@powerlawfirm.net)
3. Office of the Provincial Governor  
Province of Batangas
4. Office of the LGU Legislative Body  
Province of Batangas
5. Office of the Mayor  
Lipa City, Batangas
6. Office of the LGU Legislative Body  
Lipa City, Batangas
7. Office of the Mayor  
Tanauan City, Batangas
8. Office of the LGU Legislative Body  
Tanauan City, Batangas
9. Office of the Mayor  
Alitagtag, Batangas
10. Office of the LGU Legislative Body  
Alitagtag, Batangas
11. Office of the Mayor  
Balete, Batangas
12. Office of the LGU Legislative Body  
Balete, Batangas
13. Office of the Mayor  
Cuenca, Batangas
14. Office of the LGU Legislative Body  
Cuenca, Batangas
15. Office of the Mayor  
Laurel, Batangas
16. Office of the LGU Legislative Body  
Laurel, Batangas
17. Office of the Mayor  
Lobo, Batangas
18. Office of the LGU Legislative Body  
Lobo, Batangas
19. Office of the Mayor  
Mabini, Batangas
20. Office of the LGU Legislative Body  
Mabini, Batangas

**ERC CASE NO. 2026-030 CF**  
**ORDER**  
**PAGE 7 OF 8**

---

21. Office of the Mayor  
Malvar, Batangas
22. Office of the LGU Legislative Body  
Malvar, Batangas
23. Office of the Mayor  
Mataas na Kahoy, Batangas
24. Office of the LGU Legislative Body  
Mataas na Kahoy, Batangas
25. Office of the Mayor  
Padre Garcia, Batangas
26. Office of the LGU Legislative Body  
Padre Garcia, Batangas
27. Office of the Mayor  
Rosario, Batangas
28. Office of the LGU Legislative Body  
Rosario, Batangas
29. Office of the Mayor  
San Jose, Batangas
30. Office of the LGU Legislative Body  
San Jose, Batangas
31. Office of the Mayor  
San Juan, Batangas
32. Office of the LGU Legislative Body  
San Juan, Batangas
33. Office of the Mayor  
Talisay, Batangas
34. Office of the LGU Legislative Body  
Talisay, Batangas
35. Office of the Mayor  
Taysan, Batangas
36. Office of the LGU Legislative Body  
Taysan, Batangas
37. Office of the Mayor  
Tingloy, Batangas
38. Office of the LGU Legislative Body  
Tingloy, Batangas
39. Office of the Solicitor General  
134 Amorsolo Street, Legaspi Village, Makati City 1229  
[docket@osg.gov.ph](mailto:docket@osg.gov.ph)
40. Commission on Audit  
Commonwealth Ave., Quezon City 1221  
[citizensdesk@coa.gov.ph](mailto:citizensdesk@coa.gov.ph)
41. Senate Committee on Energy  
GSIS Building, Roxas Boulevard, Pasay City 1300  
[senateenergycommittee@gmail.com](mailto:senateenergycommittee@gmail.com)

**ERC CASE NO. 2026-030 CF**  
**ORDER**  
**PAGE 8 OF 8**

---

42. House of Representatives Committee on Energy  
House of Representatives  
Batasan Hills, Quezon City  
[committee.energy@house.gov.ph](mailto:committee.energy@house.gov.ph)
  
43. Regulatory Operations Service (ROS)  
14<sup>th</sup> Floor, Exquadra Tower, Jade Drive,  
Ortigas Center, Pasig City  
[ros@erc.ph](mailto:ros@erc.ph)