

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
JOINT APPLICATION FOR
APPROVAL OF THE
EMERGENCY POWER
SUPPLY AGREEMENT
ENTERED INTO BY AND
BETWEEN BATANGAS II
ELECTRIC COOPERATIVE,
INC. AND SOUTHWEST
LUZON POWER
GENERATION
CORPORATION, WITH
PRAYER FOR
CONFIDENTIAL
TREATMENT OF
INFORMATION**

ERC CASE NO. 2026-037 RC

**BATANGAS II ELECTRIC
COOPERATIVE, INC.
(BATELEC II) AND
SOUTHWEST LUZON
POWER GENERATION
CORPORATION (SLPGC),
*Applicants.***

Promulgated:
March 26, 2026

X-----X

ORDER

On 17 March 2026, the Batangas II Electric Cooperative, Inc. (BATELEC II) and Southwest Luzon Power Generation Corporation (SLPGC) filed a *Joint Application*, dated 02 March 2026, seeking the Commission’s approval of their Emergency Power Supply Agreement (EPSA), with motion for confidential treatment of information.

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

Finding the *Joint Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the

same for hearing, pursuant to the pertinent rules of the Commission, as follows:

Date and Time	Platform	Activity
21 April 2026 (Tuesday), at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Determination of compliance with jurisdictional requirements and Expository Presentation
28 April 2026 (Tuesday), at two o'clock in the afternoon (2:00 P.M.)		Pre-Trial Conference and Presentation of Evidence

Accordingly, Applicants are hereby directed to mirror the virtual hearings, 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, Applicants shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

RELATIVE THERETO, Applicants are 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 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 initial 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 BATELEC II's franchise area, for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within BATELEC II's franchise area, by any other means available and appropriate, of the filing of the *Joint Application*, the reasons therefor, and of the scheduled virtual hearings;

- 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 hearings; and
- 5) Furnish with copies of the *Joint 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.

Within five (5) calendar days prior to the date of the initial virtual hearing, Applicants must submit to the Commission via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of their 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 Applicants to inform the consumers within BATELEC II’s franchise area of the filing of the *Joint Application*, the reasons therefor, and of the scheduled hearings;
- 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 *Joint Application* and its attachments, except those subject of a motion for confidential treatment of information, by all those making requests therefor; and
- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, Applicants are hereby required to post on their bulletin boards, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

Applicants 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 form attached to the Pre-Trial Brief.

Failure of Applicants to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearings.

Applicants must also be prepared to make an expository presentation of the *Joint 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, the nature of the *Joint Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Joint Application* must be cited in support thereof.

Applicants are hereby directed to file a copy of their 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. Applicants are also 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.

Applicants 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, Applicants, including their authorized representatives and witnesses, and interested parties who wish to attend the scheduled virtual hearings, 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 hearings.

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: KSA/ARG

* Authority granted pursuant to Office Order No. 71, Series of 2025.

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Copy Furnished:

1. Batangas II Electric Cooperative, Inc. (BATELEC II)
Applicant
Antipolo Del Norte,
Lipa City, Batangas
2. Southwest Luzon Power Generation Corporation (SLPGC)
Applicant
Brgy. San Rafael,
City of Calaca, Batangas
3. Dechavez Lerios-Amboy and Evangelista Law Offices
Atty. Loraine B. Bobiles
Counsel for BATELEC II
Unit 2008, Tycoon Centre, Pearl Drive,
Ortigas Center, Pasig City 1605
powerlawfirm@gmail.com
4. Ongchuan Javelosa Law Offices
Attys. Mary Felicci Ongchuan, Jeorge So Chua, Jr. and Roberto Anton C. Adap
Counsel for SLPGC
3 Hilltop St., Horseshoe,
Quezon City
info@ojlawoffices.com; fbongchuan@ojlawoffices.com; jschua@ojlawoffices.com
5. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph
6. Commission on Audit
Don Mariano Marcos Avenue
Diliman, Quezon City, Metro Manila
citizensdesk@coa.gov.ph
7. The Committee on Energy
Senate of the Philippines
GSIS Building, Roxas Blvd., Pasay City, Metro Manila
senateenergycommittee@gmail.com
8. The Committee on Energy
House of Representatives
Batasan Hills, Quezon City, Metro Manila
committee.energy@house.gov.ph
9. Office of the Provincial Governor
Province of Batangas
10. Office of the LGU Legislative Body
Province of Batangas
11. Office of the Mayor
Lipa, Province of Batangas
12. Office of the LGU Legislative Body
Lipa, Province of Batangas
13. Office of the Mayor
Tanauan, Province of Batangas
14. Office of the LGU Legislative Body
Tanauan, Province of Batangas
15. Office of the Mayor
Alitagtag, Province of Batangas

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16. Office of the LGU Legislative Body
Alitagtag, Province of Batangas
17. Office of the Mayor
Balete, Province of Batangas
18. Office of the LGU Legislative Body
Balete, Province of Batangas
19. Office of the Mayor
Cuenca, Province of Batangas
20. Office of the LGU Legislative Body
Cuenca, Province of Batangas
21. Office of the Mayor
Laurel, Province of Batangas
22. Office of the LGU Legislative Body
Laurel, Province of Batangas
23. Office of the Mayor
Lobo, Province of Batangas
24. Office of the LGU Legislative Body
Lobo, Province of Batangas
25. Office of the Mayor
Mabini, Province of Batangas
26. Office of the LGU Legislative Body
Mabini, Province of Batangas
27. Office of the Mayor
Malvar, Province of Batangas
28. Office of the LGU Legislative Body
Malvar, Province of Batangas
29. Office of the Mayor
Mataas na Kahoy, Province of Batangas
30. Office of the LGU Legislative Body
Mataas na Kahoy, Province of Batangas
31. Office of the Mayor
Padre Garcia, Province of Batangas
32. Office of the LGU Legislative Body
Padre Garcia, Province of Batangas
33. Office of the Mayor
Rosario, Province of Batangas
34. Office of the LGU Legislative Body
Rosario, Province of Batangas
35. Office of the Mayor
San Jose, Province of Batangas
36. Office of the LGU Legislative Body
San Jose, Province of Batangas
37. Office of the Mayor
San Juan, Province of Batangas

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38. Office of the LGU Legislative Body
San Juan, Province of Batangas
39. Office of the Mayor
Talisay, Province of Batangas
40. Office of the LGU Legislative Body
Talisay, Province of Batangas
41. Office of the Mayor
Taysan, Province of Batangas
42. Office of the LGU Legislative Body
Taysan, Province of Batangas
43. Office of the Mayor
Tingloy, Province of Batangas
44. Office of the LGU Legislative Body
Tingloy, Province of Batangas
45. Office of the Mayor
Calaca, Province of Batangas
46. Office of the LGU Legislative Body
Calaca, Province of Batangas
47. Regulatory Operations Service (ROS)
14th Floor, Exquadra Tower, Jade Drive,
Ortigas Center, Pasig City
ros@erc.ph