Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

IN THE MATTER OF THE APPLICATION FOR APPROVAL OF THE POWER SUPPLY AGREEMENT BETWEEN BATANGAS II ELECTRIC COOPERATIVE, INC. AND THERMA LUZON, INC., WITH PRAYERS FOR PROVISIONAL AUTHORITY OR INTERIM RELIEF AND MOTION FOR CONFIDENTIAL TREATMENT OF INFORMATION,

ERC CASE NO. 2026-145 RC

BATANGAS II ELECTRIC COOPERATIVE, INC. and THERMA LUZON, INC. (TLI),
Applicants.
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Promulgated:
November 05, 2026

ORDER

On 12 October 2026, Batangas II Electric Cooperative, Inc. (BATELEC II) and Therma Luzon, Inc. (TLI) filed a *Joint Application* dated 24 September 2026, seeking the Commission's approval of their Power Supply Agreement (PSA), with prayer for provisional authority or interim relief and 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
25 November 2026 (Wednesday) at nine o' clock in the morning (9:00 A.M.)	**Microsoft Teams**	Determination of compliance with jurisdictional requirements and Expository Presentation
09 December 2026 (Wednesday) at nine o' clock in the morning (9:00 A.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 at Brgy. Antipolo del Norte, Lipa City, Province of 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*, their 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*, their 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, by all those making requests therefor, if any; and

6) Such other proof of compliance with the requirements of the Commission.

Moreover, BATELEC II and TLI 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 BATELEC II and TLI 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 BATELEC II and TLI to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearings.

Applicants BATELEC II and TLI 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 BATELEC II and TLI are hereby directed to file a copy of their Expository Presentations 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 initial virtual hearing. Applicants are also required to provide a copy of their Expository

Presentations to any stakeholder requesting therefor **at least five (5) calendar days** prior to the scheduled initial virtual hearing.

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: JBY/MVM

* Authority granted during Commission Meeting on 20 August 2025.

Copy Furnished:

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5. Office of the Governor
Province of Batangas

6. Office of the Local Government Unit (LGU) Legislative Body
Province of Batangas

7. Office of the Mayor
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8. Office of the Local Government Unit (LGU) Legislative Body
Lipa City, Batangas

9. Office of the Mayor
Tanauan City, Batangas

10. Office of the Local Government Unit (LGU) Legislative Body
Tanauan City, Batangas

11. Office of the Mayor
Alitagtag, Batangas

12. Office of the Local Government Unit (LGU) Legislative Body
Alitagtag, Batangas

13. Office of the Mayor
Balete, Batangas

14. Office of the Local Government Unit (LGU) Legislative Body
Balete, Batangas

15. Office of the Mayor
Cuenca, Batangas

16. Office of the Local Government Unit (LGU) Legislative Body
Cuenca, Batangas

17. Office of the Mayor
Laurel, Batangas

18. Office of the Local Government Unit (LGU) Legislative Body

Laurel, Batangas

19. Office of the Mayor
Lobo, Batangas

20. Office of the Local Government Unit (LGU) Legislative Body
Lobo, Batangas

21. Office of the Mayor
Mabini, Batangas

22. Office of the Local Government Unit (LGU) Legislative Body
Mabini, Batangas

23. Office of the Mayor
Malvar, Batangas

24. Office of the Local Government Unit (LGU) Legislative Body
Malvar, Batangas

25. Office of the Mayor
Mataas na Kahoy, Batangas

26. Office of the Local Government Unit (LGU) Legislative Body
Mataas na Kahoy, Batangas

27. Office of the Mayor
Padre Garcia, Batangas

28. Office of the Local Government Unit (LGU) Legislative Body
Padre Garcia, Batangas

29. Office of the Mayor
Rosario, Batangas

30. Office of the Local Government Unit (LGU) Legislative Body
Rosario, Batangas

31. Office of the Mayor
San Jose, Batangas

32. Office of the Local Government Unit (LGU) Legislative Body
San Jose, Batangas

33. Office of the Mayor
San Juan, Batangas

34. Office of the Local Government Unit (LGU) Legislative Body
San Juan, Batangas

35. Office of the Mayor
Talisay, Batangas

36. Office of the Local Government Unit (LGU) Legislative Body
Talisay, Batangas

37. Office of the Mayor
Taysan, Batangas

38. Office of the Local Government Unit (LGU) Legislative Body
Taysan, Batangas

39. Office of the Mayor
Tingloy, Batangas

40. Office of the Local Government Unit (LGU) Legislative Body
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41. Office of the Solicitor General (OSG)
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42. Commission on Audit (COA)
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43. Senate Committee on Energy
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44. House Committee on Energy
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