

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR APPROVAL
OF THE BUSINESS
SEPARATION AND
UNBUNDLING PLAN (BSUP)
PURSUANT TO SECTION 36 OF
REPUBLIC ACT NO. 9136 (RA
9136) OTHERWISE KNOWN AS
THE “ELECTRIC POWER
INDUSTRY REFORM ACT”,
AND ITS IMPLEMENTING
RULES AND REGULATIONS**

ERC CASE NO. 2025-034 MC

**SAMAR I ELECTRIC
COOPERATIVE,
(SAMELCO I),**

Applicant.

X-----X

Promulgated:

December 04, 2025

ORDER

On 20 August 2025, Samar I Electric Cooperative, Inc. (SAMELCO I) filed an *Application*, dated 13 April 2025, seeking the Commission’s approval of its Business Separation and Unbundling Plan (BSUP).

On 09 October 2025, the Commission issued an *Order* and *Notice of Virtual Hearing* both of even date, setting the instant *Application* for the determination of compliance with jurisdictional requirements, expository presentation and Pre-Trial Conference on 10 November 2025 at two o’clock in the afternoon (2:00 P.M.).

On 09 November 2025, the Office of the President issued Memorandum Circular No. 106 suspending work in government offices on 10 November 2025 in Metro Manila, among others, in view of the forecasted heavy rainfall that will be brought about by Super Typhoon Uwan.

WHEREFORE, the foregoing premises considered, the scheduled hearing on 10 November 2025 is hereby **CANCELLED**.

ACCORDINGLY, the Commission hereby sets anew the instant case for hearing on the determination of compliance to the jurisdictional requirements, expository presentation and Pre-Trial Conference on **09 January 2026 (Friday) at two o'clock in the afternoon (2:00 P.M.) via Microsoft Teams Application**, as the online platform for the conduct thereof, pursuant to Resolution No. 09, Series of 2020¹ and Resolution No. 01, Series of 2021² (ERC Revised Rules of Practice and Procedure).

IN VIEW THEREOF, Applicant must inform the consumers within the Applicant's franchise area, by any means available and appropriate, of the new hearing schedule, and submit before the Commission, on or before the scheduled hearing, proof of compliance to the same.

RELATIVE THERETO, all interested parties are also required to submit via e-mail at docket@erc.ph, 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 therefor, which should also be attached to the Pre-Trial Brief; and
- 4) The number and names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-Trial Brief.

Moreover, Applicant must ensure that all the documents or exhibits proposed to be presented have already been duly submitted to the Commission **at least five (5) calendar days** before the date of the scheduled virtual hearing and Pre-Trial Conference pursuant to the preceding paragraph.

¹ A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

² A Resolution Adopting the Revised Rules of Practices and Procedures of the Energy Regulatory Commission.

Failure of the 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 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 *Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Application* must be cited in support thereof.

Applicant shall also be required, upon the request of any stakeholder, to provide an advance copy of its expository presentation, **at least five (5) calendar days** prior to the scheduled virtual hearing.

Applicant and interested 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 SAMELCO I, including its authorized representatives and witnesses, are hereby directed to provide the Commission, through legal.virtualhearings@erc.ph, their 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. GINES³
Director III, Legal Service


LS: NRG/JGGW

³ Authority granted per Office Order No. 71, Series of 2025 dated 20 August 2025, with the subject "Approving/Signing Authorities for Consumer Complaints Cases and Interlocutory Orders".

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Copy Furnished:

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9. Office of the Sangguniang Panlalawigan
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10. Office of the Municipal Mayor
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11. Office of the Sangguniang Panlalawigan
Sta. Margarita, Samar
12. Office of the Municipal Mayor
Gandara, Samar
13. Office of the Sangguniang Bayan
Gandara, Samar
14. Office of the Municipal Mayor
San Jorge, Samar
15. Office of the Sangguniang Bayan
San Jorge, Samar
16. Office of the Municipal Mayor
Matuginao, Samar
17. Office of the Sangguniang Bayan
Matuginao, Samar
18. Office of the Municipal Mayor
Pagsanghan, Samar

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19. Office of the Sangguniang Bayan
Pagsanghan, Samar
20. Office of the Municipal Mayor
Tarangnan, Samar
21. Office of the Sangguniang Bayan
Tarangnan, Samar
22. Office of the Municipal Mayor
Sto. Nino, Samar
23. Office of the Sangguniang Bayan
Sto. Nino, Samar
24. Office of the Municipal Mayor
Almagro, Samar
25. Office of the Sangguniang Bayan
Almagro, Samar
26. Office of the Municipal Mayor
Tagapul-an, Samar
27. Office of the Sangguniang Bayan
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28. Office of the Mayor
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