



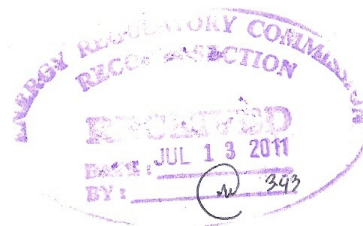
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11 July 2011

HON. ZENAIDA C. DUCUT
Chairperson, Energy Regulatory Commission
Pacific Ctr. Bldg, San Miguel Ave.
Ortigas Center, Pasig City

Dear Chairperson Ducut

Greetings!



This refers to the refund of meter deposits by all distribution utilities (DUs) in accordance with the ***“Rules to Govern the Refund of Meter Deposits to Residential and Non-Residential Customers”*** and to ***“A Resolution Adopting the Rules to Govern the Refund of Meter Deposits to Residential and Non-Residential Customers”*** which were both promulgated by the Energy Regulatory Commission (ERC) on June 4, 2008.

The Resolution directed all distribution utilities (ECs included) to submit within fifteen (15) days from the effectivity of these rules the total principal amount of meter deposit for refund.

While the provisions on electric cooperatives are very limited, Section 1, Article II (Meter Deposit Refund for Electric Cooperatives) of the Rules provides that the refund of the meter deposit shall commence not later than twenty-four (24) months from its effectivity. On the other hand, Section 1, Article III of the same Rules provides that privately-owned distribution utilities shall commence the refund of meter deposits and accrued interests not later than six (6) months from its effectivity.

The Rules took effect on July 5, 2008 and Article V of the Rules also provides for administrative sanctions for violations of any provisions of the said Rules subject to the imposition fines and penalties in accordance with the Guidelines to Govern the Imposition of Administrative sanctions in the form of Fines and Penalties pursuant to Section 46 of the Act promulgated by the ERC on May 17, 2002.

In this regard, may we be furnished copy of the submission of each of the privately-owned distribution utilities and electric cooperatives on a per Region basis

on their total principal amount for refund? Further, may we also be informed of the following:

1. What privately-owned distribution utility and electric cooperative in every Region have so far complied with the ERC Rules on meter deposit refund?
2. When did each of these DUs per Region start to implement the meter deposit refund?
3. How much meter deposit refund has this particular DUs per Region implemented?

Lastly, may we be furnished copy of the action/Order that ERC took in fining and penalizing those DUs per Region which failed to comply with the ERC "*Rules to Govern the Refund of Meter Deposits to Residential and Non-Residential Customers*" and to "*A Resolution Adopting the Rules to Govern the Refund of Meter Deposits to Residential and Non-Residential Customers*" which were both promulgated by the Energy Regulatory Commission (ERC) on June 4, 2008?

We prefer to believe that the Honorable Commission has been closely monitoring the compliances of the electric cooperatives and the privately-owned distribution utilities with the provisions of the Rules and that all the data we are requesting are available upon request by any ERC-recognized interested party.

This request is very important as this ERC Rules involves billions of pesos for refund due the electricity consumers in the Philippines. We look forward to the Commission's immediate and favorable response.

Thank you so much.

Very truly yours,



PETE L. ILAGAN

Cc: His Excellency Benigno Simeon C. Aquino III, President of the Philippines
Hon. Paquito Ochoa, Executive Secretary
Hon. Jose Rene Almendras, DOE secretary
Hon. Sergio R. Osmena III, Senator and Chair-Committee on Energy, Senate of the Philippines
Hon. Juan Miguel Zubiri, Senator and Chair-Senate Committee on Cooperatives Development
Hon. Henedina R. Abad, Chair-Committee on Energy, House of Representatives
Hon. Jose R. Ping-ay, Chair, Committee on Cooperative Development
Hon. Ponciano D Payuyo, APEC Partylist Representative
Hon. Benjo Benaldo, Vice-Chair, Committee on Energy, House of Representatives
Hon. Isidro Q. Lico, Ating Koop Party List