



**National Association of Electricity Consumers for Reforms**  
Tacloban City Regional Office  
Brgy. 75 Fatima Village, Tacloban City 6500 Philippines

September 12, 2011

**HON. SECRETARY JOSE RENE D. ALMENDRAS**

Department of Energy  
Energy Center, Merrit Road  
Fort Bonifacio, Taguig City

Attention: **Edita S. Bueno**  
NEA Administrator

Subject: **LEYECO II/KEPCO-SPC POWER SALES CONTRACT**

Dear Secretary Almendras,

Greetings!

Thank you for giving a speedy disposal of our letter to you dated July 5, 2011 which was endorsed by Chief of Staff/Undersecretary Atty. Josefina Patricia M. Asirit to NEA Administrator Ms. Edita S. Bueno and who likewise directed Atty. Xerxes D. Adzuara to write Leyeco II, attention the board president Mr. Roland G. Hidalgo and general manager Atty. Jerry Gwen L. Conde, directing them to reply to our letter.

Unfortunately, the reply of Atty. Conde to Atty. Adzuara did not answer our query (which has nothing to do with the hearing of the above-subject) but to the Board Resolution of the Leyeco II Board of Directors approving the contract and transmitting the same to NEA as well as the approval /confirmation of the said resolution by NEA.

Atty. Conde in the same letter uses the excuse that the contract was now a subject of a hearing by the Energy Regulatory Commission (ERC). This is beside the point and Atty. Conde is trying to cloud the issue of our request for the production of the Resolutions, an internal administrative procedure of NEA, is not a subject nor is it a requirement in the ERC hearing. Atty. Conde also tries to confuse the reader in his reply by saying that NEA Legal Services no longer reviews nor confirm EC power supply contract when the letter of NEA on the subject specifically states:

**'We wish to inform you that the NEA Legal Services does not review nor confirm EC power supply agreements which are already signed by the parties since any such review after the agreement is already perfected can no longer serve our purpose of ensuring that no EC contracts disadvantageous to the EC or its consumers are entered into'.**

Obviously, the review/confirmation of NEA in this case was to be done prior to its being 'perfected' and not after it is signed.

In an obvious collusion NEA Administrator Ms. Edita S. Bueno, instead of requiring Leyeco II General Manager Atty. Conde to produce the Board Resolution, mouths the same excuse that the said contract is now subject to an ERC hearing.

Our position remain that unless the issue of the production of the said Board Resolution is addressed with the corresponding approval/confirmation, Leyeco II acted in gross violation of NEA policies which makes the management liable for the irreparable damage it has caused its thousands of member-consumers.

We hope the good Secretary will give this request its most favorable response.

Very truly yours,

**RODOLFO F. CELESTIAL**  
NASECORE 8 Regional Coordinator



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And Or:

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METRO MANILA  
METRO MANILA

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BRGY 75

**Address :** FATIMA VILLAGE

TACLOBAN

LEYTE

NTPS

Card Number:

- cc:
- Hon. Paquito Ochoa, Executive Secretary
  - Hon. Zenaida C. Ducut, Energy Regulatory Commission (ERC), Chairperson
  - Hon. Sergio Osmeña III, Chair, Senate Committee on Energy
  - Hon. Henedina Abad, Chair, House Committee on Energy
  - Hon. Hose R. Ping-ay, Chair, House Committee on Cooperatives
  - Hon. Isidro Lico, Representative, Ating Koop Party List
  - Hon. Ponciano Payuyo, Representative, APEC Party List
  - Hon. Ferdinand Martin Romualdez, Representative 1<sup>st</sup> District Leyte
  - Hon. Florencio G. Noel, Representative, An Waray Party List
  - Hon. Jericho L. Petilla, Governor, Leyte
  - Hon. Ma. Mimieta S. Bagulaya, Vice-Governor, Leyte
  - Hon. Memebers of the Sangguniang Panlalawigan, Province of Leyte
  - Hon. Vincent Emnas, Leyte Provincial Administrator
  - Hon. Alfred S. Romualdez, Tacloban City Mayor
  - Hon. Arvin Antoni, Tacloban City Vice-Mayor
  - Hon Members of the Sangguniang Panglunsod, Tacloban City
  - Hon. Remedios L. Petilla, Mayor Municipality of Palo
  - Hon. Members of the Sangguninang Bayan, Municipality of Palo
  - Hon. Charita M. Chan, Mayor Municipality of Babatngon
  - Hon. Members of the Sangguniang Bayan, Municipality of Babatngon
  - Pete Ilagan, Nasecore President
  - Member Consumers
  - Media
  - File

- INCL:
- 1) 09 JUL 2011 - BUENO
  - 2) 20 JUL 2011 - ALMENDRAS
  - 3) 8 JUL 2011 - ASIKIT
  - 4) 25 JUL 2011 - CONDE
  - 5) 6 APR 2010 - PSAUM
  - 6) 6 DEC 2010 - NPC
  - 7) 13 JUL 2011 - MAGTULOY