

NASECORE

National Association of Electricity Consumers for Reforms
Tacloban City Regional Office
c/o Butch Celestial, Brgy. 75 Fatima Village, Tacloban City 6500 Philippines
Tel: +63917-705-0417
Email: nasecore8@gmail.com
www.nasecore.org
<http://nasecore8.blogspot.com/>



February 28, 2011

ATTY. JERRY GWEN L. CONDE

General Manager, LEYECO II
Real St., Tacloban City



Dear Atty. Conde,

Thank you for your reply of February 17, 2011 which we, unfortunately, find very disappointing as it miserably failed to show lack of understanding on how to serve best consumer-owners' interest. It may be appropriate to remind you at this point that LEYECO II is jointly-owned by its member-consumers as clearly provided for in the Cooperative's By Laws and by LEYECO II's new monthly electric bill which introduced an ERC-approved new charge called "member's capital contribution (MCC)", and which LEYECO II failed to explain to its consumers.

As such, it is the consumers who provide all that the Cooperative needs from the additional capital it needs for its expansion programs including the LEYECO II' new building, amortization payments of its loans, its operating and maintenance expenditures (including salaries and other compensation and benefits) and payment of taxes. These are all meant to ensure LEYECO II's viable operations. Thus, reason you cited in your letter (attending to NASECORE's numerous queries will require hiring of new personnel, which Leyeco II could not do at this time) is simply absurd.

We note your admission in your letter dated February 17, 2011 that you have complied with '**almost all**' of our requested documents and answers through your submissions in your case pending at the Energy Regulatory Commission (ERC) in which NASECORE is one of the intervenors. Unfortunately '**almost all**' is not the same as '**all**' by any definition. You may or may not have undertaken some comparing with the documents you have submitted, as required by NASECORE in that case, with the requested documents and answers we have written about.

For our part we have researched the documents required by NASECORE in ERC Case No. 2009-111RC through its 'Motion for Production of Documents' dated February 10, 2010 and we have discovered that five (5) items we wrote about ('**almost all**' – pun intended, with follow-up letters) are not in the 'Motion' namely:

1. Vehicle fuel allowance - our letter dated Sept. 28, 2010 - w/ follow-up Oct. 26, 2010
2. Compliance with Chapter 7 Sec. 57 of RA 9136 - our letter dated Oct. 5, 2010 - w/ follow-up Nov. 15, 2010
3. VAT collection - our letter dated Oct. 15, 2010 - w/ follow-up Nov. 25, 2010
4. Meter deposit - our letter dated Nov. 3, 2010 - w/ follow-up Jan. 6, 2011
5. Contributions to Philreca - our letter dated Dec. 13, 2010



It makes us wonder if for the past more than 30 years you have not been getting appropriate and sufficient institutional training being done by your 'mother' agency, NEA, as this will not justify the very compensation you are receiving so you will do your job of serving best the interest of the consumer-owners.

May we therefore expect you to provide us the data and documents we are requesting from LEYECO II? Should you persist in your anti-consumer/owner attitude, we will be constrained to seek remedies from other government agencies.

We need these data all the more before the LEYECO II general assembly so we can prepare ourselves for this general assembly you mentioned.

As to this forthcoming general assembly, may we be furnished copy of the minutes of the Board of Directors and Board Resolutions scheduling such event and the approved budget and agenda for such event?

In addition, may we strongly suggest the inclusion as one of the agenda, the presentation of the total collection from the reinvestment fund from 2005 to 2009 and member's capital contributions (MCC) in 2010 on a customer category basis and their application on a monthly basis, including the LEYECO II Board Resolutions approving such fund application and NEA's confirmatory resolutions?

Further, may we be furnished also LEYECO II's copy of its reportorial submission to the Energy Regulatory Commission (ERC) on the application of these funds (reinvestment fund/MCC collections) and ERC's approval of the same?

These data and documents are very important to us as these will allow the consumer/owners to know the prudence observed and exercised by the LEYECO II management in the application of these funds which are "RESTRICTED".

We look forward to you most favorable and immediate compliance.

Very truly yours,


RODOLFO 'Butch' FORTICH CELESTIAL

NASECORE 8 Regional Coordinator (& Leyeco II member/consumer)

cc: Hon. Jose Rene D. Almendras, Secretary, Department of Energy
Hon. Zenaida C. Ducut, ERC Chairperson
Hon. Edita S. Bueno, NEA Administrator
Hon. Ferdinand Martin Romualdez, Representative, 1st District Leyte
Hon. Florencio G. Noel, Sectoral Representative, An Waray Party List
Hon. Ponciano D. Payuyo, Sectoral Representative, APEC Party List
Hon. Jericho L. Petilla, Governor, Leyte
Hon. Alfred S. Romualdez, Mayor, Tacloban City
Hon. Remedios L. Petilla, Mayor, Municipality of Palo
Hon. Charita M. Chan, Mayor, Municipality of Babatngon
Pete Ilagan, Nasecore President
Member Consumers
Media
Files

