

Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City

IN THE MATTER OF THE APPLICATION FOR
APPROVAL OF THE SUPPLY OF ELECTRICITY
BETWEEN MONTALBAN METHANE POWER
CORPORATION (MMPC) AND MANILA
ELECTRIC COMPANY (MERALCO), WITH
PRAYER FOR PROVISIONAL AUTHORITY

ERC CASE NO. 2009-027RC

MANILA ELECTRIC COMPANY
(MERALCO)

Applicant.

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PETITION FOR INTERVENTION

The National Association of Electricity Consumers for Reforms, Inc. (Nasecore), represented by its President, Pete L. Ilagan, respectfully asks this Honorable Commission to grant it leave to intervene in the instant application and respectfully states: That –

1. Intervenor National Association of Electricity Consumers for Reforms (NASECORE), is a non-stock/non-profit corporation duly organized and existing under the laws of the Republic of the Philippines, with office address at No. 10 Bayside Court Compound, 680 Quirino Avenue, Tambo, Parañaque City, represented herein by its duly authorized President, Mr. Pete L. Ilagan, and hereinafter referred to as “Nasecore”;
2. On 11 June 2009, NASECORE received copy of the ERC Order dated 01 June 2009 setting the initial hearings of the instant case on 08 July 2009 at the ERC Hearing Room at 9:00 A.M.
3. This Petition is aimed at contesting the application for *“In the Matter of the Application for Approval of the Supply of Electricity between Montalban Methane Power Corporation (MMPC) and Manila Electric Company (MERALCO) with Prayer for Provisional Authority .”*

4. Nasecore is an organization whose objective is to promote, advance, and protect the interest of ordinary consumers. It has a number of members who are electricity consumers of the franchise area of the applicant and will be affected by the instant application. Therefore, it has a legal and substantial interest in the instant *Application*.
5. NASECORE is aware that a Petition for Intevention should be filed five (5) days before the scheduled hearing. However, the Nasecore Board was only able to convene a meeting with a quorum on 4th July 2009 which explains the filing beyond the 5-dys requirement.
6. Owing to this, Nasecore begs for the usual liberality of the Honorable Commission in accordance with its mandate of protecting electricity consumers.
7. If this Honorable Commission will see fit to grant our *Petition for Intervention*, the same will not unduly delay the resolution of the instant *Application*;
8. Nasecore respectfully requests this Honorable Commission to immediately direct applicant to immediately furnish Nasecore copy of its *Application with the complete annexes/attachment* at its own expense and allow Nasecore a reasonable period of time to evaluate and examine the instant application and consequently, prepare for the hearing of the case.

WHEREFORE, for the above reasons, it is respectfully prayed of this Honorable Commission to grant leave to intervene to Nasecore and to order the applicant to furnish herein movant copies of the herein mentioned documents.

Parañaque City for Pasig City, 05 July 2009.

By:

PETE L. ILAGAN
Movant

EXPLANATION: The foregoing pleading is being served to the other parties by registered mail, personal service not being practicable due to the distance and lack of office personnel to effect the same.

PETE L. ILAGAN

Movant

Copy furnished:

Atty. Jose Ronald V. Valles
Counsel for Meralco
Lopez Building, Meralco Compound
Ortigas Avenue, Pasig City

VERIFICATION & CERTIFICATION

PETE L. ILAGAN, of legal age, Filipino, married, with office and postal address at No. 10 Bayside Court Compound, 680 Quirino Avenue, Tambo, Parañaque City, after being sworn, deposes and states: THAT

1. He is the President of the National Association of Electricity Consumers for Reforms, Inc., who had caused the preparation of the foregoing *Petition for Intervention* a copy of Secretary's Certificate authorizing Mr. Pete L. Ilagan to file this *Petition for Intervention* is attached as Annex "A"
2. He read and fully understood the allegations contained in said *Petition for Intervention* and that all the facts therein contained are true and correct based on his personal knowledge and authentic records.
3. He hereby certify that he have not commenced nor caused the commencement of any other action or proceeding involving the issues raised herein before the Regional Trial Court, the Supreme Court, the Court of Appeals or different Divisions thereof, or any other tribunal or agency, and that to the best of his knowledge, no such action or proceedings is pending before the Regional Trial Court, the Supreme Court, the Court of Appeals or different Divisions thereof, or any other tribunal or agency; and that if he should learn that a similar action or proceeding has been filed or pending before the Supreme Court, the Court of Appeals or different Divisions thereof, or any other tribunals or agency, he shall notify this Honorable Commission within five (5) days from such notice.

IN WITNESS WHEREOF, he has hereunto affixed his signature this 5th day of July 2009 at Parañaque City.

PETE L. ILAGAN

Affiant

SUBSCRIBED AND SWORN to before me this 5th day of July 2009, by affiant who showed me his Drivers License N10-74-012320 issued by LTO – East Avenue.

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Annex "A"

SECRETARY'S CERTIFICATE

I, MARIA ASUMPTA ACEBUQUE, a duly elected, qualified and incumbent Corporate Secretary of National Association of electricity Consumers for Reforms, Inc (NASECORE), a non-stock corporation duly organized and existing under and by virtue of the laws of the Philippines, do hereby certify that:

At a Special Meeting of the Board of Directors of the NASECORE duly convened and held on 4th July 2009 at which meeting a quorum was present, acted throughout and voted, the following resolutions were approved:

“RESOLVED, that the Board of Directors of NASECORE approve, as it hereby approves, the filing of the Petition for Intervention to the application for *“In the Matter of the Application for Approval of the Supply of Electricity between Montalban Methane Power Corporation (MMPC) and Manila Electric Company (MERALCO) with Prayer for Provisional Authority .”*, docketed as ERC Case No. 2009-029RC.

RESOLVED, FURTHER, that Mr. Pete L. Ilagan, President of NASECORE was empowered, and is hereby empowered to sign, execute, verify and deliver on behalf of NASECORE the said Petition for Intervention, any papers and instruments that he may deem appropriate and necessary, for the furtherance of NASECORE's interest and may designate someone, in his behalf, in case he may not be available.

WITNESS THE SIGNATURE of the undersigned as such officer of the Association and its corporate seal hereunto affixed on this 5th day of July 2009.

MARIA ASUMPTA ACEBUQUE
Corporate Secretary

SUBSCRIBED AND SWORN to before me this 5th day of July 2009, affiant exhibiting to me her Passport No. QQ0229500 issued at Department of Foreign Affairs-Manila on 21 April 2005.

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