

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

<p>IN THE MATTER OF THE 16th APPLICATION FOR THE RECOVERY OF INCREMENTAL FUEL AND INDEPENDENT POWER PRODUCER (IPP) COSTS UNDER THE GENERATION RATE ADJUSTMENT MECHANISM (GRAM), WITH PRAYER FOR PROVISIONAL AUTHORITY</p>	<p>ERC CASE NO. 2010-068RC</p>
<p>NATIONAL POWER CORPORATION (NPC) and POWER SECTOR ASSETS & LIABILITIES MANAGEMENT CORPORATION (PSALM) Applicants.</p>	
<p>NATIONAL ASSOCIATION OF ELECTRICITY CONSUMERS FOR REFORMS, (NASECORE) INC., Intervenor.</p>	

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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 petitions this Honorable Commission to grant it leave to intervene in the instant application and respectfully states: That -

1. This action is aimed at contesting the *16th Application for the Approval for the Recovery of Incremental Fuel and Independent Power Producer (IPP) Costs under the Generation Rate Adjustment Mechanism (GRAM), with Prayer for Provisional Authority.*
2. Intervenor, National Association of Electricity Consumers for Reforms (NASECORE) is a non-stock and 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".

3. 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 customers of Distribution Utilities that sources its power from NPC. Any adjustment in the rates of applicant will obviously affect the monthly electric bills of the consumers.

5. Thus, it has a legal and substantial interest in the instant *Application* and are so situated as to be adversely affected by the generation rate adjustment, with prayer for provisional authority. It is therefore necessary to evaluate, examine and validate that NPC and PSALM want to charge under the instant *Application*.

6. 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*.

7. To enable the undersigned movant to judiciously and expeditiously evaluate the application of applicant PSALM and NPC, it is requested that this Honorable Commission direct applicant to immediately furnish NASECORE the following documents:

- a. Copies of its *Application with the complete annexes/attachments*;
- b. Relative to Personal Services
 - i. Alphabetical list of Salaries and Wages of all Directors, Officers, Staffs, and Employees of PSALM and Napocor;
 - ii. Fees of PSALM's Consultants and Retainers;
 - iii. Alphabetical list of all contractual workers with expanded withholding tax of applicants;
 - iv. Total compensation and benefit packages of key officers and senior management, from Assistant Vice Presidents to the Chief Executive Officer, including members of the Board of Directors of both applicants.
- c. Relative to Operating Expenses
 - i. Alphabetical list of all PSALM purchases subject to expanded withholding tax;
- d. Relative to Recovery on Investments

i. Napocor's computation of its Rate of Return on Rate Base from 1994-2002;

e. Relative Loans

- a. List of applicant's outstanding loans from both local and foreign banks, as well as from multilateral funding agencies.

The foregoing list may be expanded as we review the initial documents that will be furnished us.

WHEREFORE, undersigned movant respectfully prays that this Honorable Commission issue an Order directing applicants to produce the abovementioned documents and furnish Intervenor copy of said documents. Herein movant further prays that no provisional authority and public hearing be conducted unless applicants had furnished Intervenor

WHEREFORE, for the above reasons, it is respectfully prayed of this Honorable Commission to grant leave to intervene to Nasecore.

Parañaque City for Pasig City, 21 June 2010.

PETE L. ILAGAN
Intervenor

EXPLANATION

A copy of this *Petition* was served upon applicants counsel by registered mail due to lack of messengers.

PETE L. ILAGAN
Intervenor

Copy furnished:

Atty. Melchor P. Ridulme
Counsel for Applicant NPC
Agham Road, Diliman
Quezon City

Registry Receipt No. _____
Date: _____
Post Office: _____

Atty Cecilio B. Gellada, Jr.
Counsel for Applicant PSALM
7th Floor Bankmer Bldg.
6756 Ayala Avenue, Makati City

Registry Receipt No. _____
Date: _____
Post Office: _____

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 Motion for Intervention and Compliance 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 21st day of June 2010 at Parañaque City.

ILAGAN

PETE L.

Affiant

SUBSCRIBED AND SWORN to before me this 21st day of June, 2010 by affiant who showed me his Drivers License N10-74-012320 issued by LTO - East Avenue.

Doc. No. _____;
Page No. _____;
Book No. _____;

Series of 2010