

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR THE
APPROVAL OF THE
CAPITAL EXPENDITURE
PROJECTS FOR THE YEARS
2023 – 2025**

ERC CASE NO. 2026-019 RC

**SURIGAO DEL NORTE
ELECTRIC COOPERATIVE,
INC. (SURNECO),**

Applicant.

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Promulgated:
March 09, 2026

ORDER

On 05 February 2026, the Surigao del Norte Electric Cooperative, Inc. (SURNECO) filed, through the Energy Virtual One-Stop Shop (EVOSS) portal, an *Application* dated 12 January 2026, seeking the Commission’s approval of its Capital Expenditure (CAPEX) projects for the years 2023 to 2025.

The docketed copy of the *Application*, excluding its annexes, is attached as Annex “A” of the *Notice of Virtual Hearing*.

Finding the *Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for determination of compliance with the jurisdictional requirements, expository presentation, and Pre-trial Conference¹ on **13 April 2026 (Monday) at two o’clock in the afternoon (2:00 PM)** via **MS Teams Application** as the online platform for the conduct thereof, pursuant to the pertinent rules of the Commission.

Accordingly, SURNECO is hereby directed to host the virtual hearing at **SURNECO’s principal office located at Surigao City, Surigao del Norte**, as the designated venue for the conduct thereof and ensure that the same is open to the public. Moreover, SURNECO

¹ Summary Proceedings pursuant to the Commission’s Resolution No. 16, Series of 2025.

shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

RELATIVE THERETO, SURNECO is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing*, including Annex “A” thereof, in two (2) newspapers of nationwide circulation in the Philippines at its own expense, twice (2x) within two (2) successive weeks, the dates of publication not being less than seven (7) days apart, and the date of the last publication to be made not later than ten (10) days before the date of the scheduled virtual hearing;
- 2) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, the Offices of the Provincial Governor, the Mayors and their respective Local Government Unit (LGU) legislative bodies within SURNECO’s franchise area for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within SURNECO’s franchise area, by any other means available and appropriate, of the filing of the *Application*, its reasons therefor, and of the scheduled virtual hearing thereon;
- 4) Furnish with copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, the Office of the Solicitor General (OSG), the Commission on Audit (COA), and the Committees on Energy of both Houses of Congress. They are hereby requested, if they so desire, to send their duly authorized representatives and attend the scheduled hearing; and
- 5) Furnish with copies of the *Application* and its attachments, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

No later than ten (10) calendar days prior to the date of the scheduled virtual hearing, SURNECO must submit to the Commission through the EVOSS portal and via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of its written compliance with the aforementioned jurisdictional requirements, attaching the following methodically arranged and duly marked documents:

- 1) The evidence of publication of the attached *Notice of Virtual Hearing*, including Annex “A” thereof, consisting of affidavits of the Editors or Business Managers of the newspapers where the same were published, and the complete issues of the said newspapers;
- 2) The evidence of actual posting of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, consisting of certifications issued to that effect, signed by the aforementioned Governor, Mayors and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by SURNECO to inform the consumers within its franchise area of the filing of the *Application*, its reasons therefor, and of the scheduled hearing thereon;
- 4) The evidence of receipt of copies of this *Order* and the attached *Notice of Virtual Hearing*, including Annex “A” thereof, by the OSG, the COA, and the Committees on Energy of both Houses of Congress;
- 5) The evidence of receipt of copies of the *Application* and its attachments by all those making requests therefor, if any; and
- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, SURNECO is hereby required to post on its bulletin boards, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

Applicant and all interested parties are also required to submit via e-mail at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** before the date of the scheduled virtual hearing and Pre-Trial Conference, their respective Pre-Trial Briefs containing, among others:

- 1) A summary of admitted facts and proposed stipulation of facts;
- 2) The issues to be tried or resolved;

- 3) The documents or exhibits to be presented, stating the purposes and proposed markings thereof, which must be attached to the Pre-Trial Brief; and
- 4) The names of the witnesses, with their written testimonies in a Judicial Affidavit form attached to the Pre-Trial Brief.

Applicant must ensure that all the documents or exhibits proposed to be presented have already been duly submitted to the Commission **at least five (5) calendar days** before the date of the scheduled virtual hearing and Pre-Trial Conference pursuant to the preceding paragraph.

Failure of Applicant to comply with the above requirements within the prescribed period shall be a ground for cancellation of the scheduled hearing.

Applicant must also be prepared to make an expository presentation of the instant *Application*, aided by whatever communication medium that it may deem appropriate for the purpose, in order to put in plain words and explain, for the benefit of the consumers and other concerned parties, the nature of the *Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Application* must be cited in support thereof.

Applicant is hereby directed to file a copy of its Expository Presentation via e-mail at doCKET@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicant shall also be required, upon the request of any stakeholder, to provide an advance copy of the Expository Presentation, **at least five (5) calendar days** prior to the scheduled virtual hearing.

Applicant and interested parties are hereby directed to submit, through personal service, registered or ordinary mail/private courier, all pleadings and required submissions, **within five (5) working days** from the date the same were electronically submitted, as reflected in the acknowledgment receipt e-mail sent by the Commission.

Finally, SURNECO, including its authorized representatives and witnesses, and interested parties who wish to attend the scheduled virtual hearing are hereby directed to provide the Commission, through legal.virtualhearings@erc.ph, their respective e-mail

addresses upon receipt of this *Order*. The Commission will send the access link to the aforementioned hearing platform within five (5) working days prior to the scheduled hearing.

SO ORDERED.

Pasig City.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines

ATTY. MARIA CORAZON C. GINES*
Director III, Legal Service


LS: KSA/ARG

* Authority granted pursuant to Office Order No. 71, Series of 2025.

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Copy Furnished:

1. Surigao del Norte Electric Cooperative, Inc. (SURNECO)
Applicant
Surigao City, Surigao del Norte
2. A.C. Gaviola Law Office
Attys. Alan C. Gaviola and Alan Byrne S. Gaviola
Counsel for the Applicant
Rm. 203, 2/F Crown Port View Hotel
3rd Ave., North Reclamation Area, Cebu City
acgaviola@lawoffice@gaviolalaw.com, absgaviola@gaviolalaw.com
3. Office of the Solicitor General (OSG)
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph
4. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
citizensdesk@coa.gov.ph
5. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City
senateenergycommittee@gmail.com
6. House Committee on Energy
Batasan Hills, Quezon City
committee.energy@house.gov.ph
7. Office of the Governor
Province of Surigao del Norte
8. Office of the Local Government Unit (LGU) Legislative Body
Province of Surigao del Norte
9. Office of the Mayor
Surigao City, Surigao del Norte
10. Office of the LGU Legislative Body
Surigao City, Surigao del Norte
11. Office of the Mayor
Alegria, Surigao del Norte
12. Office of the LGU Legislative Body
Alegria, Surigao del Norte
13. Office of the Mayor
Bacuag, Surigao del Norte
14. Office of the LGU Legislative Body
Bacuag, Surigao del Norte
15. Office of the Mayor
Claver, Surigao del Norte
16. Office of the LGU Legislative Body
Claver, Surigao del Norte
17. Office of the Mayor
Gigaquit, Surigao del Norte
18. Office of the LGU Legislative Body
Gigaquit, Surigao del Norte

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19. Office of the Mayor
Mainit, Surigao del Norte
20. Office of the LGU Legislative Body
Mainit, Surigao del Norte
21. Office of the Mayor
Malimono, Surigao del Norte
22. Office of the LGU Legislative Body
Malimono, Surigao del Norte
23. Office of the Mayor
Placer, Surigao del Norte
24. Office of the LGU Legislative Body
Placer, Surigao del Norte
25. Office of the Mayor
San Francisco, Surigao del Norte
26. Office of the LGU Legislative Body
San Francisco, Surigao del Norte
27. Office of the Mayor
Sison, Surigao del Norte
28. Office of the LGU Legislative Body
Sison, Surigao del Norte
29. Office of the Mayor
Tagana-an, Surigao del Norte
30. Office of the LGU Legislative Body
Tagana-an, Surigao del Norte
31. Office of the Mayor
Tubod, Surigao del Norte
32. Office of the LGU Legislative Body
Tubod, Surigao del Norte
33. Regulatory Operations Service
Energy Regulatory Commission
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