

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



**IN THE MATTER OF VIOLATION OF ERC
 ORDERS, RULES AND REGULATIONS**

ERC CASE NO. 2008-005 MC
 RE: Implementing Capital
 Projects without Prior
 Approval from the
 Commission

PANAY ELECTRIC COMPANY, INC.
 (PECO),

Respondent.

x-----x

DOCKETED
 Date: MAR 11 2010
 By: _____

D E C I S I O N

The Commission takes note of the "Manifestation" filed by Panay Electric Company, Inc. (PECO) on March 9, 2010, offering to pay PhP76,350.00 for the settlement of this case. The said amount represents fifty percent (50%) of the imposable penalty for the alleged violation, computed as follows:

Particulars	Amount (PhP)
For Implementing Capital Projects without Prior Approval from the Commission	
Under R. A. 9136 <i>Initial Amount: PhP100,000</i>	100,000.00
<i>Plus: PhP100 a day for every day of violation (August 7, 2006 to January 16, 2008) (PhP100 x 527 days)</i>	52,700.00
Total	152,700.00
Fifty Percent (50%) thereof	76,350.00

Finding the said offer to be just and reasonable, and in accordance with the "*Guidelines to Govern the Imposition of Administrative Sanctions in the Form of Fines and Penalties Pursuant to Section 46 of Republic Act No. 9136*", the same is hereby **ACCEPTED and APPROVED**. Accordingly, Panay Electric Company, Inc. (PECO) is hereby directed to remit the total amount of **SEVENTY SIX THOUSAND THREE HUNDRED FIFTY PESOS (PhP76,350.00)** in the name of the Energy Regulatory Commission within fifteen days (15) from receipt hereof.

SO ORDERED.

Pasig City, March 9, 2010.

FOR AND BY AUTHORITY OF
THE COMMISSION:


ALEJANDRO Z. BARIN
Commissioner *uy*

JSP / JACF / NGC
Reference No. 2010-D1-0044

Copy furnished:

1. **MR. RANDY S. PASTOLERO**
Operations Manager & Special Assistant to the President and CEO
PANAY ELECTRIC COMPANY, INC. (PECO)
Manfred's Building, General Luna Street
Iloilo City
2. **MS. THERESE C. DEL CAMPO - PEÑARANDA**
Legal Counsel
PANAY ELECTRIC COMPANY, INC. (PECO)
Manfred's Building, General Luna Street
Iloilo City
3. **MR. NEIL V. PARCON**
Regulatory Compliance Officer
PANAY ELECTRIC COMPANY, INC. (PECO)
Manfred's Building, General Luna Street
Iloilo City