

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



**IN THE MATTER OF THE APPLICATION  
FOR APPROVAL OF PROPOSED RATE  
RESTRUCTURING/REFORMATTING TO  
COMPLY WITH REPUBLIC ACT NO. 7832  
WITH PRAYER FOR PROVISIONAL  
AUTHORITY**

**ERC CASE NO. 2001-333  
(ERB CASE NO. 96-26)**

**PRIVATE ELECTRIC PLANT OWNERS  
ASSOCIATION (PEPOA)**

- AND -

**PANAY ELECTRIC COMPANY, INC.  
(PECO),**

**Applicants.**

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**DOCKETED**  
Date: JUL 04 2007  
By: ML

**ORDER**

On November 8, 2006, the Commission issued an Order directing Panay Electric Company, Inc. (PECO) to suspend the implementation of the Commission's Order dated June 9, 2006<sup>1</sup> for a period of one hundred twenty (120) days from receipt thereof or until such time that the Commission has finally resolved its "Motion for Reconsideration", whichever comes first.

On May 9, 2007, PECO filed a "Second Motion to Suspend" alleging, among others, the following:

1. Considering that the refund issue is still pending before the Commission, the execution or implementation thereof should be suspended, in the interest of substantial justice and to protect its right.

<sup>1</sup> Order confirming the Power Cost Charge (PCC) of PECO for the period February 1996 to July 2005 which resulted to an over-recovery amounting to PhP2,888,220,748.00

**Copy furnished:**

1. **Atty. Nini Priscilla Sison-Ledesma**  
**Atty. Roberto N. Dio**  
Castillo Laman Tan Pantaleon & San Jose  
Counsel for Applicant  
2<sup>nd</sup> to 5<sup>th</sup> Floors, The Valero Tower  
122 Valero Street, Salcedo Village  
Makati City
2. **Office of the Solicitor General**  
134 Amorsolo Street, Legaspi Village  
1229 City of Makati
3. **Commission on Audit**  
Commonwealth Avenue  
1121 Quezon City
4. **Senate Committee on Energy**  
GSIS Building, Roxas Boulevard  
Pasay City 1307
5. **House Committee on Energy**  
Batasan Hills, Quezon City 1126
6. **Atty. Salvador A. Altura, Jr.**  
Panay Electric Company (PECO)  
Manfred's Building, Gen. Luna Street  
Iloilo City
7. **Atty. Romeo P. Gerochi**  
Gerochi Law Office  
Room 3007 & 308  
Golden Commercial Center  
Iznart Street, Iloilo City
8. **The City Mayor**  
Iloilo City
9. **Private Electric Plant Owners Association (PEPOA)**  
8th Floor, Strata 100 Building  
Emerald Avenue, Ortigas Center, Pasig City

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