

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF THE
EMERGENCY POWER
SUPPLY AGREEMENT
(EPSA) BETWEEN
ZAMBOANGA DEL NORTE
ELECTRIC COOPERATIVE,
INC. (ZANECO) AND
THERMA SOUTH, INC.
(TSI), WITH MOTION FOR
CONFIDENTIAL
TREATMENT OF
INFORMATION**

ERC CASE NO. 2026-119 RC

**ZAMBOANGA DEL NORTE
ELECTRIC COOPERATIVE,
INC. (ZANECO) AND
THERMA SOUTH, INC.
(TSI),**

Promulgated:
August 24, 2026

Applicants.

X-----X

ORDER

On 11 August 2026, the Zamboanga del Norte Electric Cooperative, Inc. (ZANECO) and Therma South, Inc. (TSI) filed their *Joint Application* dated 28 July 2026, seeking the Commission’s approval of their Emergency Power Supply Agreement (EPSA), with motion for confidential treatment of information.

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

Finding the *Joint Application* to be sufficient in form and with the required fees having been paid, the Commission hereby sets the same for hearing, pursuant to the pertinent rules of the Commission, as follows:

Date and Time	Platform	Activity
22 September 2026 (Tuesday), at two o'clock in the afternoon (2:00 P.M.)	Microsoft Teams	Determination of compliance with jurisdictional requirements and Expository Presentation
29 September 2026 (Tuesday), at two o'clock in the afternoon (2:00 P.M.)		Pre-Trial Conference and Presentation of Evidence

Accordingly, Applicants are hereby directed to mirror the virtual hearings, to be hosted by the Commission, at **ZANECO’s Principal Office located at General Luna St., Central Barangay, Dipolog City, Zamboanga del Norte**, as the designated venue for the conduct thereof and ensure that the same is open to the public. Moreover, Applicants shall guarantee that, during the conduct of the expository presentation, the participation of the public shall not be impaired.

RELATIVE THERETO, Applicants are 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 their 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 initial 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 ZANECO’s franchise area, for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within ZANECO’s franchise area, by any other means available and appropriate, of the filing of the *Joint Application*, the reasons therefor, and of the scheduled virtual hearings;
- 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 hearings; and

- 5) Furnish with copies of the *Joint Application* and its attachments, except those subject of a motion for confidential treatment of information, all those making requests therefor, subject to reimbursement of reasonable photocopying costs.

Within five (5) calendar days prior to the date of the initial virtual hearing, Applicants must submit to the Commission via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of their 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 the Applicants to inform the consumers within ZANECO’s franchise area of the filing of the *Joint Application*, the reasons therefor, and of the scheduled hearings;
- 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 *Joint Application* and its attachments, except those subject of a motion for confidential treatment of information, by all those making requests therefor, if any; and

- 6) Such other proof of compliance with the requirements of the Commission.

Moreover, Applicants are hereby required to post on their bulletin boards, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

Applicants 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.

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

Applicants must also be prepared to make an expository presentation of the *Joint Application*, aided by whatever communication medium that they 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 *Joint Application*. Relevant information and pertinent details substantiating the reasons and justifications for the *Joint Application* must be cited in support thereof.

Applicants are hereby directed to file a copy of their Expository Presentation via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicants are also required to provide a copy of their Expository Presentation to any stakeholder

requesting therefor **at least five (5) calendar days** prior to the scheduled virtual hearing.

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

Finally, Applicants, including their authorized representatives and witnesses, and interested parties who wish to attend the scheduled virtual hearings 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/s to the aforementioned hearing platform within five (5) working days prior to the scheduled hearings.

SO ORDERED.

Pasig City.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines

ATTY. MARIA CORAZON C. GINES¹
Director III, Legal Service


LS: JRB/ARG

¹ Authority granted pursuant to Office Order No. 71, Series of 2025.

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Copy Furnished:

1. Zamboanga del Norte Electric Cooperative, Inc. (ZANECO)
Applicant
General Luna St., Central Barangay, Dipolog City, Zamboanga del Norte
2. Therma South, Inc. (TSI)
Applicant
Barangay Binugao, Toril District, Davao City
3. ANGELES & ASSOCIATES LAW OFFICE
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Counsel for ZANECO
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4. Attys. Paul B. Soriño, Celeni Kristine G. Guinto, Leo Angelo E. Fornesa
Counsel for TSI
12th Floor Ayala Triangle Gardens Tower 2, Paseo de Roxas corner Makati Ave.,
Makati City
regulatory.legal@aboitizpower.com
5. Office of the Governor
Zamboanga del Norte
6. Office of the Sangguniang Panlalawigan
Zamboanga del Norte
7. Office of the City Mayor
Dipolog, Zamboanga del Norte
8. Office of the Sangguniang Panlungsod
Dipolog, Zamboanga del Norte
9. Office of the City Mayor
Dapitan, Zamboanga del Norte
10. Office of the Sangguniang Panlungsod
Dapitan, Zamboanga del Norte
11. Office of the Municipal Mayor
Godod, Zamboanga del Norte
12. Office of the Sangguniang Pambayan
Godod, Zamboanga del Norte
13. Office of the Municipal Mayor
Gutalac, Zamboanga del Norte
14. Office of the Sangguniang Pambayan
Gutalac, Zamboanga del Norte
15. Office of the Municipal Mayor
Jose Dalman, Zamboanga del Norte
16. Office of the Sangguniang Pambayan
Jose Dalman, Zamboanga del Norte
17. Office of the Municipal Mayor
Kalawit, Zamboanga del Norte
18. Office of the Sangguniang Pambayan
Kalawit, Zamboanga del Norte
19. Office of the Municipal Mayor
Katipunan, Zamboanga del Norte

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20. Office of the Sangguniang Pambayan
Katipunan, Zamboanga del Norte
21. Office of the Municipal Mayor
La Libertad, Zamboanga del Norte
22. Office of the Sangguniang Pambayan
La Libertad, Zamboanga del Norte
23. Office of the Municipal Mayor
Labason, Zamboanga del Norte
24. Office of the Sangguniang Pambayan
Labason, Zamboanga del Norte
25. Office of the Municipal Mayor
Leon B. Postigo, Zamboanga del Norte
26. Office of the Sangguniang Pambayan
Leon B. Postigo, Zamboanga del Norte
27. Office of the Municipal Mayor
Liloy, Zamboanga del Norte
28. Office of the Sangguniang Pambayan
Liloy, Zamboanga del Norte
29. Office of the Municipal Mayor
Manukan, Zamboanga del Norte
30. Office of the Sangguniang Pambayan
Manukan, Zamboanga del Norte
31. Office of the Municipal Mayor
Mutia, Zamboanga del Norte
32. Office of the Sangguniang Pambayan
Mutia, Zamboanga del Norte
33. Office of the Municipal Mayor
Pinan, Zamboanga del Norte
34. Office of the Sangguniang Pambayan
Pinan, Zamboanga del Norte
35. Office of the Municipal Mayor
Polanco, Zamboanga del Norte
36. Office of the Sangguniang Pambayan
Polanco, Zamboanga del Norte
37. Office of the Municipal Mayor
Rizal, Zamboanga del Norte
38. Office of the Sangguniang Pambayan
Rizal, Zamboanga del Norte
39. Office of the Municipal Mayor
Roxas, Zamboanga del Norte
40. Office of the Sangguniang Pambayan
Roxas, Zamboanga del Norte
41. Office of the Municipal Mayor
Salug, Zamboanga del Norte

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42. Office of the Sangguniang Pambayan
Salug, Zamboanga del Norte
43. Office of the Municipal Mayor
Sergio Osmeña Sr., Zamboanga del Norte
44. Office of the Sangguniang Pambayan
Sergio Osmeña Sr., Zamboanga del Norte
45. Office of the Municipal Mayor
Siayan, Zamboanga del Norte
46. Office of the Sangguniang Pambayan
Siayan, Zamboanga del Norte
47. Office of the Municipal Mayor
Sibutad, Zamboanga del Norte
48. Office of the Sangguniang Pambayan
Sibutad, Zamboanga del Norte
49. Office of the Municipal Mayor
Sindangan, Zamboanga del Norte
50. Office of the Sangguniang Pambayan
Sindangan, Zamboanga del Norte
51. Office of the Municipal Mayor
Tampilisan, Zamboanga del Norte
52. Office of the Sangguniang Pambayan
Tampilisan, Zamboanga del Norte
53. Office of the Solicitor General (OSG)
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56. House Committee on Energy
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