Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

IN THE MATTER OF THE APPLICATION FOR APPROVAL OF THE POWER SUPPLY AGREEMENT BETWEEN NEGROS OCCIDENTAL ELECTRIC COOPERATIVE AND THERMA VISAYAS, INC., WITH PRAYERS FOR PROVISIONAL AUTHORITY OR INTERIM RELIEF AND MOTION FOR CONFIDENTIAL TREATMENT OF INFORMATION,

ERC CASE NO. 2026-166 RC

NEGROS OCCIDENTAL ELECTRIC COOPERATIVE, (NOCECO) and THERMA VISAYAS, INC. (TVI),
Applicants.
x- x

Promulgated:
October 21, 2026

ORDER

On 19 October 2026, Negros Occidental Electric Cooperative, (NOCECO) and Therma Visayas, Inc. (TVI) filed a *Joint Application*, dated 24 September 2026, seeking the Commission's approval of their Power Supply Agreement (PSA) with prayers for the issuance of Provisional Authority or Interim Relief and confidential treatment of information.

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

Finding the instant *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
24 November 2026 (Tuesday) at nine o'clock in the morning (9:00 A.M.)	**Microsoft Teams**	Determination of compliance with jurisdictional requirements and Expository Presentation
01 December 2026 (Tuesday) at nine o'clock in the morning (9:00 A.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 **NOCECO's principal office at Naga, Binicuil, Kabankalan City, Negros Occidental**, 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 NOCECO's franchise area for the appropriate posting thereof on their respective bulletin boards;

3) Inform the consumers within NOCECO's franchise area, by any other means available and appropriate, of the filing Application, its 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, Applicant 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 Applicants to inform the consumers within the NOCECO's franchise area of the filing of the *Joint Application*, their 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, if any, by all those making requests therefor; and

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

Moreover, NOCECO and TVI 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 NOCECO and TVI 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.

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

Applicants NOCECO and TVI 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 NOCECO and TVI 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 NOCECO and TVI 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.

(This space is intentionally left blank.)

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. GINES[1]
Director III, Legal Service

LS: JBS/RGCD

[1] Authority granted per Office Order No. 71, Series of 2025 dated 20 August 2025, with the subject "Approving/Signing Authorities for Consumer Complaints Cases and Interlocutory Orders".

Copy Furnished:

1. Negros Occidental Electric Cooperative (NOCECO)
   Applicant
   Naga, Binicuil, Kabankalan City, Negros Occidental
   nocecosubmission@gmail.com

2. Atty. Cecilia R. Layug
   Counsel for NOCECO
   6F Pacific Center Building, 33 San Miguel Ave., Ortigas, Pasig City
   ceslayug@gmail.com

3. Therma Visayas, Inc. (TVI)
   Co-Applicant
   Brgy. Bato, Toledo City, Cebu
   regulatory.legal@aboitizpower.com

4. Atty. Niña Dianne R. Santiago, Atty. Celeni Kristine G. Guinto, Atty. Paul B. Soriño
   Counsels for TVI
   12F Ayala Triangle Gardens Tower 2, Paseo De Roxas cor. Makati Ave., Makati City 1226
   regulatory.legal@aboitizpower.com

5. Office of the Provincial Governor
   Province of Cebu

6. Office of the Local Government Unit Legislative Body
   Province of Cebu

7. Office of the City Mayor
   City of Toledo, Cebu

8. Office of the Local Government Unit Legislative Body
   City of Toledo, Cebu

9. Office of the Provincial Governor
   Province of Negros Occidental

10. Office of the Local Government Unit Legislative Body
    Province of Negros Occidental

11. Office of the City Mayor
    City of La Carlota, Negros Occidental

12. Office of the Local Government Unit Legislative Body
    City of La Carlota, Negros Occidental

13. Office of the City Mayor
    City of Himamaylan, Negros Occidental

14. Office of the Local Government Unit Legislative Body
    City of Himamaylan, Negros Occidental

15. Office of the City Mayor
    City of Kabankalan, Negros Occidental

16. Office of the Local Government Unit Legislative Body
    City of Kabankalan, Negros Occidental

17. Office of the City Mayor
    City of Sipalay, Negros Occidental

18. Office of the Local Government Unit Legislative Body
    City of Sipalay, Negros Occidental

19. Office of the Municipality Mayor
    Municipality of Pulupandan, Negros Occidental

20. Office of the Local Government Unit Legislative Body
Municipality of Pulupandan, Negros Occidental

21. Office of the Municipality Mayor
Municipality of Valladolid, Negros Occidental

22. Office of the Local Government Unit Legislative Body
Municipality of Valladolid, Negros Occidental

23. Office of the Municipality Mayor
Municipality of San Enrique, Negros Occidental

24. Office of the Local Government Unit Legislative Body
Municipality of San Enrique, Negros Occidental

25. Office of the Municipality Mayor
Municipality of Pontevedra, Negros Occidental

26. Office of the Local Government Unit Legislative Body
Municipality of Pontevedra, Negros Occidental

27. Office of the Municipality Mayor
Municipality of Hinigaran, Negros Occidental

28. Office of the Local Government Unit Legislative Body
Municipality of Hinigaran, Negros Occidental

29. Office of the Municipality Mayor
Municipality of Binalbagan, Negros Occidental

30. Office of the Local Government Unit Legislative Body
Municipality of Binalbagan, Negros Occidental

31. Office of the Municipality Mayor
Municipality of La Castellana, Negros Occidental

32. Office of the Local Government Unit Legislative Body
Municipality of La Castellana, Negros Occidental

33. Office of the Municipality Mayor
Municipality of Moises Padilla, Negros Occidental

34. Office of the Local Government Unit Legislative Body
Municipality of Moises Padilla, Negros Occidental

35. Office of the Municipality Mayor
Municipality of Isabela, Negros Occidental

36. Office of the Local Government Unit Legislative Body
Municipality of Isabela, Negros Occidental

37. Office of the Municipality Mayor
Municipality of Ilog, Negros Occidental

38. Office of the Local Government Unit Legislative Body
Municipality of Ilog, Negros Occidental

39. Office of the Municipality Mayor
Municipality of Cauayan, Negros Occidental

40. Office of the Local Government Unit Legislative Body
Municipality of Cauayan, Negros Occidental

41. Office of the Municipality Mayor
Municipality of Candoni, Negros Occidental

42. Office of the Local Government Unit Legislative Body

Municipality of Candoni, Negros Occidental

43. Office of the Municipality Mayor
Municipality of Hinoba-an, Negros Occidental

44. Office of the Local Government Unit Legislative Body
Municipality of Hinoba-an, Negros Occidental

45. Office of the Solicitor General
134 Amorsolo Street, Legaspi Village, Makati City
docket@osg.gov.ph

46. Commission on Audit (COA)
Commonwealth Avenue, Quezon City
citizensdesk@coa.gov.ph

47. Senate Committee on Energy
GSIS Building, Roxas Boulevard, Pasay City
senateenergycommittee@gmail.com

48. House Committee on Energy
Batasan Hills, Quezon City
committee.energy@house.gov.ph

49. Regulatory Operations Service
Energy Regulatory Commission
14F Exquadra Tower, Jade 1 Drive, Pasig City
ros@erc.ph