

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Exquadra Tower, Jade Drive, Ortigas Center,
1600 Pasig City

IN THE MATTER OF THE
APPLICATION FOR
AUTHORITY TO DEVELOP,
OWN, AND/OR OPERATE
DEDICATED POINT- TO-POINT
LIMITED TRANSMISSION
FACILITIES TO CONNECT THE
137.48MW UBAY SOLAR POWER
PLANT TO THE UBAY 138KV
SUBSTATION, WITH PRAYER
FOR PROVISIONAL
AUTHORITY

ERC Case No.:
2025-030 MC
August 06, 2025

UBAY SOLAR CORP.,
Applicant.

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**APPLICATION
WITH PRAYER FOR PROVISIONAL AUTHORITY**

Applicant **UBAY SOLAR CORP.** ("USC"), by counsel, respectfully states:

**I.
APPLICANT**

1. USC is a corporation duly organized and existing by virtue of and under the laws of the Republic of the Philippines with principal office address at Prestige Tower Office Condominium Unit No. 1705, Emerald Avenue, Ortigas Center, Pasig City, Metro Manila.¹

¹

2. USC may be served orders, notices, and other processes through the undersigned counsel at its address indicated below.

II. NATURE OF APPLICATION

3. This Application is submitted to this Honorable Commission pursuant to Section 9 of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act ("**EPIRA**"),² for its consideration and approval of USC's proposed development, ownership, and operation of interconnection facilities, which shall connect the 137.48MWAc photovoltaic solar power plant located in Barangays Imelda and Benliw, Municipality of Ubay, Province of Bohol ("**Solar Power Plant**") to the Visayas Grid through a direct connection to the National Grid Corporation of the Philippines' ("**NGCP**") Ubay 138kV Substation via a 1.64 kilometer 1-795 MCM ACSR Double Circuit 138kV transmission line ("**Dedicated Facility Project**").³

III. STATEMENT OF FACTS

4. USC is a duly registered Renewable Energy Developer of Solar Energy Resources and the holder of Solar Energy Operating Contract No. 2023-02-652 ("**SEOC**") dated 09 March 2023, executed between the Republic of the Philippines, through the Department of Energy ("**DOE**"), and USC, by virtue of which USC was granted the right to explore, develop, and utilize Solar Energy Resources within the designated Contract Area located in the Barangays Imelda and Benliw, Municipality of Ubay, Province of Bohol.⁴

² Copies of USC's Certificate of Incorporation dated 17 March 2022, with attached Articles of Incorporation and By-Laws both dated 9 March 2022, its Certificate of Filing of Amended Articles of Incorporation dated 19 October 2023, and its latest General Information Sheet dated 7 April 2025 are attached hereto and made integral parts hereof as **Annexes "A-series"** and "**B**", respectively

³ A copy of the Secretary's Certificate dated 23 April 2025 on the resolutions adopted by USC's Board of Directors, authorizing the filing of the instant Application and appointing the authorized representative, is attached hereto and made an integral part hereof as **Annex "C"**.

⁴ Copies of the Certificate of Registration issued by the DOE and the SEOC, both dated 09 March 2023, are attached hereto and made integral parts hereof as **Annexes "D"** and "**E**", respectively.

5. Pursuant to the SEOC, USC is developing the Solar Power Plant, which is targeted to commence commercial operations by 31 May 2027.⁵

6. In order to test, commission, and dispatch the electricity generated from the Solar Power Plant, USC needs to develop, construct, and operate the Dedicated Facility Project.

6.1. The Dedicated Facility Project involves the construction of a 1-795 MCM ACSR Double Circuit 138kV transmission line extending from the Solar Power Plant to the NGCP Ubay 138kV Substation, Ubay, Bohol. The power generated from the generator unit will be stepped up from 30kV to 138kV utilizing a 150MVA transformer.⁶

6.2. The step-up transformer enables the power plant to step-up the generated electricity at a voltage level equal to that of the connection point to the grid. The purpose of the step-up transformer is part and parcel of the power plant's ability to produce electricity that is ready for transmission. Such electricity is then conveyed through the dedicated point-to-point limited facility/ies to the physical point of connection to the main transmission grid.

6.3. It should be noted that the 150 MVA transformer is a 30kV/138kV step-up power transformer, meaning that it transforms the voltage level of the plant's electricity output from 30kV to 138kV. At the 30kV output level, the generated electricity is not yet ready to be transported to the transmission grid.

6.4. As such, before this step-up process (of matching the voltage of the grid), the initial electricity output is not yet ready for transmission. That is why the step-up power transformer is not part of the dedicated point-to-point limited facilities as the said transformer is an integral part of the generation process.

⁵ Copies of the Summary of Relevant Dates indicating the dates of start and completion of construction, testing and commissioning, and commercial operations of both the Solar Power Plant and Dedicated Facility Project, and the Environmental Compliance Certificate No. ECC-Ro7-2412-0017 issued by the Department of Environment and Natural Resources on 07 January 2025 for the Solar Power Plant including the Dedicated Facility Project are hereto attached and made integral parts hereof as **Annexes "F" and "G"**.

⁶ Copies of the Project Description and the Single Line Diagram of the Dedicated Facility Project are hereto attached and made integral parts hereof as **Annexes "H" and "I"**, respectively.

6.5. The estimated cost of the construction of the Dedicated Facility Project is Three Hundred Sixty-Four Million Two Hundred Seventy-Three Thousand Five Hundred Fifty-Four (PhP 364,273,554.00). This estimate is preliminary and will change based on final detailed engineering design, procurement, and construction.⁷

6.6. The Dedicated Facility Project will be exclusively funded by USC and will, therefore, not impact any regulated charges.

6.7. The construction of the Dedicated Facility Project is estimated to commence on 01 November 2025. USC is currently on its contractor selection process for Facility Construction.⁸

6.8. The construction of the Dedicated Facility Project is estimated to be completed on 31 August 2026.⁹

7. USC respectfully submits that the Dedicated Facility Project is the most viable option for connecting the Solar Power Plant in view of its proximity to the NGCP Ubay 138kV Substation, Ubay, Bohol.¹⁰

7.1. To evaluate the technical feasibility of the Dedicated Facility Project, a System Impact Study ("**SIS**") was conducted by NGCP in November 2023, wherein the interconnection of the Solar Power Plant to the Visayas Grid through the Dedicated Facility Project was found to be technically feasible. It is worth noting that the SIS shows that the Dedicated Facility Project was the only option considered for the interconnection of the Solar Power Plant to the grid.¹¹

⁷ Copies of the detailed breakdown of the Dedicated Facility Project Cost Estimate, as well as the bill of materials for the project components, and an overview of the Bohol power demand-supply scenario are attached hereto and made integral parts hereof as **Annexes "J" and "K"**.

⁸ The company profiles of the potential Engineering, Procurement, and Construction (EPC) contractors are attached hereto and made integral part hereof as **Annex "L"**.

⁹ Copies of the Conceptual Engineering Design and Drawings, and the Gantt Charts are attached hereto and made integral parts hereof as **Annexes "M" and "N"**, respectively.

¹⁰ A summary of options considered for the connection facility is hereto attached and made an integral part hereof as **Annex "O"**.

¹¹ Copies of the NGCP letter on the SIS Final Review Report dated 13 December 2023 and the SIS dated

7.2. A Facilities Study ("FS") was also undertaken to ensure that the equipment to be installed will satisfy the recommendations in the SIS, and that the Dedicated Facility Project complies with the Philippine Grid Code.¹²

7.3. The connection of the Solar Power Plant through the Dedicated Facility Project has also been considered in NGCP's Transmission Development Plan.¹³

8. USC has entered into a Connection Agreement, Transmission Service Agreement, and Metering Service Agreement (collectively, "**Service Agreements**") with NGCP on 26 June 2024 for the interconnection of the Solar Power Plant to the Visayas Grid through a direct connection to the Ubay 138kV Substation.¹⁴

9. USC is currently in discussion with HEDCOR Group for the provision of operation and maintenance services for the Dedicated Facility Project upon completion thereof and commencement of the commercial operations of the Solar Power Plant.¹⁵

10. As of date, USC has secured or is in the process of securing all other necessary permits, licenses, and authority from the appropriate regulatory agencies for the Dedicated Facility Project. USC hereby further undertakes to file an application for the issuance of a Certificate of Compliance with this Honorable Commission for the Solar Power Plant in accordance with ERC Resolution No. 16, Series of 2014 in due course.¹⁶

November 2023 are attached hereto and made integral parts hereof as **Annexes "P"** and **"Q"**, respectively.

¹² Copies of the FS dated January 2024 and the corresponding NGCP letter dated 19 February 2024 on its review of the FS are hereto attached and made integral parts hereof as **Annexes "R"** and **"S"**, respectively.

¹³ A copy of the excerpts from NGCP's Transmission Development Plan for 2024 to 2050 reflecting the Solar Power Plant among the Proposed Generation Facilities included in the projection for the Visayas Generation Capacity Addition is attached hereto and made an integral part hereof as **Annex "T"**.

¹⁴ A copy of the Service Agreements between USC and NGCP is hereto attached and made an integral part hereof as **Annex "U"**, **"V"**, and **"W"**.

¹⁵ The company profile of the potential operations and maintenance contractor is attached hereto and made integral part hereof as **Annex "X"**.

¹⁶ The Sworn Statement dated 28 May 2025 attesting to the fact that USC has filed or shall file applications for necessary permits, licenses, and authority with all the regulatory agencies that may have an interest in the Dedicated Facility Project is hereto attached and made an integral part hereof as **Annex "Y"**.

11. In light of the foregoing, USC respectfully seeks the confirmation and approval of the Honorable Commission that the connection of the Solar Power Plant to the Ubay 138kV Substation through the Dedicated Facility Project is the most viable option for the interconnection of the Solar Power Plant to the Visayas Grid.

12. In support of the instant Application, USC hereby submits the following documents:

Annex	Document
“A-series”	Copies of USC's Certificate of Incorporation dated 17 March 2022, with attached Articles of Incorporation and By-Laws both dated 9 March 2022, its Certificate of Filing of Amended Articles of Incorporation dated 19 October 2023
“B”	Latest General Information Sheet dated 7 April 2025
“C”	A copy of the Secretary's Certificate dated 23 April 2025 on the resolutions adopted by USC's Board of Directors, authorizing the filing of the instant Application and appointing the authorized representative
“D”	Certificate of Registration issued by the DOE
“E”	Solar Energy Operating Contract
“F”	Summary of Relevant Dates indicating the dates of start and completion of construction, testing and commissioning, and commercial operations of both the Solar Power Plant and Dedicated Facility Project
“G”	The Environmental Compliance Certificate No. ECC-Ro7-2412-0017 issued by the Department of Environment and Natural Resources on 07 January 2025 for the Solar Power Plant including the Dedicated Facility Project
“H”	Project Description
“I”	Single Line Diagram of the Dedicated Facility Project
“J”	Detailed breakdown of the Dedicated Facility Project Cost Estimate and the bill of materials for the project components

“K”	Overview of the Bohol power demand-supply scenario
“L”	Company profiles of the potential Engineering, Procurement, and Construction (EPC) contractors
“M”	Conceptual Engineering Design and Drawings
“N”	The Gantt Charts
“O”	Summary of options considered for the connection facility
“P”	NGCP letter on the SIS Final Review Report dated 13 December 2023
“Q”	SIS dated November 2023
“R”	FS dated January 2024
“S”	NGCP letter dated 19 February 2024 on its review of the FS
“T”	A copy of the excerpts from NGCP's Transmission Development Plan for 2024 to 2050 reflecting the Solar Power Plant among the Proposed Generation Facilities included in the projection for the Visayas Generation Capacity Addition
“U”	Connection Agreement dated 26 June 2024
“V”	Transmission Service Agreement dated 26 June 2024
“W”	Metering Service Agreement dated 26 June 2024
“X”	Company profile of the potential operations and maintenance
“Y”	The Sworn Statement dated 28 May 2025 attesting to the fact that USC has filed or shall file applications for necessary permits, licenses, and authority with all the regulatory agencies that may have an interest in the Dedicated Facility Project
“Z”	Affidavit executed by Aristotle D. Natividad on 28 May 2025 in support of the prayer for issuance of provisional authority

IV.
ALLEGATIONS IN SUPPORT OF
PRAYER FOR PROVISIONAL AUTHORITY

13. As Republic Act No. 9513, otherwise known as the Renewable Energy ("RE") Act of 2008 ("RE Act"), aims to accelerate the development of the country's renewable energy resources and increase the utilization of renewable energy, it is in the interest of the government to help RE developers such as USC to achieve commerciality and commence operations at the soonest practicable time. Needless to state, the construction of the Dedicated Facility Project is a pre-requisite for the testing and commissioning, and ultimately, the commercial operations of the Solar Power Plant. A provisional authority is thus urgently needed to enable USC to achieve the target commercial operations date of the Solar Power Plant by 31 May 2027 and avoid adverse consequences to USC.

14. After all, the RE Act has declared it the policy of the State to "[a]ccelerate the exploration and development of renewable energy resources such as, but not limited to, biomass, **solar**, wind, hydro, geothermal and ocean energy sources, including hybrid systems, to achieve energy self-reliance, through the adoption of sustainable energy development strategies to reduce the country's dependence on fossil fuels and thereby minimize the country's exposure to price fluctuations in the international markets, the effects of which spiral down to almost all sectors of the economy [*Emphasis supplied*]." ¹⁷ It is in support of this policy that USC was established to generate, transmit, and distribute power derived from solar energy resources. ¹⁸

15. Considering the foregoing, USC submits that there is clear and sufficient basis for the grant of a provisional authority for the development, ownership, and operation of the Dedicated Facility Project by USC to connect the Solar Power Plant to the Visayas Grid, pending the Honorable Commission's issuance of a final decision on the instant Application.

¹⁷ Section 2 (a), Republic Act 9513.

¹⁸ A copy of the Affidavit executed by Aristotle D. Natividad on 28 May 2025 in support of the prayer for issuance of provisional authority is hereto attached and made an integral part hereof as **Annex "Z"**.



PRAYER

WHEREFORE, premises considered, Applicant **Ubay Solar Corp.** respectfully prays of this Honorable Commission to:

1. **GRANT** USC provisional authority to develop, own, and operate the Dedicated Facility Project to connect the Solar Power Plant to the Visayas Grid; and

2. **APPROVE** the instant Application to develop, own, and operate the Dedicated Facility Project to connect the Solar Power Plant to the Visayas Grid, after hearing on the merits.

Other just and equitable reliefs are likewise prayed for.

Makati City for Pasig City, 25 July 2025.

DIVINALAW

Counsel for Plaintiff

8th Floor Pacific Star Building
Sen. Gil Puyat Avenue corner
Makati Avenue, Makati City
(632) 822-0808/ (632) 822-7878
docket@divinalaw.com

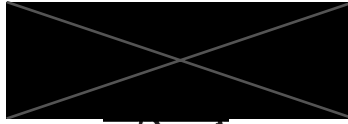
For the Firm:



RICHIE AVIGALE RAMOS-PILARES

Roll of Attorneys No. 54033

IBP No. 505380 / 12 January 2025 / Makati City
PTR No. 10473147 / 06 January 2025/ Makati City
MCLE Compliance No. VII-016317 / 14 April 2025



CHRISTIAN GIO R. SENARLO

Roll of Attorneys No. 92013

IBP No. 495206 / 02 January 2025 / Makati City

PTR No. 10473159 / 06 January 2025 / Makati City

Admitted to the Bar 2023