

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

**IN THE MATTER OF THE
APPLICATION FOR THE
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

UBAY SOLAR CORP.,
Applicant.
X-----X

Promulgated:
October 6, 2025

ORDER

On 06 August 2025, Ubay Solar Corp. (USC) filed, through the Energy Virtual One-Stop Shop (EVOSS) portal, an *Application* dated 25 July 2025, seeking the Commission’s approval of its authority to develop, own, and/or operate dedicated point-to-point limited transmission facilities to connect the 137.48 MW Ubay Solar Power Plant to the Ubay 138 KV Substation, with prayer for provisional authority.

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

On 15 September 2025, the Commission issued an *Order* and a *Notice of Virtual Hearing*, setting the instant *Application* for a virtual hearing for the determination of compliance with jurisdictional requirements, expository presentation, and Pre-trial Conference,¹ on 13 October 2025.

¹ In the Commission’s *Advisory* dated 26 July 2023, the Commission adopted the Summary Proceedings in accordance with Rule 17 of the Commission’s Revised Rules of Practice and Procedure (ERC Revised RPP) in the filing, processing and evaluation of the applications for

On 30 September 2025, USC filed a *Motion to Reset*, of even date, praying that the hearing be rescheduled on a later date and that deadline for submission of compliances be adjusted, due to failure to obtain all the necessary requirements in view of the successive work suspensions in government offices due to several typhoons.

The Commission finds USC's *Motion to Reset* in order, thus the same is hereby **GRANTED**. In view thereof, the hearing scheduled on 13 October 2025, pursuant to the Commission's *Order* issued on 15 September 2025, is hereby **CANCELLED**.

RELATIVE THERETO, the Commission hereby sets anew the hearing for determination of compliance with the jurisdictional requirements, expository presentation, and Pre-trial Conference² on **27 October 2025 (Monday) at two o'clock in the afternoon (2:00 P.M.)**, through MS Teams Application, as the online platform for the conduct thereof, pursuant to the pertinent rules of the Commission.

RELATIVE THERETO, USC is hereby directed to:

- 1) Cause the publication of the attached *Notice of Virtual Hearing*, including Annex "A" thereof, once (1x) in a newspaper of nationwide circulation in the Philippines at its own expense, at least ten (10) days before the date of the scheduled 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 Municipal Mayor and their respective Local Government Unit (LGU) legislative bodies of the area affected by the project for the appropriate posting thereof on their respective bulletin boards;
- 3) Inform the consumers within the affected area, by any other means available and appropriate, of the filing of the

authority to develop and own or operate dedicated point-point limited transmission facilities, in the following instances: (1) Applications without intervenors, or uncontested applications; and (2) Applications with intervenors, provided all parties have agreed to subject the application to summary proceedings. Under the said summary proceedings and in accordance with Rule 17 of the ERC Revised RPP, the Applicant's presentation of evidence is through the submission and offering of the affidavits of its witnesses and other pieces of evidence within the time allowed by the Commission.

² *Id.*

Application, its reasons therefor, and of the scheduled hearing thereon;

- 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 hearing; and
- 5) Furnish with copies of the *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.

No later than ten (10) calendar days prior to the date of the scheduled virtual hearing, USC must submit to the Commission through the EVOSS portal and via electronic mail (e-mail) at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, the scanned copies of its 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 affidavit of the Editor or Business Manager of the newspaper where the same was published, and the complete issues of the said newspaper;
- 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, Mayor and LGU legislative bodies or their duly authorized representatives, bearing the seals of their offices;
- 3) The evidence of other means employed by the Applicant to inform the consumers within the affected area of the filing of the *Application*, their reasons therefor, and of the scheduled hearing thereon;
- 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 *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, USC is hereby required to post on its bulletin board, the scanned copies of the foregoing jurisdictional requirements and to submit the proof of posting thereof.

Applicant 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.

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

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

Applicant is hereby directed to file a copy of its Expository Presentation via e-mail at docket@erc.ph, and copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** prior to the scheduled virtual hearing. Applicant shall also be required, upon the request of any stakeholder, to provide an advance copy of the Expository Presentation, **at least five (5) calendar days** prior to the scheduled virtual hearing.

Moreover, the National Grid Corporation of the Philippines (NGCP) is hereby impleaded as a necessary party to this Application. Accordingly, NGCP is hereby directed to submit its **Verified Comment** via e-mail at docket@erc.ph, copy furnish the Legal Service through legal@erc.ph, **at least five (5) calendar days** before the date of the scheduled virtual hearing.

Relative thereto, Applicant, NGCP 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.

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Finally, USC and NGCP, including their authorized representatives and witnesses, 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 to the aforementioned hearing platform within five (5) working days prior to the scheduled hearing.

SO ORDERED.

Pasig City.

FOR AND BY AUTHORITY
OF THE COMMISSION:

Maria Corazon C. Gines

ATTY. MARIA CORAZON C. GINES*
Director III, Legal Service


LS: JAB/MVM

* Authority granted during Commission Meeting on 20 August 2025.

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Copy Furnished:

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4. The Office of the Solicitor General (OSG)
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5. The Commission on Audit (COA)
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6. The Committee on Energy
 Senate of the Philippines
 GSIS Building, Roxas Blvd., Pasay City, Metro Manila
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7. The Committee on Energy
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8. National Grid Corporation of the Philippines (NGCP)
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9. Office of the Provincial Governor
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10. Office of the Local Government Unity (LGU) Legislative Body
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11. Office of the City Mayor
 Ubay, Bohol

12. Office of the LGU Legislative Body
 Ubay, Bohol

13. Office of the City Mayor
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