

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

**IN THE MATTER OF THE
APPLICATION FOR
APPROVAL OF THE FEED-
IN TARIFF ALLOWANCE
FOR CALENDAR YEAR 2018
PURSUANT TO THE
GUIDELINES FOR THE
COLLECTION OF THE FEED-
IN TARIFF ALLOWANCE
AND DISBURSEMENT OF
THE FEED-IN TARIFF
ALLOWANCE FUND, WITH
PAYER FOR PROVISIONAL
AUTHORITY,**

ERC CASE NO. 2017-079 RC

**NATIONAL TRANSMISSION
CORPORATION (TRANSCO),
Applicant.**

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D O C K E T E D
Date: NOV 03 2017
By: M

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that on 30 August 2017, National Transmission Corporation (TRANSCO) filed an *Application* dated 24 August 2017 (*Application*) seeking the Commission's approval of the Feed-in Tariff Allowance for Calendar Year 2018 pursuant to the Guidelines for the Collection of the Feed-in Tariff Allowance and Disbursement of the Feed-in Tariff Allowance Fund, with prayer for provisional authority.

TRANSCO alleged the following in its *Application*:

THE APPLICANT

1. TransCo is a government instrumentality created pursuant to **Republic Act (R.A.) No. 9136**, otherwise known as the **Electric Power Industry Reform Act of 2001 (EPIRA)**, with principal office address at TransCo Main Building, Quezon Avenue corner BIR Road, Diliman, Quezon City, where it may be

served with summons and other processes of this Honorable Commission.

NATURE OF THE APPLICATION

2. This Application is being filed by Applicant TransCo in its capacity as FIT-All Fund Administrator tasked with the establishment, management/administration, and disbursement/settlement (thru the Trustee Bank) of the FIT-All Fund pursuant to **ERC Resolution No. 15, Series of 2012** issued on 19 November 2012 and on the bases of relevant laws, rules, and regulations as will be discussed hereafter.
3. On 16 December 2008, **R.A. No. 9513** entitled “**An Act Promoting the Development, Utilization and Commercialization of Renewable Energy Resources and for Other Purposes**” (**RE Law**) was enacted to: (1) accelerate the exploration and development of renewable energy resources to achieve energy self-reliance by reducing the country’s dependence on fossil fuels and thereby minimize the country’s exposure to price fluctuations in the international markets; (2) increase the utilization of renewable energy by providing fiscal and non-fiscal incentives; (3) encourage the development and utilization of renewable energy resources as tools to effectively prevent or reduce harmful emissions and thereby balance the goals of economic growth and development with the protection of health and the environment; and (4) establish the necessary infrastructure and mechanism to carry out the mandates specified in the Act and other existing laws.
4. To achieve these state policies, Section 7 of the RE Law mandates the establishment of a Feed-in Tariff System (FIT System) for electricity produced from wind, solar, ocean, run-of-river hydropower, and biomass. The FIT System is an incentive scheme that, among others, grants priority connections to the grid, priority purchase and transmission of, and payment for, electricity generated, and fixed tariff for a period not less than twelve (12) years to be determined by the Energy Regulatory Commission (ERC)¹ for eligible Renewable Energy (RE) generation.
5. On 12 July 2010, the ERC, in consultation with the National Renewable Energy Board (NREB) and other stakeholders, issued **Resolution No. 16, Series of 2010** entitled **Resolution Adopting the Feed-in Tariff Rules (FIT Rules)** where it established, among others, the Feed-in Tariff (FIT) System, the method of establishing and approving the FIT and the Feed-in Tariff Allowance (FIT-All).
6. Under the FIT Rules, the FIT System guarantees all eligible renewable energy plants an entitlement to the applicable FITs for a period of twenty (20) years.²

¹ See Section 5, RE Law IRR.

² Section 4, FIT Rules.

7. Further, Section 2.2 of the FIT Rules provides that the ERC shall approve technology-specific FITs based on such FITs to be recommended by the NREB. Accordingly, on 27 July 2012, the ERC issued its **Decision in ERC Case No. 2011-006 and Resolution No. 10, Series of 2012** entitled “**Resolution Approving the Feed-in Tariff Rates**” where it approved the following initial FIT Rates:

TECHNOLOGY	ERC-APPROVED FIT RATES (PhP/kWh)	ERC-APPROVED DEGRESSION RATES
WIND	8.53	0.5% after year 2 from effectivity of FIT
BIOMASS	6.63	0.5% after year 2 from effectivity of FIT
SOLAR	9.68	6% after year 1 from effectivity of FIT
HYDRO	5.90	0.5% after year 2 from effectivity of FIT

8. On 27 March 2015, the ERC issued **Resolution No. 06, series of 2015** entitled “**Resolution Adopting the New Solar Feed-In Tariff Rate**” setting a new Solar FIT Rate of PhP8.69/kWh (herein referred to as “Solar FIT 2”). The Solar FIT 2 was issued as a result of the revised installation target for solar energy generation from 50 MW to 500 MW and shall be applied to new Solar Plants that have been commissioned after the effectivity of said Resolution and until 15 March 2016.
9. On 06 October 2015, the ERC likewise issued **Resolution No. 14, series of 2015** also known as “**Resolution Adopting the Wind Feed-in Tariff (Wind-FIT2) Rate**” setting a new Wind FIT Rate of PhP7.40/kWh (herein referred to as “Wind FIT 2”). The Wind FIT 2 shall only be applied to three (3) wind power projects namely: San Lorenzo, Nabas, and Pililia Power Projects which have already commenced commercial operations as certified by the Department of Energy (DOE).
10. The FIT-All, on the other hand, is a uniform charge (in PhP/kWh) billed to all on-grid electricity consumers who are supplied with electricity through the distribution or transmission network. The FIT-All shall be established and set by the ERC on an annual basis and taking into account the following: the forecasted annual required revenue of the Eligible RE Plants; previous year’s over or under recoveries; administration costs; forecasted annual electricity sales; and, such other relevant factors to ensure that no stakeholder is allocated with additional risks in the implementation of the FITs.³
11. On 19 November 2012, the ERC issued **Resolution No. 15, Series of 2012**, designating **TransCo** as the **FIT-All Fund Administrator** tasked with the establishment, management/

³ Section 2.5, FIT Rules.

administration, and disbursement/settlement (thru the Trustee Bank) of the FIT-All Fund.

12. The imposition, collection, and disbursement of the FIT-All is further covered by the **“Guidelines on the Collection of the Feed-in Tariff Allowance (FIT-All) and the Disbursement of the FIT-All Fund” (Guidelines)** issued and approved by the ERC in its **Resolution No. 24** dated 16 December 2013.
13. Under the FIT-All Guidelines, TransCo has to make an annual determination of the FIT-All rate and file its application with the ERC not later than end of July of each year for the FIT-All rate that will be implemented for the following year.
14. On 18 December 2015, TransCo filed the application for the 2016 FIT-All Rate⁴. Correspondingly, on 16 February 2016, the ERC granted TransCo’s application for Provisional Authority to implement a 2016 FIT-All rate of PhP/kWh 0.1240 which was implemented starting the April 2016 billing period. On 09 May 2017, the ERC approved the 2016 FIT-All Rate of PhP/kWh 0.1830 effective on the succeeding billing period following the receipt of the decision by TransCo, which was 18 May 2017. Thus, the 2016 FIT-All Rate was implemented starting June 2017 Billing Period.
15. On 01 December 2016, TransCo filed the application for 2017 FIT-All Rate, which is currently pending ERC’s approval.
16. For the 2018 FIT-All Rate, TransCo requested for a one month extension after the end of July 2017 within which to file its application to give it sufficient time to complete the pre-filing requirements.
17. The ERC, in its letter dated 08 August 2017, granted the said request and gave TransCo until 31 August 2017 to file the said Application.
18. Therefore, by and pursuant to the RE Law and Resolution No. 16 Series of 2010 (FIT Rules), as amended by Resolution No. 15 Series of 2012, in connection with the Guidelines and other pertinent laws, rules and regulations, the instant *Application* is submitted to the Honorable Commission for its due consideration of the herein applied for FIT-All Rate for the year 2018.

FEED-IN TARIFF ALLOWANCE FOR 2018

19. TransCo has computed a **FIT-All Rate of PhP/kWh 0.3305** for 2018, determined using the formula provided in Section 1.3 of the Guidelines, as follows:

$$FIT-All = \frac{FD + WCA + AA + DA}{FNS}$$

⁴ Docketed as ERC Case No. 2015-216 RC

Where:

DESCRIPTION	
FIT-All	is the Feed-in Tariff Allowance to be implemented in Year _{t+1} in PhP/kWh, as provided for in the FIT Rules and the Guidelines.
FD	is the estimated Total FIT Differential required for Year _{t+1} in PhP, and as further described in Section 1.4.1 of the Guidelines.
WCA	is the estimated Working Capital Allowance required for Year _{t+1} in PhP, and as further described in Section 1.4.2 of the Guidelines.
AA	is the Administration Allowance to be implemented in Year _{t+1} in PhP, and as further described in Section 1.4.3 of the Guidelines.
DA	is the Disbursement Allowance to be implemented in Year _{t+1} in PhP, and as further described in Section 1.4.3 of the Guidelines.
FNS	is the Forecast National Sales, in kWh, to be applied for Year _{t+1} and as further described in Section 1.4.4.2 of the Guidelines.
T	is the year the application for setting the FIT-All is filed with the ERC.
t+1	is the year following t

20. Whenever Year_{t+1} (implementation year) is used in any formula in the present Application, the same shall refer to the year 2018. Correlatively, the Year_{t+2} whenever used in any formula in this Application shall refer to the year 2019.

COMPONENTS OF THE FIT-ALL

I. Forecast National Sales

21. The Forecast National Sales (FNS) is the denominator in the FIT-All formula. The estimated level for 2018 is presented first since it is best to present the determined value of the other FIT-All components in terms of PhP/kWh, where this FNS is the kilowatt-hours (kWh) denominator.
22. The FNS refers to an estimated total kilowatt-hours of electricity billed to consumers who are supplied with electricity in all On-Grid areas in the Philippines for a given year.
23. The FNS, in kWh, shall be equal to the latest available Electricity Sales as stated in the Philippine Power Statistics, excluding Utilities Own Use and Power Losses, or as otherwise certified by the DOE and as adjusted by the historical growth rate published for the immediately preceding three (3) years.

24. From the historical data sourced from the Philippine Power Statistics until 2016⁵, TransCo computed for the compounded annual growth rate (CAGR) of Electricity Sales for a 3-year period using the formula:

$$CAGR_{t_0,t_n} = \left(\frac{V_{t_n}}{V_{t_0}} \right)^{\frac{1}{t_n-t_0}} - 1$$

Where:

- V(t₀) = start value
- V(t_n) = finish value
- t_n-t₀ = number of years

25. TransCo computed the projected 2017 level by increasing the historical 2016 level by the computed CAGR (2014-2016). Then, TransCo again computed for the rolling 3-year CAGR and so on.⁶ TransCo came up with the following Forecast National Electricity Sales for 2017-2018:

Table 1. Forecast National Electricity Sales, kWh

2017	2018
78,898,449,177	84,889,570,430

II. Total FIT Differential

26. The Total FIT Differential represents the difference between: (1) the forecast applicable FIT Rate for Year_{t+1} that each Eligible RE Plant is forecasted to receive for each kWh delivered, and (2) the forecast applicable cost recovery rate as determined under the Guidelines, multiplied by the projected annual energy generation from Eligible RE Plant for year_{t+1}. In setting the FIT-All for Year_{t+1}, the FIT Differential is represented by the following formula:

$$FD = \left[\sum_x (ForecastREGen_{x,t+1} (ForecastFITRate_{x,t+1} - ForecastCostRecoveryRate_{x,t+1})) \right] + FD_{t-1,(over)/under}$$

Where:

	DESCRIPTION
Forecast RE Gen_{x,t+1}	is the Forecast RE Generation of Eligible RE Plant _x (in kWh).
Forecast FIT Rate_{x,t+1}	is FIT Rate, as degressed (if applicable) and adjusted for local inflation and foreign exchange (FOREX) as forecasted for year _{t+1} , in PHP/kWh, that Eligible RE Plant _x is forecasted to

⁵The DOE e-mail dated 10 May 2017 providing for the Electricity and Sales Consumption, in MWh for years 2003 to 2016 is attached hereto as **Annex "A"** to "**A-1**" to form an integral part hereof.

⁶The FNS computation for 2017-2018 is attached hereto as **Annex "B"** to form an integral part hereof.

	receive for each kWh delivered.
Forecast Cost Recovery	is the applicable Forecast Cost Recovery Rate to be implemented in Year _{t+1} for Eligible RE Plant _x , in PhP kWh.
FD_{t-1} (over)/under	is the variance between the actual FIT Differential for year _{t-1} (Actual FD _{t-1}) and the FIT Differential collected for year _{t-1} (Collected FD _{t-1}). There is over recovery if Collected FD _{t-1} > Actual FD _{t-1} and under recovery if Collected FD _{t-1} is < Actual FD _{t-1} .

27. Alternatively, the formula in Paragraph 26 can be viewed or rewritten as:

$$FD = TotalFITRevenue - TotalForecastCostRecoveryRevenue + FD_{t-1,(over)/under}$$

II.1. Forecast Annual Renewable Energy Generation

28. TransCo primarily used the most updated list of RE Projects that are projected to be eligible/already eligible under the FIT System in 2014-2019 and forecast data as provided by the DOE⁷. TransCo likewise tapped its own database containing historical information and the available submissions of RE Developers on actual/forecast generation.⁸ Actual billing data invoiced to the FIT-All Fund up to May 2017 were used where available.

29. With the list from DOE which provides the best estimate of the timing of entry of Eligible RE Plants, TransCo aims to be able to adequately provide for the corresponding payout requirements. However, the list does not in any way give preemptive right to the identified projects to be counted under the final FIT-eligible projects or limit the payment of FITs to these projects.

30. For those Eligible RE Developers already billing the FIT-All Fund, TransCo generally adopted their 2016 to 2019 energy generation forecast submissions. (See Annexes “D” to “D-39”.)

31. For some Biomass plants, TransCo followed the monthly projection provided by DOE (See Annexes “D-40” to “D-40A”). On the other hand, for Solar, Biomass, and Hydro plants without forecast submission, TransCo generally followed the annual projection from DOE and applied the monthly seasonality indices⁹ used in the 2017 FIT-All Rate Application in determining the monthly generation forecast.

32. Starting 2018, no additional projects were included in the list of projects submitted by DOE, consistent with its thrust to have a

⁷The DOE letter dated 15 May 2017 providing “Updated List of Renewable Energy (RE) Projects under the Feed-In-Tariff System (FIT) for filing of the 2018 FIT-All Rate Petition”, including attachments, are attached hereto as **Annexes “C” to “C-8”**, to form integral parts hereof.

⁸The 2017 to 2019 energy forecast generation per eligible RE Plant are summarized in the “List of FIT Eligible Renewable Energy Developer Generation Forecast” and its attachments marked hereto as **Annexes “D” to “D-40A”** to form an integral part hereof.

⁹ Monthly Seasonality indices used in the 2017 FIT-All Rate Application hereto attached as **Annex “E”**

review of policy after the first three (3) years of FIT implementation. As such, the determination of 2019 annual payout requirement in connection with the WCA level setting was computed based on the 2017 line-up of FIT-Eligible RE projects.

33. TransCo limited the determination of the FIT-All rate to include only Eligible/Projected Eligible RE capacities up to the installation targets set by the DOE as follows: 500 MW for Solar up to March 15, 2016; and 400 MW for Wind after the RE Law of 2008 and 33 MW for pre-RE Law plants. For FIT-Eligible Biomass, only 144.69MW was considered and for Hydro, 107.89 MW, following the DOE letter dated May 15, 2017.
34. Regarding Solar plants, a total capacity of 526.4 MW was covered due to the commercial and technical indivisibility of projects.
35. No additional projects were considered in the 2018 to 2019 generation forecast consistent with the DOE **List of FIT Eligible Renewable Energy Developer**, given the review of the FIT system prior to any issuance of a new policy on the same.
36. Based on the foregoing, the applicable Forecast Annual Renewable Energy Generation of Eligible RE Plants (kWh) for the years 2012-2015 (lumped), 2016, 2017¹⁰ and 2018 are as follows:

Table 2. Forecast Annual Renewable Energy Generation, MWh

Technology	2012-2015	2016	2017	2018	2019
Biomass	280,234	533,237	829,715	971,501	990,232
Hydropower	89,291	101,869	255,819	516,527	516,546
Solar	155,064	636,684	739,093	742,932	739,090
Wind	776,988	952,836	1,088,370	1,108,040	1,108,040
Total	1,301,576	2,224,626	2,912,998	3,339,000	3,353,907

II.2. Forecast Applicable FIT Rate and Forecast FIT Revenue

37. Forecast Applicable FIT Rate refers to the prevailing ERC-approved and published schedule of rates in PhP/kWh for each emerging renewable energy technology, as degressed by the relevant degression rates, if applicable, and adjusted for Consumer Price Index (CPI) and Foreign Exchange (FOREX), in accordance with Section 2.10 of the FIT Rules.¹¹
38. Currently, the prevailing FIT Rates are based on ERC's Decision dated 27 July 2012 in ERC Case No. 2011-006 RM, Resolution No. 6 series of 2016 for Solar FIT 2, and Resolution No. 14 series of 2015 for Wind FIT 2.
39. TransCo has made its interpretation of Section 2.10 of the FIT Rules regarding adjustment of the FIT rates in the absence of a

¹⁰The 2012 to 2017 levels are a mix of actual and forecast values.

¹¹ Section 1.4.1.1, Guidelines.

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precedent approach from the ERC. At the same time, degression as provided in the decision under ERC Case No. 2011-006 RM was applied.

40. Basically, TransCo's approach considered that on the year the eligible RE Plants enter the FIT system, its entitlement is to the original FIT rate, unless already degressed. Adjustment for inflation and foreign exchange movements is then applied on its second year in the FIT system and beyond.¹²

Table 3. 2018 Adjusted FIT Rates, Php/kWh

Technology	2014-2015	2016	2017
	Year 1 Entrant	Year 2 Entrant	Year 3 Entrant
Biomass			
2014-2015	6.6300		
2016	7.0508	6.6300	
2017	7.2574	7.0508	6.5969
2018	7.5303	7.2574	7.0156
Hydro			
2014-2015	5.9000		
2016	6.4601	5.9000	
2017	6.6217	6.4601	5.8705
2018	6.8543	6.6217	6.4278
Solar			
2014-2015	9.6800		
2016	9.9067	8.6900	
2017	10.2550	8.8935	
2018	10.6747	9.2062	
Wind			
2014-2015	8.5300		
2016	8.9006	7.4000	
2017	9.1869	7.7215	
2018	9.5474	7.9699	
For Bangui 1 & 2			
2014-2015	5.7600		
2016	6.0102		
2017	6.2036		
2018	6.4470		

41. The Total FIT Revenue appearing in the formula in Paragraph 27 was obtained by multiplying the Eligible RE generation per technology summarized in Table 2 by the corresponding appropriate FIT rates in Table 3. This was done on a per plant basis. For 2019, which is required only for the computation of the Working Capital Allowance that will later be discussed, the Adjusted FIT-rates for 2018 were used for simplicity of assumption. The resulting levels are given as:

Table 4. Total FIT Revenue by Technology, in Mn Pesos

Technology	2012-2015	2016	2017	2018	2019
Biomass	1,857,981	3,544,711	5,778,615	7,151,440	7,422,175
Hydropower	526,815	603,356	1,582,221	3,374,267	3,381,405
Solar	1,491,306	5,692,240	6,704,265	7,682,023	7,642,438
Wind	6,319,167	7,593,383	8,992,209	9,777,046	9,777,046
Total	10,195,270	17,433,690	23,057,311	27,984,776	28,223,064

42. It is worthy to note that in the absence of ERC issuances on the matter, no adjustments of FIT rates have been applied for

¹²Details of computation of the assumed adjusted FIT rates including the Peso per US Dollar Rate and Monthly Consumer Price Index are hereto attached as **Annex "F", "G", and "H"** and form integral parts hereof.

eligible RE plants for the years 2016 and 2017. Computation and actual payment of FIT revenues for actual generation in 2016 up to present have been based on unadjusted FIT rates.

II.3. Forecast Cost Recovery Rate

- 43. Simply put, the Forecast Cost Recovery Rate (FCRR) is the projected generation rate that the Eligible RE Plant would likely receive had it not been under the FIT System.
- 44. Under Section 1.4.1.2 of the Guidelines, the manner by which the FCRR is forecasted and applied to a particular Eligible RE Plant shall be based on whether or not the Eligible RE Plant operates in a Grid where the Wholesale Electricity Spot Market (WESM) is operational or not.
- 45. Where WESM is operational, the FCRR for the Eligible RE Plant shall be equivalent to the average of the monthly system Ex-Ante Load Weighted Average Price (LWAP) of the WESM for the Luzon and the Visayas Grids for the thirty-six (36) months immediately preceding the filing of the application for the setting of the FIT-All.
- 46. The FCRR to be applied for Eligible RE Plants where WESM is non-operational (Mindanao) shall be the weighted average of the generation cost of the Host Distribution Utility (Host DU) from all its other generation sources, excluding generation from any Eligible RE Plant-Non-WESM with a Renewable Energy Supply Agreement (RESA) with the Host DU, for the twelve (12) months immediately preceding the filing of the application for the setting of the FIT-All.
- 47. TransCo requested the Philippine Electricity Market Corporation (PEMC) for an update on the LWAP for the period June 2014 to May 2017 which the latter provided through a letter dated June 16, 2017¹³.
- 48. Consequently, TransCo came up with the following thirty-six (36)-month averages for Luzon and Visayas:

Table 5. Average LWAP, PhP/kWh

Luzon	Visayas
3.6506	3.4013

- 49. For Mindanao, the following Host DUs were identified from the lineup of projects and their location:

¹³The PEMC letter dated 16 June 2017 on the “Data on Load Weighted Average Price (LWAP) for Luzon and Visayas”, including its attachment hereto attached as **Annexes “I”** to **“I-1”** to form an integral part hereof.

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Host DU	Plant Name	RE Developer
DASURECO	Tudaya 2 Hydroelectric Power Project	Hedcor Tudaya, Inc.
COTABATO LIGHT	13.5 MW Biomass Power Plant Project	Lamsan Power Corporation
COTABATO LIGHT	3 MW Biomass Power Plant Project	Philippine Trade Center, Inc.
BUSECO	Manolo Fortich 1 HEP	Hedcor Bukidnon, Inc.
BUSECO	Manolo Fortich 2 HEP	Hedcor Bukidnon, Inc.
FIBECO	Kibawe Solar Power Project	Asian Green Energy Corporation
SOCOTECO I	Centrala Solar Power Project	NV Vogt Philippines Solar Energy One, Inc.
SUKELCO	3.5 GECC MW Biomass Cogeneration System	Green Earth Enersource Corporation

50. TransCo used the twelve (12)-month average of the Actual Weighted Average Generation Cost of DASURECO, calculated at PhP 4.6627/kWh, which covered the period June 2016 to May 2017. Data were lifted from the monthly submission to TransCo of DASURECO as Host DU for Tudaya 2.

51. FIBECO and SOCOTECO I submitted their Actual Weighted Average Generation Cost covering January 2016 to January 2017 and April 2016 to April 2017 Billing Months, respectively. TransCo then appended data up to May 2017 billing month which are available through the Host DUs submissions to TransCo for actual billing purposes. The resulting twelve (12)-month Weighted Average Generation Cost for FIBECO and SOCOTECO I are PhP 4.7303/kWh and PhP 5.5160/kWh, respectively.

52. For the other possible Host DUs, TransCo has yet to receive the data that it requested. In the meantime, TransCo used figures from www.kuryente.org.

53. Here is a summary of the FCRR¹⁴:

Table 6. FCRR for Host DUs, PhP/kWh

Host DU	Weighted Average Generation Cost	Data Source
DASURECO	4.6627	FIT-All Fund ACRR Payment of DASURECO
COTABATO LIGHT	2.8784	kuryente.org
BUSECO	3.7339	kuryente.org
FIBECO	4.7303	ACRR Rate from Host DU
SOCOTECO I	5.5160	ACRR Rate from Host DU
SUKELCO	3.7456	kuryente.org

54. Multiplying the forecast eligible RE Generation summarized in Table 2 by the appropriate FCRRs (done on a per plant and per month basis) gives the following total FCRR in pesos:

¹⁴Printouts of DASURECO's actual Monthly CRR Rate from June 2016 to May 2017, CLPC Effective Rate for Residential Customer for the period January 2014 to December 2014, SUKELCO Effective Rate for Residential Customer for the period January 2014 to December 2014, FIBECO Power Suppliers Generation Cost from May to December 2016 and January 2017 and applicable CRR Rate from February to May 2017 from TransCo FIT Administration Data, SOCOTECO I monthly generation cost from May 2016 to April 25, 2017 submitted thru its letter dated May 17, 2017 and applicable CRR Rate for May 2017 from TransCo FIT Administration Data, BUSECO Effective Rate for Residential Customer for the period March 2014 to February 2015 from the website www.kuryente.org are attached hereto as Annexes "J" to "J-12", "K" to "K-11", "L" to "L-11", "M" to "M-7", "N" to "N-3", and "O" to "O-11", respectively, to form integral parts hereof.

Table 7. Total Forecast Cost Revenue by Technology, in Mn Pesos

Technology	2012-2015	2016	2017	2018	2019
Biomass	922,329	1,444,100	2,748,260	3,405,509	3,473,789
Hydropower	302,913	336,793	959,026	1,947,585	1,947,653
Solar	669,876	1,980,114	2,510,078	2,665,142	2,651,209
Wind	2,400,497	2,139,087	3,285,117	3,987,981	3,987,981
Total	4,295,615	5,900,094	9,502,482	12,006,217	12,060,632

Similarly as for the FIT rates, the 2018 FCRRs were adopted for 2019 since these are merely intended for the determination of the Working Capital Allowance, a buffer fund, as discussed below.

55. **2017 Under-recoveries.** The last term in the formula for FIT Differential is the amount of under-recovery or over-recovery of the FIT Differential. For this Application, TransCo has determined that there will be an under-recovered FIT Differential by the end of 2017.

56. The under-recovery results from the fact that the estimated collection for 2017 is less than the estimated amount of payables that will be billed to TransCo by Eligible RE Developers until the last billing month of 2017. TransCo prepared the estimates under the assumption that the provisionally approved FIT-All rate of P0.1830/kWh will prevail until the last billing month of 2017.

57. By the end of the billing and payment cycle for 2017, it is estimated that the FIT-All Fund will have a deficit of **Php 8,668,804,005.77**¹⁵ in terms of collection vis-à-vis payables.

58. **FIT Differential for 2015-2017 generation charged to 2018 FIT-All Rate**¹⁶. This pertains to energy generation for years 2015 to 2017 that are expected to be billed to TransCo for 2018. Section 4.5 of the RE Payment Agreement (REPA) provides that the Eligible RE Developer shall only start billing TransCo for FIT Differential upon the REPA's effectivity. Where months have lapsed from the Commercial Operation Date (COD) until the Effective Date of REPA, the Actual FIT Differential shall be billed to TransCo over the number of months lapsed from COD to REPA Effective Date.

59. It is estimated that total FIT Differential for 2015, 2016 and 2017 generation, amounting to **Php 163,683,780.93**, **Php 528,598,054.00** and **Php 134,383,531.19**, respectively, will be due in 2018.

60. **FIT Differential.** Following the formula for FD in Paragraph 27 (first two terms), the total FCRR in Table 7 is subtracted from the corresponding FIT Revenue in Table 4, on a per plant basis, and yields the following summary for 2014-2019:

¹⁵Table showing the details of computation of the 2017 FIT Differential deficiency is hereto attached as **Annex "P"** and made an integral part hereof.

¹⁶Summary of 2015- 2017 FIT Differential charged to 2017 FIT-All Rate Computation is shown as **"Annex Q"** to form an integral part hereof.

Table 8. FIT Differential (without under-recovery and accrued 2015-2017 FIT Differential), in Mn Pesos

Technology	2012-2015	2016	2017	2018	2019
Biomass	935,652	2,100,611	3,030,356	3,745,931	3,948,386
Hydropower	223,903	266,563	623,195	1,426,682	1,433,751
Solar	821,430	3,712,126	4,194,187	5,016,881	4,991,229
Wind	3,918,670	5,454,296	5,707,092	5,789,065	5,789,065
Total	5,899,655	11,533,596	13,554,829	15,978,559	16,162,432

The 2019 levels are shown only for the purpose of computing the WCA which is discussed below.

61. The final FIT Differential for 2018 in P/kWh, inclusive of the under-recovery for 2017 and the accrued FIT-Differential for 2015-2017 generation charged to 2018, is as follows:

Table 9. Total FIT Differential, in Pesos

Particulars	Amount	P/kWh
2018 FIT Differential -2018 Gen	15,978,558,934.90	0.1882
2018 FIT Differential -2015 Gen	163,683,780.93	0.0019
2018 FIT Differential -2016 Gen	528,598,054.00	0.0062
2018 FIT Differential -2017 Gen	134,383,531.19	0.0016
2017 Under Recovery	8,668,804,005.77	0.1021
Total	25,474,028,306.79	0.3001

62. It is worthy to note that for the 12-month period June 2014 to May 2017, the average effective Actual Cost Recovery Rate as derived from the FIT-All Fund database is much lower than the Forecast Cost Recovery Rate used in the 2017 FIT-All Application following the formula in the FIT-All Guidelines. Thus, this contributed to the projected under-recovery shown earlier.

Table 10. Effective ACRR Rate vs FCRR Rate Used in the 2017 FIT-All Application

	Effective ACRR, P/kWh	FCRR as Applied*, P/kWh
Wind		
Luzon	2.5127	4.9331
Visayas	1.9972	3.5409
Solar		
Luzon	3.5404	4.9331
Visayas	2.7564	3.5409
Mindanao	5.0286	4.1955
Biomass		
Luzon	3.0951	4.9331
Visayas	2.0772	3.5409
Hydro		
Luzon	3.0108	4.9331
Mindanao	4.7540	4.7592

**based on 2017 FIT-All Application*

III. Working Capital Allowance

63. The WCA is part of the FIT-All and serves as buffer to address any default or delay in the collection and/or remittance of the

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FIT-All and/or Actual Cost Recovery Revenue (ACRR) including, but not limited to, the following:

- i. Variations between the actual and forecasted (a) RE Generation from Eligible RE Plants resulting from over- and under- generation, (b) Annual National Sales and (c) applicable Forecast Cost Recovery Rates and Actual Cost Recovery Revenues;
- ii. The timing difference of the collection and billing cycle for the FIT-All and Actual Cost Recovery Revenue; and,
- iii. Any other collection or payment shortfall.

64. The WCA amount for collection is expressed as:

$$WCA_{t+1} = (ForecastAnnualPayout_{t+2} \times FactorRate) - WCA_{EndingBalance_t}$$

Where:

WCA_{t+1}	Is the Working Capital Allowance to be funded during Year _{t+1}
Forecast Annual Payout _{t+2}	Is the projected amount of payables out of the FIT-All Fund for year _{t+2} consisting of forecasted Total FIT Revenues, forecasted Administration Allowance and forecasted Disbursement Allowance for Year _{t+2} . The forecasted Total FIT Revenues for Year _{t+2} is the sum of the product of the Forecast RE Generation of Eligible RE Plant _x for Year _{t+2} multiplied by the appropriate FIT Rate _x for Year _{t+2} . The forecasted Administration Allowance for Year _{t+2} is the Administration Allowance for Year _{t+1} , less any non-recurring expenditures such as those relating to the initial filing of the FIT-All, adjusted for forecast CPI for Year _{t+2} . The forecasted Disbursement Allowance for Year _{t+2} is the projected level of payment to the Trustee Bank in Year _{t+2} .
WCA Ending Balance _t	Is the ending balance of the Working Capital Allowance account in Year _t including any interest income earned in the WCA account and all other component accounts of the FIT-All Fund; if this is not available at the time of filing, the ending balance for the month immediately preceding the month of filing, subject to updating by the ERC of the actual ending balance of the WCA account in Year _t if it shall become available prior to the issuance of its Decision on the FIT-All application.
Factor Rate	Is the factor rate approved by the ERC, upon recommendation of the NREB, reflective of funding requirements of the FIT-All Fund, adjusted by (i) a period factor based on the billing and collection cycle of the Collection Agents as described in the Guidelines; and (ii) the collection efficiencies of Collection Agents. Data for the initial year shall be sourced from PSALM for its collection of the Universal Charge. Data for succeeding years shall be based on FIT-All historical collection efficiency rate.

65. From the foregoing, it may be gleaned that an initial Forecast Annual Payout for the year 2019 needs to be determined since it is envisioned that buffer requirements for the following year should be collected and built up during the current year. Hence, aside from the 2018 levels for Forecast Cost Recovery Revenue, FD, AA and DA, the 2019 projected levels were also established.

66. For the purpose of computing the WCA, the FCRRs used by TransCo for 2019 were set at the same level as the 2018. The same holds for the FIT Rates.

67. Summarizing Table 7 and Table 8, we have the following inputs in computing the Forecast Annual Payout for 2018:

Table 11. 2019 Forecast Cost Recovery Revenue and FIT Differential, in Mn Pesos

Technology	FORECAST COST RECOVERY REVENUE	FIT DIFFERENTIAL
Biomass	3,473,789	3,948,386
Hydropower	1,947,653	1,433,751
Solar	2,651,209	4,991,229
Wind	3,987,981	5,789,065
Total	12,060,632	16,162,432

68. The projected AA for 2019 is estimated to be **Php 9,815,451.02**¹⁷.

69. For simplicity, the estimated trustee fee/ Disbursement Allowance for 2019 is set at the 2018 level of **Php1,136,493.58** as stated in Paragraph 81.

70. Combining the results and assumptions given in Paragraphs 67 to 69, the Forecast Annual Payout for 2019 is as follows:

Table 12. 2019 Forecast Annual Payout, in Pesos

Technology	2019
Forecast Cost Recovery Revenue	12,060,632,424
FIT Differential	16,162,431,576
Administration Allowance	9,815,451
Disbursement Allowance	1,136,494
Forecast Annual Payout	28,234,015,945

71. The Guidelines further provide the use of a Factor Rate that will be multiplied to the Forecast Annual Payout for 2019.

72. Pursuant to the Guidelines, the NREB recommended a formula for the Factor Rate in the 2014-2015 FIT-All Application. Using the same formula for this Application but with updated inputs, a factor rate of **9.1154%**¹⁸ was derived.

¹⁷Projected Administration Allowance for years 2018 and 2019 is hereto attached as **Annex T** to form integral part hereof.

¹⁸2018 Factor Rate computation using the formula recommended by NREB in its Resolution No. 3 Series of 2014 is attached hereto as **Annex "R"** to form an integral part hereof.

73. Further, the Guidelines define the WCA Ending Balance to be the balance of the WCA component account for the immediately preceding month prior to the month of filing. However, TransCo deemed it best to project the level up to year-end 2017 for a more realistic determination. Given the deficiency in the fund balance to address even the FD to date, the WCA in fact has no balance. Truth to tell, the amounts TransCo uses to augment the ACRR remittance of PEMC and pay the Interest Expense billed by Eligible RE Developers, constitute negative fund balance. TransCo has estimated a WCA Ending Balance of **-PhP 600,679,190.03**¹⁹, which represents the projected deficiency for ACRR and estimated accrued interest until end of 2017.
74. However, given that the WCA sub-account has considerably not been funded or established over the years due to the deficit, TransCo opines that establishing the WCA from scratch without consideration of an adjustment for prior period's ending balance, will conceptually suffice in setting the buffer requirement. As such, TransCo proposes not to consider the amount of **PhP 600,679,190.03 or PhP 0.0071/kWh** as an addition to the WCA for 2018, given the subtraction of a negative number in the WCA formula. In other words, TransCo is proposing to set the WCA Ending Balance term for this Application to zero (0).
75. From the given information, the combined buffer required for 2018, which is equivalent to the 2019 fund requirement multiplied by the Factor Rate less the WCA ending balance, is **PhP 2,573,633,043.18**, derived as:

Table 13. Determination of WCA, in Pesos

Technology	2018	2019
Forecast Annual Payout		28,234,015,945
x Factor Rate		9.1154%
Equals: Portion of Annual Payout		2,573,633,043
Less: WCA Ending Balance (Year n)		
Working Capital Allowance	2,573,633,043	
WCA, Php/kWh	0.0303	

76. The table above provides the corresponding PhP/kWh level of the WCA for 2018, which is **PhP/kWh 0.0303**.

IV. Administration and Disbursement Allowance

77. As provided for in Section 2.5 of the FIT Rules, the FIT- All shall also take into account the Applicant's administration costs to defray expenses of the Administrator in connection with the performance of its functions as FIT-All Fund Administrator (Administration Allowance).
78. For the year 2018, TransCo proposes an Administration Allowance of **PhP 9,962,472.96** as shown in Annex "T".
79. A similar fee may be imposed by the designated Trustee of the FIT All Fund in accordance with the Trust Agreement approved

¹⁹ 2017 Estimated WCA-Ending Balance determined s of 2014 is attached hereto as **Annex "S"** to form an integral part hereof.

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by the ERC to defray standard administrative costs in establishing and managing the actual collection and disbursements of the FIT-All Fund and all other monetary collections authorized by the FIT Rules (Disbursement Allowance).

80. From the Trust Agreement entered into by Land Bank of the Philippines (LBP)-Trust and TransCo on 03 March 2015²⁰ and subsequently approved by the ERC, TransCo shall pay a fixed fee of P720,000 per annum plus some variable components.

81. Based on TransCo's estimates of fund balances which will be the major basis of the variable component that is the Bangko Sentral ng Pilipinas Supervision Fee, the Disbursement Allowance or the service fee of LBP for 2018 is **PhP 1,136,493.58**.²¹

V. FIT-ALL RATE FOR 2018

82. Applying the above components to the formula for FIT-All, we have the following, in PhP/kWh:

$$\begin{aligned}
 FIT-All &= \frac{FD + WCA + AA + DA}{FNS} \\
 &= 0.3001 + 0.0303 + 0.0001 + 0.00001 \\
 &= 0.3305
 \end{aligned}$$

83. In more detail, the components and result of the FIT-All calculation may be summarized in the following table:

Table 15. Summary of 2018 FIT-All Rate Computation

COMPONENTS	Amount (Php)	Rate (P/kWh)	Share
FD	25,474,028,307	0.3001	90.79%
2018 FIT Differential -2018 Gen	15,978,558,935	0.1882	56.95%
2018 FIT Differential -2015 Gen	163,683,781	0.0019	0.58%
2018 FIT Differential -2016 Gen	528,598,054	0.0062	1.88%
2018 FIT Differential -2017 Gen	134,383,531	0.0016	0.48%
2017 Under Recovery	8,668,804,006	0.1021	30.90%
WCA	2,573,633,043	0.0303	9.17%
AA	9,962,473	0.0001	0.04%
DA	1,136,494	0.00001	0.00%
Total	28,058,760,317	0.3305	
FNS, kWh	84,889,570,430		
FIT-All, Php/kWh			

84. However, TransCo would like to present some additional computations that show the estimated 2018 FIT-All at different categories of FIT-eligible/-candidate RE Projects:

²⁰Copy of the Trust Agreement dated 03 March 2015 is hereto attached as Annex "U" to "U-24" and made an integral part hereof.

²¹Details of computation of the proposed DA is hereto attached as Annex "V" and made an integral part hereof.

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Table 16. Incremental Movement of the 2018 FIT-All for Different RE Plant/Project Categories (as of July 5, 2017)

	With Billings As of July 5, 2017	With COE		With Nomination		Full DOE List	
		Increase/(Decrease)	Total	Increase/(Decrease)	Total	Increase/(Decrease)	Total
MW	1,049.2	56.0	1,105.2	2.6	1,107.8	98.1	1,205.9
MWH	2,605,132	127,080	2,732,212	21,066	2,753,278	585,723	3,339,000

FIT-ALL Rate, P/kWh

FD	0.2407	0.0267	0.2672	0.0014	0.2686	0.0315	0.3001
2018 FD	0.1607	0.0147	0.1753	0.0009	0.1762	0.0219	0.1980
2017 Under Recovery	0.0800	0.0119	0.0919	0.0005	0.0924	0.0096	0.1021
WCA	0.0231	0.0011	0.0243	0.0002	0.0245	0.0059	0.0303
AA	0.0001	0.0000	0.0001	0.0000	0.0001	0.0000	0.0001
DA	0.00001	0.0000	0.00001	0.0000	0.00001	0.0000	0.00001
FIT-ALL Rate, P/kWh	0.2639	0.0278	0.2916	0.0016	0.2932	0.0373	0.3305

COE - Certificate of Endorsement issued by the DOE

Nomination - Issued by the DOE when an RE project attains at least 80% electromechanical completion

Based on the above table of FIT-All calculation, attached as Annex "W" is a list of RE Plants/Projects per category.²²

85. TransCo has deemed it reasonable to give more weight to plants that have already been inspected by the DOE to have achieved at least 80% electromechanical completion. Further, under the Honorable Commission's Decision in ERC Case No. 2014-109 RC²³ limiting the forecast RE generation included in the computation of the FIT-All to those RE plants with Certificate of Endorsement (COE) for FIT eligibility from DOE, TransCo has opted to recommend and seek the Honorable Commission's approval of a FIT-All rate lower than the total computed level of PhP/kWh 0.3305, considering project status. Inasmuch as there are only two (2) additional plants (total of 2.6MW) that have been issued a nomination for FIT eligibility by the DOE but have not yet been issued FIT-eligible Certificate of Compliance (COC) by the ERC, TransCo has considered at least the nomination by DOE for FIT eligibility as the criterion for its recommendation.

86. The computed 2018 FIT-All rate covering RE Projects with at least nomination from the DOE as of 05 July 2017 for the FIT system is PhP/kWh 0.2932. These projects, have ongoing construction and have reached at least 80% electromechanical completion, thus, are almost sure to operate within the period under consideration, if not already operating to date.

²² List of FIT-Eligible/Potentially Eligible RE Plants as of July 5, 2017 is hereto attached as Annex "W"

²³ In the Matter of the Application for Approval of the Feed-In Tariff Allowance for Calendar Years 2014 and 2015 Pursuant to the Guidelines for the Collection of the Feed-In Tariff Allowance and Disbursement of the Feed-In Tariff Allowance Fund, with Prayer for Provisional Authority

ALLEGATIONS IN SUPPORT OF THE PRAYER
FOR PROVISIONAL AUTHORITY

87. TransCo repleads the foregoing allegations insofar as they may be applicable.
88. It is respectfully submitted that the computation of, as well as the data used by, TransCo are all in accordance with the FIT Rules and the Guidelines issued by the ERC.
89. On this basis, TransCo most respectfully moves for the immediate issuance of a "Provisional Authority" pursuant to Rule 14, Section 3²⁴ of the ERC Rules of Practice and Procedures to allow applicant TransCo to timely implement the FIT-All Rate of **PhP/kWh 0.2932** effective January 2018 without prejudice to the final and actual rate pending the final disposition of its present *Application*.
90. The grant of a Provisional Authority will allow TransCo to perform its duties to make a timely payment of the FIT Rate to RE Developers to which they are entitled, thereby allowing their continued operations.
91. In support of the foregoing allegations in this Application, including those for the issuance of the provisional authority, TransCo hereby submits the Judicial Affidavit of **Ms. Dinna O. Dizon, Manager of TransCo's Compliance Monitoring Department (CMD)**.²⁵

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Commission that:

- a. Pending hearing on the merits of the present Application, provisional authority to collect the FIT-ALL of **PhP/kWh 0.2932** effective January 2018 billing period be issued;
- b. The Collection Agents – DUs, RES, and NGCP – be directed to bill, collect and remit the FIT-All to the FIT-All Fund as provided in the FIT-All Guidelines;
- c. PEMC and the Host DUs be directed to remit the ACRR to the FIT-All Fund as provided in the FIT-All Guidelines;
- d. The Factor Rate resulting from an updating of inputs in the recommended formula by the NREB under the 2014-2015 FIT-All Application (ERC Case No. 2014-109RC) be approved and applied in the computation of the WCA and the FIT-All Rate for 2018;

²⁴**Section 3. Action on the Motion.** - Motions for provisional authority or interim relief may be acted upon with or without hearing. The Commission shall act on the motion on the basis of the allegations of the application or petition and supporting documents and other evidences (sic) that applicant or petitioner has submitted and the comments or opposition filed by any interested person, if there be any."

²⁵A copy of the Judicial Affidavit of Ms. Dinna O. Dizon is attached hereto as **Annex "X"** to form an integral part hereof.

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e. After due notice and hearing, a FIT-All Rate of **PhP/kWh 0.2932** for 2018 computed for RE Projects with at least nomination from DOE for eligibility under the FIT system be approved;

e.1. **OR IN THE ALTERNATIVE**, after due notice and hearing, a FIT-All Rate for 2018 based on new evidence presented at the trial but not available to the Applicant at the time of the filing of the present application be approved; and

f. TransCo be exempt from payment of permit/supervision fees, if any.

Other reliefs as may be just and equitable under the premises are likewise most respectfully prayed for.

The Commission has set the *Application* for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference, and presentation of evidence on the following dates and venues:

DATE	TIME	VENUE	PARTICULARS
21 November 2017 (Tuesday)	1:00 P.M.	ERC Mindanao Field Office Mintrade Bldg., Monteverde Ave. cor. Sales St., Davao City	Jurisdictional Hearing and Expository Presentation
28 November 2017 (Tuesday)	9:00 A.M.	ERC Visayas Field Office St. Mary's Drive, Banilad, Cebu City	Expository Presentation
06 December 2017 (Wednesday)	10:00 A.M.	ERC Hearing Room 15th Floor, Pacific Center Building, San Miguel Avenue, Pasig City	Expository Presentation, Pre-trial Conference and Evidentiary Hearing

All persons who have an interest in the subject matter of the instant case may become a party by filing with the Commission a verified Petition to Intervene at least five (5) days prior to the initial hearing and subject to the requirements under Rule 9 of the 2006 Rules of Practice and Procedure, indicating therein the docket number and title of the case and stating the following:

- 1) The petitioner's name and address;
- 2) The nature of petitioner's interest in the subject matter of the proceeding and the way and manner in which such

interest is affected by the issues involved in the proceeding;
and

- 3) A statement of the relief desired.

All other persons who may want their views known to the Commission with respect to the subject matter of the case may file their Opposition or Comment thereon at any stage of the proceeding before Applicant rests its case, subject to the requirements under Rule 9 of the 2006 Rules of Practice and Procedure. No particular form of Opposition or Comment is required, but the document, letter, or writing should contain the following:

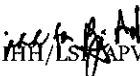
- 1) The name and address of such person;
- 2) A concise statement of the Opposition or Comment; and
- 3) The grounds relied upon.

All such persons who wish to have a copy of the *Application* may request from Applicant that they be furnished with the same prior to the date of the initial hearing. Applicant is hereby directed to furnish all those making such request with copies of the *Application* and their attachments, subject to the reimbursement of reasonable photocopying costs. Any such person may likewise examine the *Application* and other pertinent records filed with the Commission during the standard office hours.

WITNESS, the Honorable Officer-in-Charge (OIC), Chairman and CEO **ALFREDO J. NON**, and the Honorable Commissioners **GLORIA VICTORIA C. YAP-TARUC**, and **GERONIMO D. STA. ANA**, Energy Regulatory Commission, this 6th day of October 2017 in Pasig City.

FOR AND BY AUTHORITY
OF THE COMMISSION:


JOSEFINA PATRICIA A. MAGPALE-ASIRIT
Oversight Commissioner for Legal

LS: 
LS: JHH/LS: JAPV