Republic of the Philippines
ENERGY REGULATORY COMMISSION
Exquadra Tower, 1 Jade Drive, Ortigas Center
Brgy. San Antonio, Pasig City 1605

Annex "A"

IN THE MATTER OF THE APPLICATION FOR AUTHORITY TO DEVELOP, AND OWN OR OPERATE DEDICATED POINT-TO-POINT LIMITED FACILITIES TO CONNECT THE 49.500MWac SUAL SOLAR POWER PLANT TO THE NATIONAL GRID CORPORATION OF THE PHILIPPINES' LABRADOR-BANI 69kV TRANSMISSION LINE

WITH PRAYER FOR CONFIDENTIAL TREATMENT OF INFORMATION AND FOR THE ISSUANCE OF PROVISIONAL AUTHORITY AND/OR OTHER APPLICABLE INTERIM RELIEF,

RENOVABLE EARTH CORP.
Applicant

x ----------x

ERC Case No.
2026-034 MC

June 18, 2026

APPLICATION
with
MOTION FOR CONFIDENTIAL TREATMENT OF INFORMATION AND FOR THE ISSUANCE OF PROVISIONAL AUTHORITY AND/OR OTHER APPLICABLE INTERIM RELIEF

Applicant **RENOVABLE EARTH CORP. ("REC")**, through the undersigned counsel, respectfully states that:

THE APPLICANT

1. REC is a corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines with principal office at

26th Floor, The Podium West Tower, 12 ADB Avenue, Ortigas Center, Mandaluyong City, Philippines 1550.

2. REC is authorized to file the present Application by virtue of the Secretary's Certificate dated 11 November 2025, a copy of which is attached, marked, and made an integral part hereof as **Annex "A."**

3. REC may be served orders and other processes through the undersigned counsel at Unit 704 Liberty Center, 104 H.V. Dela Costa Street, Salcedo Village, Brgy. Bel-Air, Makati City, Metro Manila, Philippines.

NATURE OF THE APPLICATION

4. This Application is submitted to this Honorable Commission pursuant to Section 9, paragraph 3 of Republic Act No. 9136 or the Electric Power Industry Reform Act of 2001 ("**EPIRA**") which states that:

> "x x x A generation company may develop and own or operate dedicated point-to-point limited transmission facilities that are consistent with the TDP: Provided, that such facilities are required only for the purpose of connecting to the transmission system, and are used solely by the generating facility, subject to prior authorization by the ERC. x x x"

5. This Application is similarly filed pursuant to Section 5, Rule 5 of the Implementing Rules and Regulations of EPIRA which provides:

> "x x x Subject to prior authorization from ERC, TRANSCO or its Buyer or Concessionaire may allow a Generation Company to develop, own and/or operate dedicated point-to-point limited transmission facilities: Provided, that:
>
> (i) Such dedicated point-to-point limited transmission facilities are required only for the purpose of connecting to the Grid which will be used solely by the Generation Facility, and are not used to serve End-users or Suppliers directly;
>
> (ii) The facilities are included and consistent with the TDP as certified by TRANSCO or its Buyer or Concessionaire; and
>
> (iii) Any other documents that may be required by the ERC. x x x"

6. REC is proposing to develop and own interconnection facilities (the "**Dedicated Facility Project**" or "**Facility**"), which shall connect the 49.500MWac, more or less, Sual Solar Power Plant (the "**Project**") located in Barangay Capantolan, Barangay Caoayan, Barangay Pangascasan, Municipality of Sual, Province of Pangasinan to the Luzon Grid through the National Grid Corporation of the Philippines' ("**NGCP**") Labrador-Bani 69kV Transmission Line.

7. The Project is not included in the approved 2022-2040 Transmission Development Plan ("**TDP**") of the Department of Energy ("**DOE**"). In lieu thereof, on 25 November 2025, the DOE issued Certificate of Endorsement for Point-to-Point No. DOE-EPIMB-ERC-P2P No. 2025-11-030 in favor of the Project to certify that the same is consistent with Section 9 of the EPIRA (the "**COE-P2P**").

STATEMENT OF FACTS

8. On 27 June 2023, the DOE issued Solar Energy Operating Contract No. 2023-06-668 (the "**SEOC**") and a Certificate of Registration ("**DOE-COR**") to the Applicant in favor of the Project. By virtue of the SEOC, REC was granted the exclusive right to explore, develop, and utilize solar resources within the approved contract area.

9. Pursuant to the SEOC, REC is developing the Project, including its transmission facility. Notably, Section 20 of Republic Act No. 9513, otherwise known as the Renewable Energy Act of 2008 ("**RE Law**") mandates that REC shall enjoy the benefit of priority dispatch as a generating unit utilizing an intermittent renewable energy resource. To wit:

> "**Section 20. Intermittent RE Resources.** TRANSCO or its successors-in-interest, in consultation with stakeholders, shall determine the maximum penetration limit of the Intermittent RE-based power plants to the Grid, through technical and economic analysis. **Qualified and registered RE generating units with intermittent RE resources shall be considered "must dispatch" based on available energy and shall enjoy the benefit of priority dispatch.** All provisions under the WESM Rules, Distribution and Grid Codes which do not allow "must dispatch" status for intermittent RE resources shall be deemed amended or modified. x x x" *(Emphasis supplied)*

10. On 09 June 2025, the DOE issued a Certificate of Energy Project of National Significance ("**CEPNS**") in favor of the Project.

11. On 30 May 2025, the Board of Investments ("**BOI**") awarded a Certificate of Endorsement (OSAC-SI-2025-00035) to Renovable Earth Corp., certifying that the Project is identified and designated as Strategic Investment pursuant to Executive Order No. 18 ("**E.O. 18**") entitled "Constituting Green Lanes for Strategic Investments."

12. On 03 August 2023, the Project was granted a Certificate of Non-Overlap by the National Commission on Indigenous Peoples ("**NCIP**") Region 1, and on 04 February 2025, the Project was granted an Environmental Compliance Certificate ("**ECC**") by the Department of Environment and Natural Resources ("**DENR**").

13. On 06 November 2025, the DOE awarded the Applicant as one of the winning bidders of the Green Energy Auction Program 4 ("**GEA-4**") for the Project.

14. In order to test, commission, and dispatch from the Project, REC shall develop and construct a dedicated point-to-point facility which will connect the Project to the Luzon Grid through NGCP's Labrador-Bani 69kV transmission line, given that the Project is considered a large generating facility.

15. The interconnection of the Project to the Labrador-Bani Transmission Line of NGCP involves the construction of the following:

(a) 69kV substation with 55 MVA 69/34.5kV step-up transformer in the solar PV plant side;

(b) 5 k.m., single-circuit transmission line using 1-336.4 MCM ACSR conductor from the 69kV substation to the switching station near the tapping point at NGCP Labrador-Bani transmission line; and

(c) 69kV switching station near the tapping point at NGCP Labrador-Bani transmission line.

16. REC finds this scheme to be feasible in terms of project cost and implementation.

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

16.2 The breakdown of the major cost components of the Dedicated Facility Project is as follows:

PROJECT COMPONENTS	AMOUNT (Php)
Plant Substation	167,485,539.00
Transmission Line	40,278,356.00
Switching Station	87,236,105.00
TOTAL PROJECT COST	295,000,000.00

17. On 18 July 2023, the Applicant applied through the DOE's Energy Virtual One Stop-Shop System ("**EVOSS**") for a Clearance to Undertake System Impact Study in favor of the Project (the "**SIS Clearance**"). The SIS Clearance was issued by the DOE on 27 July 2023.

18. Thereafter, the NGCP conducted a System Impact Study ("**SIS**") in April 2024 to determine the technical feasibility of the proposed connection scheme and identify the required transmission reinforcements, if any. Based on the SIS conducted by the NGCP, the proposed connection scheme was found to be technically feasible. The details of NGCP's findings are in the SIS attached hereto, and made an integral part hereof.

19. In August 2024, MN Electro, a third party consultant, conducted a Facilities Study ("**FS**") to determine which facilities and equipment should be installed by the Applicant based on the requirements of the SIS and the Philippine Grid Code ("**PGC**"). Subsequently, NGCP issued a report for the said FS dated 14 November 2024.

20. The Applicant has entered into a Connection Agreement ("**CA**") with NGCP dated 16 January 2025 for the interconnection of the Project to NGCP's distribution system through the Dedicated Facility Project.

21. The Applicant will forthwith apply for a Certificate of Compliance prior to the commissioning of the Project pursuant to the Rules and the requirements of the Honorable Commission.

22. In light of the foregoing, REC respectfully seeks the confirmation and approval that the connection to NGCP's Labrador-Bani 69kV Transmission through the Dedicated Facility Project as proposed under the SIS is the most viable option for connecting the Project to the Luzon Grid.

23. REC has determined the NGCP as possible contractor to operate and maintain the Dedicated Facility Project. REC has also considered Schema Konsult, Inc. as a possible contractor for supplying the necessary equipment, material, labor, and services to complete the Dedicated Facility Project. REC undertakes to submit its respective agreements with NGCP and Schema Konsult, Inc. or any contractor in due time.

24. In support of this Application, copies of the following documents are hereto attached and made integral parts hereof:

ANNEX	DOCUMENT
"A"	Secretary's Certificate dated 12 January 2026 authorizing the transaction before the ERC in relation to this Application
"B"	REC's Certificate of Incorporation dated 21 May 2021, Articles of Incorporation, and By-laws
"C"	REC's Certificate of Filing of Amended Articles of Incorporation dated 19 September 2022, and Amended Articles of Incorporation
"D"	REC's Certificate of Approval of Increase of Capital Stock dated 19 September 2022
"E"	REC's General Information Sheet for 2025
"F"	SEOC No. 2023-06-668
"G"	DOE-COR dated 27 June 2023
"H"	GEA-4 Certificate of Award
"I"	Project Rationale explaining the reason why the Applicant opted to develop and own a dedicated point-to-point facility
"J"	Description of the Dedicated Facility Project
"K"	Affidavit stating that there are no other alternatives considered for the connection of the Project to the Luzon Grid
"L"	COE-P2P No. 2025-11-030
"M"	Copy of Third-Party Facilities Study
"N"	Copy of the Facilities Study Review Report issued by NGCP
"O"	Copy of the Project's SIS Final Report issued by NGCP
"P"	The Project's Single Line Diagram Layout
"Q"	Conceptual Engineering Design and Drawings
"R"	Dedicated Facility Project Detailed Estimated Cost
"S"	Gantt Chart for the Sual Solar Power Plant and Relevant Dates
"T"	DOE 2020 Power Demand and Supply Highlights
"U"	Connection Agreement
"V"	CEPNS No. 2025-06-0281
"W"	Certificate of Endorsement No. OSAC-SI-2025-00035
"X"	The Project's ECC No. ECC-OL-R01-2025-0021
"Y"	The Project's NCIP CNO No. CNO-ROI-2023-70
"Z"	Company Profile of Schema Konsult, Inc.
"AA"	Curricula vitae of personnel as proof of technical capability to operate limited transmission facilities
"BB"	List of names, and addresses of personnel responsible for the design, installation, maintenance, and repair of equipment for the proposed Dedicated Facility Project

"CC"	Statement of Compliance and Compliance Plan to the Philippine Grid Code ("PGC") or Philippine Distribution Code ("PDC")
"DD"	Judicial Affidavit of Engineer Walbert D. Ocampo

MOTION FOR ISSUANCE OF PROVISIONAL AUTHORITY OR OTHER APPLICABLE INTERIM RELIEF AND ALLEGATIONS IN SUPPORT OF THE PRAYER FOR PROVISIONAL AUTHORITY

25. Rule 14 of this Honorable Commission's Revised Rules of Practice and Procedure (the "**Revised ERC Rules of Procedure**") authorizes the issuance of a provisional authority or an interim relief prior to a final decision upon motion included in the application or petition and in the caption of the pleading accompanied by supporting affidavits and documents. Sections 1 and 2 of Rule 14 provides:

> "Section 1. Provisional Authority or Interim Relief. – For applications or petitions covered by Section 1, Rule 6 of these Rules, the Commission may grant either a provisional authority or an interim relief, upon motion included in the application or petition and indicated in the caption thereof that such relief is requested, or through a separate motion filed by the applicant or petitioner.
>
> Section 2. Allegations in the Motion and Supporting Documents. – The motion must allege such facts and circumstances that would justify the Commission's exercise of discretion in granting provisional authority or interim relief prior to a final decision. Such motion shall be accompanied by affidavits and documents in support of the allegations therein."

26. Given the RE Law's objective 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 the Applicant to achieve commerciality and commence operations at the soonest practicable time. The construction of the Dedicated Facility Project is a pre-requisite for the testing and commissioning, and ultimately, the commercial operations of the Project.

27. Since the Applicant was awarded as one of the winning bidders in the GEA-4, the Applicant has been aggressively applying for relevant permits to meet its commitment to operate the Project.

28. Given the timeline, the completion of the Project and the Dedicated Facility Project within its projected timeframe is critical to ensure that additional capacity to the Luzon Grid becomes available in a timely manner.

29. Accordingly, the issuance of a Provisional Authority for the development and ownership of the Dedicated Facility Project is necessary so that the Project's generated power becomes readily available for public use.

30. In relation thereto, in order to achieve the target completion date of the Project's Dedicated Facility Project, the Applicant also prays this Honorable Commission to authorize it to proceed with the construction of the Dedicated Facility Project pending the issuance of the Provisional Authority.

31. In support of the foregoing allegations, a copy of the Judicial Affidavit of Engineer Walbert D. Ocampo is attached as **Annex "DD"** hereof.

MOTION FOR CONFIDENTIAL TREATMENT OF INFORMATION AND ALLEGATIONS IN SUPPORT THEREOF

32. Rule 4, Section 1 of the Revised ERC Rules of Procedure provides that "a party to a proceeding before the Commission may move for information to be treated as confidential."

33. Applicant respectfully moves for the confidential treatment of the information contained in the following annexes and the non-disclosure thereof to unauthorized persons during the pendency of the present Application and up to its termination (the "**Confidential Annex**"):

ANNEX	DOCUMENT
"M"	Copy of Third-Party Facilities Study (to be treated as Confidential Information)

34. The confidential treatment of the information contained in the Confidential Annex is sought on the ground that the information contained therein, which pertains to designs, calculations, computations, and assumptions are proprietary in nature and should be protected as trade secrets. This is consistent with the ruling of the Supreme Court in *Air Philippines Corporation vs. Pennswell, Inc.*, G.R. No. 172835, 13 December 2007, which defined "trade secret" as follows:

> "A trade secret is defined as a plan or process, tool, mechanism, or compound known only to its owner and those of his employees to whom it is necessary to confide it. The definition also extends to a secret formula or process not patented, but known only to certain individuals using it in compounding some article of trade having a commercial value. A trade secret may consist of any formula, pattern, device, or compilation of information that: (1) is used in one's business; and (2) gives the employer an opportunity to obtain an advantage over competitors who do not possess the information. Generally, a trade secret is a process or device

intended for continuous use in the operation of the business, for example, a machine or formula, but can be a price list or catalogue or specialized customer list. It is indubitable that trade secrets constitute proprietary rights. The inventor, discoverer, or possessor of a trade secret or similar innovation has rights therein which may be treated as property, and ordinarily an injunction will be granted to prevent the disclosure of the trade secret by one who obtained the information "in confidence" or through a "confidential relationship."

35. In support of this motion, Applicant respectfully submits: (i) one (1) copy each of the Confidential Annex stamped with the word "Confidential"; and (ii) an index enumerating the contents of the envelope with sufficient particularity, pursuant to Section 1 (b), Rule 4 of the Revised ERC Rules of Procedure.

PRAYER

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

1. Before and during the pendency of the Application and the scheduled hearings, and up to the issuance of the final resolution of the present Application, an Order be issued –

   a. Authorizing the Applicant to construct the Dedicated Facility Project pending the issuance of a Provisional Authority to implement, develop, and own the Dedicated Facility Project;

   b. Granting the Applicant Provisional Authority to develop, own, and operate the Dedicated Facility Project;

   c. As regards the motion for confidential treatment of information:

      i. Granting the confidential treatment of the Confidential Annex from the time the foregoing are received by the Honorable Commission up to the termination of the present Application;

      ii. Specifying the procedures to be used by all other parties during the pendency of the Application to ensure the confidentiality of the information contained in the Confidential Annex;

iii. Specifying the procedures for handling or returning the information contained in the Confidential Annex, as may be appropriate, upon the close of the proceedings;

iv. Prohibiting the disclosure of the information contained in the Confidential Annex, except as: (1) may be agreed upon by the parties pursuant to a protective agreement; or (2) as may be otherwise directed by the Honorable Commission pursuant to a court order or law;

v. Specifying the procedures to be used at the time of the presentation of the Confidential Annex; and

vi. Requiring such other actions as the Honorable Commission may deem appropriate under the circumstances.

2. After due notice and hearing, a Decision be rendered approving the present Application and making permanent the Provisional Authority to develop, own, and operate the Dedicated Facility Project.

Other reliefs that are just and equitable under the premises are likewise prayed for.

Makati City for Pasig City, 13 February 2026.

RENOVABLE EARTH CORP.

By Counsel:

[redacted]

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IBP No. INV 023601; 26 May 2026; RSM
MCLE Compliance No. VIII-0036471; 28 May 2025
PTR No. MKT10857093; 28 May 2026; Makati City
lyke.alejandro@yanarapower.com / 0928 501 5971

VERIFICATION AND CERTIFICATION OF NON-FORUM SHOPPING

I, **MARGARET LOUISE L. HONRADO**, of legal age, with office address at Unit 704 Liberty Center Building, 104 H.V. Dela Costa Street, Salcedo Village, Brgy. Bel-Air, Makati City, after having been duly sworn in accordance with law, depose and state that:

1. I am the authorized representative of the Applicant in the above-stated case. I have caused the filing of this Petition before this Honorable Commission;

2. I caused the preparation of the foregoing Petition;

3. I have read the contents thereof and the facts stated therein are true and correct of my personal knowledge and/or on the basis of copies of documents and records in my possession;

4. I have not commenced any other action or proceeding involving the same issues in any other tribunal or agency, and to the best of my knowledge, no such other action or claim is pending therein;

5. If I should thereafter learn that a similar action or proceeding has been filed or is pending before any other tribunal or agency, I undertake to report that fact within five (5) days therefrom to this Honorable Commission.

[redacted]

MARGARET LOUISE L. HONRADO
Affiant

SUBSCRIBED AND SWORN to before me this MAY 2 8 2026, in Makati City, Philippines, affiant having exhibited to me her competent evidence of identity consisting of her Philippine Passport No. P5446293B.

Doc. No.: 70;
Page No.: 15;
Book No.: 15;
Series of 2026.

ATTY. RYAN ANTHONY G. PEREÑA
NOTARY PUBLIC for MAKATI CITY
Commission No. [illegible]012 until Dec. 31, 2027
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