

Grab-Move It deal falls below threshold for regulatory review

THE Philippine Competition Commission (PCC) said on Tuesday that Grab Philippines' acquisition of motorcycle taxi firm Move It does not require its approval.

"Based on an initial assessment by the PCC, Grab Philippines' acquisition of Move It likely did not breach the thresholds for compulsory notification," PCC Officer-in-Charge Chairman Johannes Benjamin R. Bernabe said in a statement.

"Hence, the parties need not wait for approval from the PCC to consummate the transaction," he added.

The commission noted that the transaction was entered into by Grab and Move It when the P50-billion notification thresholds under Republic Act No. 11494 or the Bayanihan to Heal as One Act was in effect.

"Likewise, the publicly announced size of transaction seems to not have breached the thresholds under the Bayanihan Law," according to Mr. Bernabe.

But he added that the PCC may still launch a motu proprio review of the transaction if it suspects it will result in a "substantial lessening of competition in the relevant markets."

Grab Philippines announced its acquisition of Move It in August, paving the way for its entry into motorcycle taxi operations.

"Transactions in digital markets are often characterized by small tangible assets that fail to meet the triggers for mandatory review. Their importance and utility to consumers, however, rank high in the priorities of the commission to merit steadfast monitoring," the PCC said.

"To note, this new acquisition by Grab Philippines will not affect the company's existing legal commitments to the PCC relating to its takeover of the Philippine operations of Uber," it added.

The commission added that it supports efforts to amend the Land Transportation and Traffic Code to allow two-wheeled vehicles as a mode of public transportation.

"Notwithstanding any comprehensive competition review, the commission considers the availability of motorcycle taxis and future expansion for the entry of more players as an indicator of an emerging market offering additional public transport options for commuters," the PCC said. — **Arjay L. Balinbin**

Electricity spot market prices rose in early Oct.

THE Independent Electricity Market Operator of the Philippines (IEMOP) said the average electricity spot market price in early October rose to P9.31 per kilowatt-hour (kWh) from P9.12 per kWh in September and P7.26 per kWh in August.

IEMOP considers the September average to be the high for the year, with October results still partial and subject to validation.

IEMOP said that in September, demand on the Wholesale Electricity Spot Market (WESM) rose 1.47% to 10,639 megawatts (MW), while the average supply fell 4.73% or 675 MW to 13,599 MW due to generator outages.

The spot market is where the power industry buys power when its long-term supply agreements are insufficient. They need to pay spot prices, which are at a premium to power contracted earlier for forward delivery.

IEMOP said power generated by diesel plants totaled 220-gigawatt hours (GWh) or 2.9% of the generation mix in September, up from 93 GWh or 1.2% in August.

Coal power plants accounted for 4,434 GWh or 57.6%, natural gas 1,407 GWh or 18.3%, geothermal 772 GWh or 10%, hydro 582 GWh or 7.6%, variable renewable energy resources 172 GWh or 2.8%, biomass 67 GWh or 0.9%, and battery energy storage systems 2 GWh or 0.03%. — **Ashley Erika O. Jose**

New vaccines seen necessary against new strains of Omicron

THE Philippines may need to bring in new vaccines to deal with emerging subvariants of the coronavirus disease 2019 (COVID-19) omicron strain without having to impose mobility restrictions, a government adviser said.

Jose Maria A. Concepcion III, Go Negosyo founder and member of the Marcos government's Private Sector Advisory Council, said in a statement on Tuesday that the new types of vaccines, known as bivalent vaccines, offer better protection against the Omicron XBB and XBC subvariant recently detected in the Philippines.

According to Mr. Concepcion, the Philippines needs "up-

to-date protection" to safeguard the recovery, which is being pressured by surging commodity prices, interest rates, and the weakening peso in the runup to the yearend, which many businesses depend on for their earnings.

The Health department reported on Tuesday that the 81 cases of subvariant XBB and 193 cases of XBC variant have been detected in the Philippines.

"This fourth quarter is so important because it is when business momentum increases and many jobs are created, especially in food and retail. It's also when businesses can have enough cash

flow and cross over to 2023," Mr. Concepcion said.

"There is no need to restrict movement; people only need to be careful. Businesses already know their own health protocols, and by now they have that experience," he added.

Mr. Concepcion said bivalent vaccines may help do away with the need for restricting mobility, which were damaging to the economy in the pandemic's early days.

"The number of cases may go up, but as long as the hospitals are not at full capacity, the economy can remain open," Mr. Concepcion said.

Mr. Concepcion said that he sent a letter to the Health department on Oct. 12 pledging private sector aid in bringing in and distributing bivalent vaccines, adding that his recommendation is to limit the choice of supplier to Pfizer and Moderna.

"Of utmost importance besides pre-registration is the least disruption in the personal cost and work schedule of those to be vaccinated who are battling more pressing concerns. We can reactivate arrangements and partnerships that have worked well in our previous implementation," Mr. Concepcion said. — **Revin Mikhael D. Ochave**

Supermarkets may stop selling sugar if gov't sets P70/kg price

A PLAN announced by the Department of Agriculture (DA) and the Sugar Regulatory Administration (SRA) to set the price of white sugar at P70 per kilogram (/kg) might lead to the withdrawal of some varieties of the commodity from supermarket shelves, an industry association said on Tuesday.

Steven T. Cua, Philippine Amalgamated Supermarkets Association president, said during an interview on *BusinessWorld Live* carried by One News Channel that association members might stop selling washed and brown sugar because white refined sugar sold according to the government's pricing.

"They probably won't be selling washed and brown sugar since white sugar will be at P70/kg, which will be cheaper than brown or washed sugar... This is what you call intervention within the economy," Mr. Cua said.

The DA announced on Monday that it will sell sugar to consumers

at P70/kg at SRA offices in Quezon City and Bacolod City.

It added that Kadiwa rolling stores will also retail sugar to consumers at P70/kg.

Mr. Cua said retailer price of white refined sugar at over P100/kg. "There will still be stock floating around at a P100+/kg, and then there will be items sold by different brands at P70/kg," Mr. Cua said.

"Even if a supermarket buys from suppliers (at a price that allows them) to sell at P70/kg, they will still have stock which (need to sell for) P100+/kg... It will be confusing for a bit," he added.

The DA has said that it is considering a suggested retail price (SRP) for sugar that is "acceptable" to consumers and the industry.

"P70/kg looks realistic (as an SRP), but again, is it sustainable? The government should be able to sustain it so that it doesn't go up and down just like fuel prices," Mr. Cua said. — **Revin Mikhael D. Ochave**

Tax 'leakage' from POGOs estimated at P1.9B as of August

THE tax "leakage" due to incorrect payments by Philippine Offshore Gaming Operators (POGOs) was estimated at P1.9 billion in the eight months to August, a senior legislator said.

Senator Sherwin T. Gatchalian said in a statement on Tuesday that the estimate suggests that "we are not realizing the full benefits of allowing POGO operations in the country."

The Philippines needs to "consider developing other industries that are sustainable, high-yielding, and long-term," he added, proposing a renewed focus on the business process outsourcing industry. Mr. Gatchalian, citing internal research

conducted by his staff, said there are discrepancies in the gross gaming revenue declared by POGOs to the Bureau of Internal Revenue (BIR) and Philippine Amusement and Gaming Corp. (PAGCOR).

Indicative gross gaming revenue from January to August, based on the 5% gaming tax payments made to the BIR by POGO operators, totaled P28.36 billion, Mr. Gatchalian said.

However, the 2% regulatory fee payments to PAGCOR suggest indicative gross gaming revenue for the same period at P66.67 billion, he added, noting as well that PAGCOR's accounts receivable from POGOs over the same period amounted to P2.3 billion. — **Alyssa Nicole O. Tan**

FULL STORY



Read the full story by scanning the QR code with your smartphone or by typing the link bit.ly/POGOs101922

Philippines unlocks film financing deals with France under UN pact

THE Philippines has approved funding allowing it to participate in a United Nations (UN) cultural convention, unlocking future film financing deals with France, the Film Development Council of the Philippines (FDCP) said.

"This morning, the (Department of Budget and Management) approved the budget for (participation in the 2005 United Nations Educational, Scientific and Cultural Organization convention), so it means we're on our way there to finally having a formalized co-production venture with France," FDCP Technical Consultant Jose Javier Reyes said at a briefing organized by the French Embassy.

The Convention on the Protection and Promotion of the Diversity of Cultural Expressions makes productions here eligible for foreign funding by assuring funders that the Philippines subscribes to a common set of principles in supporting cultural projects.

"If it is ratified, we can access film financing from other countries, especially France," FDCP International Relations Officer Marian Torre told *BusinessWorld* in a text message.

A co-production treaty between the Philippines and France can only be sealed once the UNESCO Treaty is ratified, as required by the French government.

"Right now, we are still in that process of trying to finalize the UNESCO treaty, which has to go through the usual (approval) process," Mr. Reyes said.

"Since there's a new administration, we're back to square one, but in the meantime, we already have (preliminary agreements) with various French organizations," he added.

Talks to sign on to the treaty have been ongoing since 2019. Following the 2022 Third Quarter Meeting and Planning Workshop, the accession package had been forwarded to the Secretary of Foreign Affairs for signing.

However, with the government transition, signatures must also be obtained from the new set of officials from 17 agencies, including the DBM, whose particular concern is ensuring that funding for participating in the convention is available from the national budget.

"This is not yet included in the NEP (National Expenditure Program) since it's still undergoing the ratification process," DBM Media Affairs Director Dennis Ting told *BusinessWorld* in a text message.

Should ratification take place after the 2023 budget deliberations, Budget Undersecretary

Goddes Hope O. Libiran told *BusinessWorld* in a Viber message that the "funds will come from Contingent Fund, then in subsequent years included in the (Department of Foreign Affairs) budget."

"The relationship of the Film Development Council and the French Embassy has been well-nurtured and has resulted in really profitable and great learning experiences for both sides," Mr. Reyes said. "Many ventures, of which, both the Filipinos and the French provide grants and co-production incentives in order to foster a greater relationship."

"Film is indeed the new language of the world. It is the medium that defines differences in language and culture and binds us together and the world as one," he added.

Separately, the Hague Conference on Private International Law (HCCH) is expected to enhance cross-border interaction between individuals and businesses.

During the opening ceremony of the HCCH Asia Pacific Week Manila 2022 at the Makati Diamond Residence, HCCH Secretary General Christophe Bernasconi said international solutions "enhance legal cooperation and integration simultaneously with close neighbors and with countries further afield, whether within regional organizations or with third states."

"Being able to rely on a uniform international legal framework is of particular importance in an area as vast and as diverse as Asia and the Pacific," he added.

Asia-Pacific Week Manila 2022, which runs between Oct. 18 and 20, had as a speaker Foreign Affairs Secretary Enrique A. Manalo, who highlighted "the remarkable role of the HCCH in shaping private international law and in fostering international initiatives in the areas of family and child protection law, transnational litigation and cooperation and international commercial, digital and financial law."

"In these times of uncertainty and a changing global landscape, cross-border cooperation among HCCH States Parties in the Asia-Pacific region will provide an opportunity to expand areas of common interest and possible solutions to common issues," he added.

The Philippines is a party to five HCCH instruments, the most recent being the Child Support Convention which entered into force for the Philippines on Oct. 1. To date, the Philippines is the only country in Asia to have ratified the convention. — **Alyssa Nicole O. Tan**



MARKETS AND SECURITIES REGULATION DEPARTMENT

IN THE MATTER OF

REGISTRATION OF SECURITIES
(Initial Public Offering)

ALTERNERGY HOLDINGS CORPORATION
(Registrant)

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NOTICE

Subsequent to the Notice given on 28 June 2022, a revised Notice is hereby given on 17 October 2022 in relation to a revised sworn Registration Statement ("RS") which has been filed with the Securities and Exchange Commission (the "Commission") on behalf of **ALTERNERGY HOLDINGS CORPORATION's**. (the "Company") for the revision of its initial registration details as follows:

Description	Initial Filing	Revised Filing
Issued and Outstanding (Not included in the Offer)	2,409,466,282 Common Shares	2,476,620,480¹ Common Shares

The total gross proceeds from the sale of Primary Offer Shares at an offer price of up to P1.48 per share will be approximately P1,896,516,400.

An application for the listing of all the Company's issued and outstanding Shares (including the Offer and Overallotment Option Shares) has also been filed with the Philippine Stock Exchange on 20 July 2022.

In order to implement necessary health protocols consistent with the directives and guidelines of the relevant government agencies, the Commission hereby suspends, until further notice, the physical inspection of the RS and other papers/documents attached thereto (collectively referred to as "Documents") as well as the provision of physical copies thereof to interested parties. In lieu thereof, the Commission has adopted an alternative mode of viewing and/or downloading the said Documents and any subsequent amendments thereto by enabling interested parties to access the same through the Securities and Exchange Commission's website (www.sec.gov.ph) and the Company's website (www.alternergy.com).

VICENTE GRACIANO P. FELIZMENO, JR.
Director

¹ The issuance of 67,154,198 common shares is subject to the approval by the Securities and Exchange Commission of Corporation's applications for (i) reduction of par value of its preferred shares from P1.00 to P0.10 per share and (ii) increase of its authorized capital stock from P100,000,000 divided into 40,000 common shares with a par value of P 1.00 per share and 60,000 preferred shares with a par value of P1.00 per share to P1,188,788,570.80 divided into 10,406,291,160 common shares with par value of P0.10 per share and 1,481,594,548 preferred shares with a par value of P0.10 per share. The Offer is subject to the approval of the Applications.