

ALLEGATIONS IN SUPPORT OF THE ISSUANCE OF PROVISIONAL AUTHORITY

22. PSALM acknowledges that the continued operation of the DUs subject of this Application is indispensable to the economic efficiency of the franchise area they service, not to mention the ripple effect of that efficiency on the economic growth of the entire country. In order for these DUs to continue drawing electricity from the grid, it is imperative that they enter into agreement/s with PSALM as Supplier for the supply of electricity, through a contract of sale for electricity, hence the respective CSEE and LOA.
23. A grant of Provisional Authority ("PA") to execute the PSALM-SAMELCO I CSEE as well as the PSALM-GUIMELCO LOA will ultimately redound to the benefit of end-users/consumers.
24. The Judicial Affidavit of Engr. James Marvin A. Mamaradlo, the Corporate Staff Officer B of the Electricity Trading Department under PSALM's Privatization and Asset Management Group, attesting to the truth of the above matters is attached as Annex "H" hereto.
25. Pursuant to the ERC Rules of Practice and Procedure, this Honorable Commission may exercise its discretion by granting a PA or an Interim Relief prior to a final decision.
26. It is understood that the PA or Interim Relief sought by PSALM shall be subject to adjustments and other conditions that the Honorable Commission may impose.

PRAYER

WHEREFORE, PSALM most respectfully prays that this Honorable Commission APPROVE the Contract for the Supply of Electric Energy between PSALM and SAMELCO I and the Letter of Agreement between PSALM and GUIMELCO. It is likewise prayed that the Honorable Commission ISSUE a Provisional Authority authorizing PSALM to implement the said CSEE and LOA.

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

The Commission hereby sets the the instant *Application* for determination of compliance with the jurisdictional requirements, expository presentation, Pre-trial Conference and presentation of evidence on the following dates and online platforms for the conduct thereof, pursuant to Resolution No. 09, Series of 2020³³ and Resolution No. 01, Series of 2021¹⁴ (ERC Revised Rules of Practice and Procedure):

Date and Time	Platform	Activity
18 January 2023 (Wednesday) at two o'clock in the afternoon (2:00 P.M.)	MS Teams or Zoom Application	Determination of compliance with jurisdictional requirements and Expository presentation
25 January 2023 (Wednesday) at two o'clock in the afternoon (2:00 P.M.)		Pre-trial Conference and presentation of evidence

Any interested stakeholder may submit its comments and/or clarifications at **least one (1) calendar day** prior to the scheduled virtual hearing, via electronic mail (e-mail) at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph. The Commission shall give priority to the stakeholders who have duly submitted their respective comments and/or clarifications, to discuss the same and propound questions during the course of the expository presentation.

Moreover, any person who have an interest in the subject matter of the instant case may become a party by filing with the Commission via e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, a verified Petition to Intervene at **least five (5) calendar days** prior to the date of the initial virtual hearing and subject to the requirements under Rule 9 of the ERC Revised Rules of Practice and Procedure, indicating therein the docket number and title of the case and stating the following:

- 1) The petitioner's name, mailing address, and e-mail 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.

Likewise, all other persons who may want their views known to the Commission with respect to the subject matter of the case may likewise file through e-mail at doCKET@erc.ph, copy furnish the Legal Service through legal@erc.ph, their Opposition or Comment thereon at **least five (5) calendar days** prior to the initial virtual hearing and subject to the requirements under Rule 9 of the ERC Revised 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, mailing address, and e-mail address of such person;
- 2) A concise statement of the Opposition or Comment; and
- 3) The grounds relied upon.

Any of the persons mentioned in the preceding paragraphs may access the copy of the *Application* on the Commission's official website at www.erc.gov.ph.

Finally, all interested persons may be allowed to join the scheduled initial virtual hearing by providing the Commission, thru legal.virtualhearings@erc.ph, with their respective e-mail addresses and indicating therein the case number of the instant *Application*. The Commission will send the access link/s to the aforementioned hearing platform **within five (5) working days** prior to the scheduled hearing.

WITNESS, the Honorable Chairperson and CEO **MONALISA C. DIMALANTA**, and the Honorable Commissioners **ALEXIS M. LUMBATAN**, **CATHERINE P. MACEDA**, and **MARKO ROMEO L. FUENTES**, Energy Regulatory Commission, this 25th day of November 2022 in Pasig City.

Floresinda G. Baldo-Digal
FLORESINDA G. BALDO-DIGAL
Oversight Commissioner
For the Legal Service

by LSP / MCCC

¹ Hereinafter referred to as the "PSALM-SAMELCO I CSEE."

² Hereinafter referred to as the "PSALM-GUIMELCO LOA."

³ As indicated in SAMELCO I's 01 February 2022 letter.

We refer to the Contract for the Supply of Electric Energy ("CSEE") by and between Samar 1 Electric Cooperative, Inc. ("SAMELCO I") and Power Sector Assets & Liabilities Management Corporation ("PSALM"), effective 26 December 2020 to 25 December 2021.

Pursuant to the provision of the CSEE[,] we would like to request for an extension in the Equivalent Demand and Contracted Energy for the following period as follows below:

1. Extension of Contract February to July 2022 of available capacity during off peak (01H-08H and 19H-24H) intervals
2. Extension of Contract August 2622 (sic) to July 2023

⁴ Although the PPA expired on 24 July 2022, PSALM offered a CSEE to SAMELCO I until 25 July 2022 because the reckoning period of PSALM's billing cycle, which follows the Revised OATS Rules, starts on the 26th of the month and ends on the 25th of the following month. On 25 July 2022, PSALM will allocate zero (0) contracted energies for SAMELCO I.

⁵ Please see 6.10.a. to 6.10.h of the PSALM-SAMELCO I CSEE.

⁶ Please see the detailed list of terms and conditions under 6.17.1 to 6.17.12 of the PSALM-SAMELCO I CSEE.

⁷ The PSALM-GUIMELCO CSEE is Annex "B" of the Application filed under ERC Case No. 2022-004 RC.

⁸ Although the PPA expired on 24 July 2022, the PSALM-GUIMELCO LOA was contracted until 25 July 2022 because the reckoning period of PSALM's billing cycle, which follows the Revised OATS Rules, starts on the 26th of the month and ends on the 25th of the following month. On 25 July 2022, PSALM will allocate zero (0) contracted energies for GUIMELCO.

⁹ A Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

¹⁰ Dated 24 October 2017.

¹¹ Dated 21 July 2021.

¹² Entitled "Adopting and Prescribing the Policy for the Competitive Selection Process in the Procurement By the Distribution Utilities of Power Supply Agreement for the Captive Market."

¹³ Entitled: A Resolution Adopting the Guidelines Governing Electronic Applications, Filings and Virtual Hearings Before the Energy Regulatory Commission.

¹⁴ Entitled: Resolution Adopting the Revised Rules of Practice and Procedure of the Energy Regulatory Commission.

Femtech clinic opens in BGC

KINDRED, a Philippine femtech company which uses technology to provide women's health and wellness solutions, just opened a hybrid clinic that offers both virtual and in-person care in Serendra, Bonifacio Global City (BGC).

"We are creating a cohesive woman-centric patient experience by bridging virtual and physical clinics, enabling healthcare providers to deliver high quality care with consistency," said Maria Jessica J. de Mesa, a co-founder and chief executive officer of Kindred, at the Dec. 7 launch.

"We want to elevate the idea of a doctor's visit by providing a safe, non-judgmental space with a sense of warmth to help patients feel calm, comfortable, celebrated, and cared for," she added.

The clinic offers virtual consultations, physical diagnostic examinations, contracep-

tive packages, and intravenous drips, among other services.

Experts in areas like gynecology, dermatology, gastroenterology, mental health, and fitness are part of Kindred's roster of doctors, who are ready to address menstrual and sexual wellness, fertility, pregnancy, or other aspects of women's health.

Aside from partnering with employers to provide their services to certain companies, Ms. De Mesa shared that opening the clinic was a vital step in being eligible for HMO (health maintenance organization) insurance.

"We're hoping for this to be the first of many clinics in the Philippines, because our goal is to empower as many Filipinas as possible to take charge of their health," she said.

Femtech solutions such as period tracking apps, wearable sensors, and patient monitoring technologies only began to take off in the Philippines during the pandemic despite being available in the past decade.

"We're called Kindred because it's about us all coming together as kindred spirits. When we built this company, we thought of it as a letter to our younger selves that we'll get the help and space that we wanted, and it's also a wish that our future selves will have better women's healthcare," said Kindred co-founder Abetina E. Valenzuela.

The clinic is in Serendra Mall, 11th Ave., BGC. Appointments start at P850 and can be booked online at www.mykindred.co. — **Brontë H. Lacsamana**

P&G recalls Sangobion due to toxic substance

P&G PHILIPPINES is recalling Sangobion Kids (Iron + Vitamin B-Complex) in the Philippines due to the potential presence of ethylene glycol, a toxic organic compound used to make polyester and antifreeze, above the allowable limits.

According to P&G, early signs of ethylene glycol ingestion include vomiting, diarrhea, abdominal pain, headache, and an altered mental state; symptoms of acute kidney injury like inability to pass or reduced urine, lower back pain; or additional

symptoms of irritability, lethargy, pale appearance, decreased muscle tone, and loss of appetite in younger kids.

"We decided to take precautionary measures including the voluntary recall of all batches of Sangobion Kids 100 ml. Though the issue only impacted some batches, we are recalling all batches out of an abundance of caution," P&G Philippines said in a Dec. 13 statement.

The recall, issued in consultation with the Philippine Food and Drug Administration, is limited to

Sangobion Kids 100 ml, indicated for the treatment and prevention of iron deficiency anemia (IDA) in children, sold in the Philippines.

"P&G is working closely with regulators to determine the source of the issue. Raw material purchased by P&G's contract manufacturer was found to have unintended presence of ethylene glycol. The raw material may have been adulterated before it reached the contract manufacturer. A full investigation of the supply chain is ongoing," P&G added.

Those who have purchased the said product are advised to stop using it. Retailers, pharmacies, and healthcare professionals are also requested to stop its distribution.

For more information, contact sangobion.com.ph/contactus, 8894-3955 (Metro Manila), or 1800-1888-8008 (outside Metro Manila). Parents can contact the National Poison Management and Control Center at 8524-1078 if their child has consumed the product and is experiencing adverse reactions.

OPINION

Addressing unmet needs of Filipinos living with psoriasis

Psoriasis Philippines (PsorPhil) estimates there are up to 2 million Filipinos living with psoriasis, a chronic, noncommunicable, painful, disabling, and disabling disease. While psoriasis can occur at any age, it is most common among people who are 50 to 69 years old, according to a 2016 report on psoriasis published by the World Health Organization (WHO).

MEDICINE CABINET
TEODORO B. PADILLA

Common signs and symptoms include red patches of skin covered with thick, silvery scales; small scaling spots (commonly seen in children); dry, cracked skin that may bleed or itch; itching, burning or soreness; thickened, pitted or ridged nails; and swollen and stiff joints.

According to the Department of Health, people with psoriasis have an increased production

of skin cells. While skin cells are normally made and replaced every 3 to 4 weeks, this process only takes about 3 to 7 days in psoriasis. The resulting buildup of skin cells is what creates the patches associated with psoriasis.

FULL STORY



Read the full story by scanning the QR code with your smartphone or by typing the link bit.ly/Psoriasis121422

TEODORO B. PADILLA is the executive director of the Pharmaceutical and Healthcare Association of the Philippines (PHAP), which represents the biopharmaceutical medicines and vaccines industry in the country. Its members are at the forefront of research and development efforts for COVID-19 and other diseases that affect Filipinos.



SC lets California ban flavored tobacco products

THE US Supreme Court (SC) on Monday cleared the way for California to enforce a voter-approved ban in America's most-populous state on flavored tobacco products, rejecting R.J. Reynolds Tobacco Company's bid to block it on the grounds that the policy conflicted with federal law.

The justices denied the emergency request by R.J. Reynolds, a unit of British American Tobacco and other plaintiffs to put on hold the ban on selling all flavored tobacco products in the state — including for vaping — that was overwhelmingly endorsed through a ballot measure on Nov. 8.

Democratic Governor Gavin Newsom in 2020 signed a law to ban products including menthol cigarettes and cotton candy-flavored vaping products, responding to concerns about a rise in e-cigarette and tobacco use by teens.

The ban's implementation was delayed after a coalition representing the tobacco industry gathered enough signatures to put to voters a ballot measure that would halt California from becoming the largest state to date to bar flavored tobacco product sales.



GUILAUME BLEVEN

DEMOCRATIC Governor Gavin Newsom in 2020 signed a law to ban products including menthol cigarettes and cotton candy-flavored vaping products, responding to concerns about a rise in e-cigarette and tobacco use by teens.

But nearly two-thirds of voters casting ballots on the measure known as Proposition 31 approved the sales ban.

A day after the vote, R.J. Reynolds sued to block California officials from allowing the ban to take effect as planned on Dec. 21. It sued alongside a group representing tobacco retailers, the Neighborhood Market Association, and a vape shop.

"I applaud the Supreme Court for denying Big Tobacco's latest attempt to block California's commonsense ban on flavored tobacco products," California Attorney General Rob Bonta, a

Democrat who defended the ban in court, said in a statement.

An estimated 2.55 million US middle and high school students reported using e-cigarettes in a report by federal health officials looking at a period spanning January to May of this year. Among those who reported e-cigarette use, nearly 85% said they used flavored versions.

The law would make California the second state to ban all flavored tobacco product sales after Massachusetts in 2019. Several other states have restricted flavored vaping products and several municipalities have adopted their own bans.

The US Food and Drug Administration (FDA) in 2020 banned all flavors except tobacco and menthol in Juul and other cartridge-based e-cigarettes. In June, the FDA sought to ban sales of all Juul e-cigarettes, though it later put the order on hold.

Beyond vaping, the FDA in April released a long-awaited proposal to ban menthol cigarettes and flavored cigars, a victory for anti-smoking advocates, though it is expected to take years to implement.

In the lawsuit challenging the California ban, R.J. Reynolds argued the federal Tobacco Control Act, which the FDA enforces, preempts state and local laws that bar flavored tobacco product sales.

But a federal judge ruled those arguments were foreclosed by a decision in March by the 9th US Circuit Court of Appeals upholding a similar ban in Los Angeles County.

The 9th Circuit on Nov. 29 denied the companies' bid to block the statewide ban pending an appeal, prompting them to then ask the US Supreme Court to intervene. R.J. Reynolds has separately asked the court to review the Los Angeles case. — **Reuters**

US solar installations to fall due to China goods prohibition

NEW US solar installations are on track to fall by nearly a quarter this year, with panel imports stalled by a ban on goods from China's Xinjiang region over forced labor concerns, according to a market report released on Tuesday.

The dour forecast by industry trade group the Solar Energy Industries Association (SEIA) and research firm Wood Mackenzie comes as solar companies are seeking to take advantage of generous subsidies in the Inflation Reduction Act (IRA), a new law that encourages clean energy technologies to address climate change.

Installations of utility-scale projects, in particular, will contract by 40% this year from 2021 to 10.3 gigawatts, according to the quarterly report.

Big projects for utilities and other large customers make up the largest part of the US solar market. Commercial and community installations are also expected to decline, though the residential market is forecast to surge 37%.

Overall, US installations are expected to fall 23% to 18.6 GW.

Supply constraints are expected to last until the second half of next year and delay the effects of the IRA, the report said.

More than 1,000 shipments of solar energy imports worth hundreds of millions of dollars have piled up at US ports since the Uyghur Forced Labor Protection Act went into effect in June. The detentions have halted new shipments as manufacturers fear additional cargoes will also be seized.

The UFLPA requires producers to show sourcing documentation of imported equipment back to the raw material before imports can be cleared. That has proven more difficult than solar companies expected, SEIA said.

"In the aftermath of the Inflation Reduction Act (IRA), we cannot afford to waste time tinkering with trade laws as the climate threat looms," SEIA President Abigail Ross Hopper said in a statement.

The report expects the market to return to growth next year, with annual increases of 21%, on average, between 2023 and 2027. — **Reuters**

Gold is better portfolio diversifier than bitcoin

GOLD is less likely to be influenced by tighter financial conditions, meaning it is "a useful portfolio diversifier," said Goldman, especially given that gold has developed non-speculative use cases while bitcoin is still looking for one.

Goldman's analysis showed that while traders use gold to hedge against inflation and dollar debasement, bitcoin resembles a "risk-on high-growth tech company stock." The value proposition of bitcoin, which the bank called "a solution looking for a problem," comes from the scope of its future real use cases, making it a more volatile and speculative asset than the precious metal. — **Reuters**