

Republic of the Philippines
Supreme Court
Manila

EN BANC

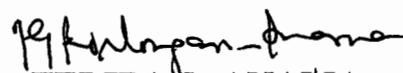
NOTICE

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated FEBRUARY 21, 2017, which reads as follows:

“**G.R. No. 228588** (Philippine Chamber of Commerce and Industry, San Beda College Alabang, Inc., Ateneo de Manila University, and Riverbanks Development Corporation v. Department of Energy, Hon. Alfonso G. Cusi, in his official capacity as Secretary of the Department of Energy, Energy Regulatory Commission, Hon. Jose Vicente B. Salazar, in his official capacity as Chairperson of the Energy Regulatory Commission, and Hon. Alfredo J. Non, Hon. Gloria Victoria C. Yap-Taruc, Hon. Josefina Patricia M. Asirit, and Hon. Geronimo D. Sta. Ana, in their official capacities as incumbent Commissioners of the Energy Regulatory Commission) – Acting on the prayer for the issuance of a *status quo ante* order or temporary restraining order and/or writ of preliminary injunction filed by petitioners Philippine Chamber of Commerce and Industry, San Beda College Alabang, Inc., Ateneo De Manila University, and Riverbanks Development Corporation, this Court resolves to **ISSUE A TEMPORARY RESTRAINING ORDER**, effective immediately and continuing until further orders from this Court, enjoining respondents Department of Energy and the Energy Regulatory Commission, its agents, representatives, and all persons acting in their place or stead from implementing Department of Energy Circular No. DC2015-06-0010, Series of 2015, Energy Regulatory Commission Resolution No. 5, Series of 2016, Energy Regulatory Commission Resolution No. 10, Series of 2016, Energy Regulatory Commission Resolution No. 11, Series of 2016, and Energy Regulatory Commission Resolution No. 28, Series of 2016.” Sereno, C.J. and Carpio, J., no part. Reyes, J., on official leave. (adv63)

Very truly yours,


FELIPA B. ANAMA
Clerk of Court

- Over

ATTYS. SIMEON V. MARCELO, RODELA A. CRUZ,
JON ANTON DARYL Y. CHUA, NORVIN RALPH
S. JALIPA and ERICA CHRISTEL S. PATIÑO (x)
Cruz Marcelo & Tenefrancia
Counsel for Petitioners
9th, 10th, 11th & 12th Floors, One Orion
11th Avenue corner University Parkway
Bonifacio Global City 1634, Taguig City

G.R. No. 228588
kat 2/21/17 (adv63) 2/22/17

Chairperson JOSE VICENTE B. SALAZAR (x)
Commissioner ALFREDO J. NON (x)
Commissioner GLORIA VICTORIA C.
YAP-TARUC (x)
Commissioner JOSEFINA PATRICIA M.
ASIRIT (x)
Commissioner GERONIMO D. STA. ANA (x)
Energy Regulatory Commission
Pacific Center Building, San Miguel Avenue
Ortigas Center, Pasig City

Secretary ALFONSO G. CUSI (x)
Department of Energy
Energy Center, Rizal Drive
Bonifacio Global City
Taguig City

THE SOLICITOR GENERAL (x)
134 Amorsolo St., Legaspi Village
Makati City





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**PHILIPPINE CHAMBER OF
COMMERCE AND INDUSTRY,
SAN BEDA COLLEGE
ALABANG, INC., ATENEO DE
MANILA UNIVERSITY and
RIVERBANKS DEVELOPMENT
CORPORATION,**

Petitioners,

G.R. No. 228588

- versus -

TEMPORARY RESTRAINING
ORDER

**DEPARTMENT OF ENERGY,
HON. ALFONSO G. CUSI, in his
official capacity as Secretary of the
Department of Energy, ENERGY
REGULATORY COMMISSION,
HON. JOSE VICENTE B.
SALAZAR, in his official capacity
as Chairperson of the Energy
Regulatory Commission, and HON.
ALFREDO J. NON, HON.
GLORIA VICTORIA C. YAP-
TARUC, HON. JOSEFINA
PATRICIA M. ASIRIT and HON.
GERONIMO D. STA. ANA, in
their official capacities as incumbent
Commissioners of the Energy
Regulatory Commission,**

Respondents.

X-----X

TO: **DEPARTMENT OF ENERGY,
represented by HON. ALFONSO G. CUSI (x)**

J. G. Reyes

Energy Center, Rizal Drive
Bonifacio Global City
Taguig, Metro Manila

ENERGY REGULATORY COMMISSION,

represented by

CHARPERSON JOSE VICENTE B. SALAZAR (x)

COMMISSIONER ALFREDO J. NON (x)

COMMISSIONER GLORIA VICTORIA C. YAP-TARUC (x)

COMMISSIONER JOSEFINA PATRICIA M. ASIRIT (x)

COMMISSIONER HON. GERONIMO D. STA. ANA (x)

Pacific Center Building

San Miguel Avenue, Ortigas Center

Pasig, Metro Manila

GREETINGS:

WHEREAS, the Supreme Court, on **February 21, 2017**, adopted a resolution in the above-entitled case, to wit:

“**G.R. No. 228588** (Philippine Chamber of Commerce and Industry, San Beda College Alabang, Inc., Ateneo de Manila University, and Riverbanks Development Corporation v. Department of Energy, Hon. Alfonso G. Cusi, in his official capacity as Secretary of the Department of Energy, Energy Regulatory Commission, Hon. Jose Vicente B. Salazar, in his official capacity as Chairperson of the Energy Regulatory Commission, and Hon. Alfredo J. Non, Hon. Gloria Victoria C. Yap-Taruc, Hon. Josefina Patricia M. Asirit, and Hon. Geronimo D. Sta. Ana, in their official capacities as incumbent Commissioners of the Energy Regulatory Commission) – Acting on the prayer for the issuance of a *status quo ante* order or temporary restraining order and/or writ of preliminary injunction filed by petitioners Philippine Chamber of Commerce and Industry, San Beda College Alabang, Inc., Ateneo De Manila University, and Riverbanks Development Corporation, this Court resolves to **ISSUE A TEMPORARY RESTRAINING ORDER**, effective immediately and continuing until further orders from this Court, enjoining respondents Department of Energy and the Energy Regulatory Commission, its agents, representatives, and all persons acting in their place or stead from implementing Department of Energy Circular No. DC2015-06-0010, Series of 2015, Energy Regulatory Commission Resolution No. 5, Series of 2016, Energy Regulatory Commission Resolution No. 10, Series of 2016, Energy Regulatory Commission Resolution No. 11, Series of 2016, and Energy Regulatory Commission Resolution No. 28, Series of 2016.” Sereno, C.J. and Carpio, J., no part. Reyes, J., on official leave. (adv63)

NOW, THEREFORE, effective immediately and continuing until further orders from this Court, You, respondents Department of Energy

re: [illegible signature]

(DOE), DOE Secretary Alfonso G. Cusi, Energy Regulatory Commission [ERC], ERC Chairperson Jose Vicente B. Salazar and ERC Commissioners Alfredo J. Non, Gloria Victoria C. Yap-Taruc, Josefina Patricia M. Asirit and Geronimo D. Sta. Ana, your agents, representatives, or persons acting in your place or stead, are hereby **ENJOINED** from implementing and enforcing DOE Circular No. DC2015-06-0010, Series of 2015, ERC Resolution No. 5, Series of 2016, ERC Resolution No. 10, Series of 2016, ERC Resolution No. 11, Series of 2016, and ERC Resolution No. 28, Series of 2016.

GIVEN by the Supreme Court of the Philippines, this 21st day of February 2017.


FELIPA B. ANAMA
Clerk of Court

Copy furnished:

Office of the Solicitor General (x)
134 Amorsolo Street
Legaspi Village, 1229 Makati City

ATTYS. SIMEON V. MARCELO, RODELA A. CRUZ,
JON ANTON DARYL Y. CHUA, NORVIN RALPH
S. JALIPA and ERICA CHRISTEL S. PATIÑO (x)
Cruz Marcelo & Tenefrancia
Counsel for Petitioners
9th, 10th, 11th & 12th Floors, One Orion
11th Avenue corner University Parkway
Bonifacio Global City 1634, Taguig City

G.R. No. 228588
kat 2/21/17 (TRO) 2/22/17

JG Jalipa-Patiño