

### Title:

**\*\*Energy Regulatory Board and Pilipinas Shell Petroleum Corporation vs. Court of Appeals and Petroleum Distributors and Services Corporation\*\***

### Facts:

Pilipinas Shell Petroleum Corporation (Shell) sought to relocate a service station in Parañaque, Metro Manila, to a new location along Benigno Aquino, Jr. Avenue. The initial application was made on June 30, 1983, to the Bureau of Energy Utilization (BEU), but faced several challenges, including opposition from Petroleum Distributors and Service Corporation (PDSC) and two other companies. PDSC argued against the application citing adequate existing service stations, potential ruinous competition, and a decline in sales volume in the area.

The BEU initially dismissed Shell's application on jurisdictional grounds and lack of "full title" over the proposed site. However, the application was reinstated and a decision was made on June 3, 1986, to deny Shell's request due to an alleged lack of necessity for an additional outlet. Shell appealed to the Office of Energy Affairs (OEA), which was then turned over to the newly formed Energy Regulatory Board (ERB) by Executive Order No. 172.

The ERB, after further proceedings and consideration of updated surveys and a feasibility study submitted by Shell, approved the application on September 17, 1991. PDSC's motion for reconsideration was denied by ERB. PDSC then approached the Court of Appeals, which reversed ERB's decision and denied Shell's application, leading Shell and ERB to elevate the matter to the Supreme Court.

### Issues:

1. Whether there was substantial evidence to justify the establishment of a Shell service station in the contested area.
2. If the feasibility study presented by Shell was relevant and substantial despite being submitted two years after its preparation.
3. The Court of Appeals' role in evaluating economic and policy issues related to the petroleum business.
4. Whether the proposed service station would lead to ruinous competition.
5. The applicability of the doctrine of primary jurisdiction in considering new evidence presented at the Court of Appeals.

### Court's Decision:

The Supreme Court reversed the decision of the Court of Appeals, reinstating the ERB's approval of Shell's application. The Court held that:

1. The ERB's decision was based on substantial evidence, including detailed economic data and projections indicating a need for the new service station.
2. The feasibility study remained relevant as it projected market scenarios up to 1994, and no significant evidence was presented to invalidate its findings.
3. The Court supported ERB's expertise in matters of the petroleum industry and found no reason to overturn its decision based on policy considerations.
4. The claim of ruinous competition was not substantiated enough to warrant a denial of the application.
5. There was no meritorious reason to deviate from respecting the administrative agency's interpretation when based on substantial evidence and within its jurisdiction.

### Doctrine:

The Supreme Court reiterates the principle that administrative agency decisions should be accorded great respect and typically control the legal interpretation unless found to be arbitrary, capricious, or in contradiction to the statutory mandate. Additionally, the case emphasized the policy towards deregulation in the petroleum industry, aimed at fostering competition and a free market.

### Class Notes:

- **Substantial Evidence**: A standard of review that requires such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.
- **Administrative Agency Expertise**: Courts will defer to the expertise and specialized knowledge of administrative agencies in their respective fields unless their decisions are clearly erroneous or arbitrary.
- **Doctrine of Primary Jurisdiction**: This doctrine applies when a claim requires the resolution of issues that have been placed within the special competence of an administrative body.
- **Deregulation Policy**: Reflects the government's approach to reduce its role in the control or regulation of specific industries, here, the petroleum industry, to promote competition and free market dynamics.

### Historical Background:

This case illustrates the Philippines' transition towards deregulation in the petroleum

industry, marked by significant legal and policy shifts aimed at liberalizing the market in response to evolving economic landscapes. The decision underscores the judiciary's role in interpreting these shifts while respecting the specialized knowledge and discretion of administrative agencies like the ERB.