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A RESOLUTION ADOPTING THE EFFICIENT USE OF PAPER RULE PROMULGATED BY THE HONORABLE SUPREME COURT ON NOVEMBER 13, 2012 (A.M. NO. 11-9-4-SC) WHICH SHALL FORM PART OF THE COMMISSIO...

ERC RESOLUTION NO. 02, S. 2013, February 11, 2013

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WHEREAS, on November 13, 2012, the Honorable Supreme Court of the Philippines En Banc issued AM. No. 11-9-4-SC entitled, “Efficient Use of Paper Rule”, requiring the efficient use of paper by all courts and quasi-judicial agencies under its administrative supervision “to cut the judicial system's use of excessive quantities of costly paper, save our forests, avoid landslides and mitigate the worsening effects of climate change that the world is experiencing”;

WHEREAS, Section 3 of the said Efficient Use of Paper Rule requires that: a) all pleadings, motions; and similar papers intended for the court and quasi-judicial body's consideration and action (court-bound papers); b) reports submitted to: the courts and transcript of stenographic notes; and c) all decisions, resolutions and orders issued by the courts and quasi-judicial agencies, shall be written in single space with a one-and-a-half space between paragraphs, using an easily readable font style of the party's choice, of 14-size font and on a 13- inch by 8.5-inch white bond paper;

WHEREAS, Section 4 of the said Rule requires that every page of the court-bound papers shall be consecutively numbered and shall maintain the following margins on all court-bound papers: a left hand margin of 1.5 inches from the edge; an upper margin of 1.2 inches from the edge; a right hand margin of 1.0 inch from the edge; and a lower margin of 1.0 inch from the edge;

WHEREAS, Section 5 of the said Rule requires that unless otherwise directed by the court, the number of court-bound papers that a party is required or desires to file in “other courts” (other than Supreme Court, Court of Appeals and Court of Tax Appeals) shall be one original (properly marked) with the stated annexes attached to it;

WHEREAS, Section 6 of the said Rule provides that a party required to serve a copy of his court-bound paper on the adverse party need not enclose copies of those annexes that based on the record of the court such party already has in his possession and that in the event a party requests a set of annexes actually filed with the court, the party who filed the paper shall comply with the request within five (5) days from receipt;

WHEREAS, Section 2, Rule 3 of the Commission’s Rules of Practice and Procedure provides that:

> “Section 2. Form and Size. — All pleadings and other papers filed with the Commission shall be typed or printed on paper 8.5” wide and 14” long. The impression may be on both sides of the paper and shall be double-spaced. Footnotes and quotations may be single-spaced. Pleadings and other papers, together with annexes thereto, shall be fastened only on the left side. Unless otherwise directed, an original and two (2) copies of any pleading and other papers shall be filed. Reproductions may be made by any process provided that all copies are clear and permanently legible.”

WHEREAS, Section 1, Rule 10 of the Commission’s Rules of Practice and Procedure provides that:

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> "Section 1. Service Upon Parties. — Subject to the provisions of Rule 4 on Confidential Information, a copy of all documents filed in any proceeding before the Commission shall be served upon all other parties impleaded or admitted by the Commission. If a party appears after the original documents have been filed, a copy of all papers previously filed shall be furnished to such party upon its request."

WHEREAS, as an independent quasi-judicial regulatory body created under Section 38 of Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001 or EPIRA", the Energy Regulatory Commission (Commission) is empowered to issue such rules that are essential in the discharge of its functions pursuant to Section 4 (o), Rule 3 of the Implementing Rules and Regulations (IRR) of the EPIRA;

NOW THEREFORE, the Commission, after thorough and due deliberation, RESOLVED, as it hereby RESOLVES to ADOPT the "Efficient Use of Paper Rule" promulgated by the Supreme Court of the Philippines, which shall form part of its Rules of Practice and Procedure, thus, amending the following provisions thereof:

A. Section 2, Rule 3

> "Section 2. Form and Style; Margins and Prints; Copies to be Filed; Annexes Served on Adverse Party — All pleadings, motions, reports and similar papers (commission-bound papers) filed with the Commission and all decisions, resolutions, orders and transcript of stenographic notes issued by the Commission shall be written in single space with a one-and-a-half space between paragraphs, using 14-size Arial font and on a 13-inch by 8.5-inch white bond paper. Footnotes shall also be single-spaced. Every page of the Commission-bound papers must be consecutively numbered and shall maintain the following margins: a left hand margin of 1.5 inches from the edge; an upper margin of 1.2 inches from the edge; a right hand margin of 1.0 inch from the edge; and a lower margin of 1.0 inch from the edge.
>
> Commission-bound papers, together with annexes thereto, shall be fastened only on the left side and unless otherwise directed, an original and two (2) copies thereof shall be filed. Reproductions may be made by any process provided that all copies are clear and permanently legible."

B. Section 1, Rule 10

> "Section 1. Service Upon Parties. - Subject to the provisions of Rule 4 on Confidential Information, a copy of all documents filed in any proceeding before the Commission shall be served upon all other parties impleaded or admitted by the Commission. If a party appears after the original documents have been filed, a copy of all papers previously filed shall be furnished to such party upon its request.
>
> In the service of the said documents, a party need not enclose copies of the annexes that based on the record of the Commission such adverse party already has in his possession. In the event that a party requests a set of the annexes actually filed with the Commission, the party who filed the paper shall comply with the request within five (5) days from receipt."

This Resolution shall take effect immediately following its publication in a newspaper of general circulation in the Philippines.

Let copies of this Resolution be furnished the University of the Philippines Law Center-Office of the National Administrative Register (UPLC-ONAR).

(SGD) ZENAIDA G. CRUZ-DUCUT
Chairperson

(SGD.) MARIA TERESA R. CASTAÑEDA
Commissioner

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