



## SMC GLOBAL POWER

19 December 2019

**Philippine Dealing & Exchange Corp.**  
37<sup>th</sup> Floor, Tower 1, The Enterprise Center  
6766 Ayala Avenue corner Paseo de Roxas  
Makati City

Attention: **Atty. Marie Rose M. Magallen-Lirio**  
Head - Issuer Compliance and Disclosure Department

Gentlemen:

Further to the disclosure made by SMC Global Power Holdings Corp. (the "Corporation"), on 16 December 2019, relating to the case on ERC Order Voiding WESM Prices, we advise that the Supreme Court, First Division, issued a resolution dated 11 September 2019 (the "Resolution") denying the petition for review on certiorari filed by Philippine Steelmakers Association, copy of which we received from our external counsel, Poblador Law Offices, on 19 December 2019. The dispositive portion of the Resolution provides:

"Pursuant to Rule 45 and other related provisions of the 1997 Rules of Civil Procedure, as amended, governing appeals by certiorari to the Supreme Court, only petitions which are accompanied by or which strictly comply with the requirements specified therein shall be entertained. On the basis thereof, the Court further resolves to **DENY** the instant petition for review on certiorari of the Decision, Resolution and Omnibus Resolution dated November 7, 2017, March 22, 2018 and March 29, 2019, respectively, of the Court of Appeals in C.A G.R. SP No. 135506, SP No. 138056, SP No. 138105, SP No. 138120, SP No. 138121, SP No. 138151, SP No. 138188, SP No. 138223, SP No. 138272, and SP No. 138470, for failure to state the material date when notice of the assailed decision was received, in violation of Secs. 4(b) and 5, Rule 45 in relation to Sec. 5 (d), Rule 56, 1997 Rules of Civil Procedure, as amended.

In any event, the petitioner failed to sufficiently show that the Court of Appeals committed any reversible error in the challenged decision, resolution, and omnibus resolution as to warrant the exercise of this Court's discretionary appellate jurisdiction."

Very truly yours,

**SMC GLOBAL POWER HOLDINGS CORP.**

By:

  
**ELENITA D. GO**  
Corporate Information Officer