REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

DYNO-NOBEL PHILIPPINES, INC.,
Petitioner,

- versus -

C.T.A. CASE NOS. 5899 & 5952

COMMISSIONER OF INTERNAL REVENUE,
Respondent.

Promulgated:

OCT 16 2001

x - x

DECISION

Before Us is a consolidated case involving claims for the refund or issuance of tax credit certificates of alleged excess input value-added taxes paid by the Petitioner covering the following periods:

CTA Case No.	Period Covered/Quarter	Amount
5899	April 1 to June 30, 1997/2nd Qtr.	P845,475.17
5952	July 1 to September 30, 1997/3rd Qtr.	1,521,273.34
5952	October 1 to December 31, 1997/ 4th Qtr.	2,363,305.18

Petitioner is a domestic corporation duly organized and existing under and by virtue of Philippine laws with principal office located at Bo. Buntis, Bacong, Negros Oriental.

It is principally engaged in the business of manufacturing, purchasing, importing, exporting, selling at wholesale and otherwise, dealing in explosives, nitroglycerine, dynamite, blasting powder and other similar substances as well as to engage in the business of purchasing, developing, compounding, distributing, at wholesale, chemical materials and substances.

It is duly registered with the Board of Investments (BOI) as an exporter of chemical products under Certificate of Registration No. 77-516. It is likewise, registered with the Bureau of Internal Revenue (BIR) as a VAT taxpayer under RDO Control No. 97-790-009791 dated June 18, 1997.

Petitioner filed its VAT quarterly returns for the 2nd, 3rd and 4th quarters of 1997 on the following dates:

Quarter (Period Covered)	Date Filed
2nd quarter (April 1, 1997 to June 30, 1997)	July 21, 1997
3rd quarter (July 1, 1997 to September 30, 1997)	October 20, 1997
4th quarter (October 1, 1997 to December 31, 1997)	January 20, 1998

On May 27, 1999, Petitioner filed the amended returns for the 2nd, 3rd and 4th quarters of 1997 covering the period from April 1, 1997 to December 31, 1997 which declared the following:

QUARTER INVOLVED	EXHIBIT	DOMESTIC PURCHASES	IMPORTATION OF GOODS	VAT INPUT TAX
2ND QUARTER	G	P 3,459,301.73	P 2,995,450.00	P 845,475.17
3RD QUARTER	H	8,930,108.98	6,282,624.40	1,521,273.34
4TH QUARTER	I	18,023,105.93	5,609,950.75	2,363,305.18
TOTAL		P **30,412,516.64**	P **14,888,025.15**	P **4,730,053.69**

On June 23, 1999, an application for VAT credits was filed by Petitioner with the One Stop Shop Inter-Agency Tax Credit and Duty Drawback Center of the Department of

Finance (DOF) corresponding to its creditable input tax amounting to P845,475.17 for the period covering April 1, 1997 to June 30, 1997 (Exhibit "K-1").

On July 21, 1999, two applications for VAT credits were filed with the One Stop Shop Inter-Agency Tax Credit and Duty Drawback Center of the DOF relating to its creditable input tax amounting to P1,521,273.34 and P2,363,305.18 covering the periods July 1, 1997 to September 30, 1997 and October 1, 1997 to December 31, 1997, respectively (Exhibits "L-1" and "M-1").

However, since Respondent neither approved nor granted Petitioner's claim for refund or application for tax credit of its unapplied VAT input taxes for the 2nd, 3rd and 4th quarters of 1997 covering the period from April 1, 1997 to December 31, 1997 in the aggregate amount of P4,730,053.51, and in order to toll the running of the prescriptive period, Petitioner filed the corresponding Petitions for Review with this Court on June 30, 1999 docketed as CTA Case No. 5899 and October 11, 1999 docketed as CTA Case No. 5952.

Respondent, in his Answer to the Petitions for Review maintained the following Special and Affirmative defenses:

SPECIAL AND AFFIRMATIVE DEFENSES

<u>CTA CASE NO. 5899</u>

"4. He reiterates and repleads the preceeding paragraphs of this answer as part of his Special and Affirmative Defenses.

5. Petitioner's alleged claim for refund is subject to administrative routinary investigation/examination by the respondent's Bureau.

6. Petitioner must prove that it has complied with the requirements provided under Section 6 (a) of Revenue Regulations No. 6-97 and that the VAT input taxes of P845,475.17 allegedly paid on its purchase of taxable goods and services were attributable to its zero-rated sales and finally, the input tax has not been applied against any output tax.

7. It is incumbent upon petitioner to show that its claim for tax credit or refund of alleged unutilized input taxes was filed within two (2) years after the close of the taxable quarter when the sales were made in accordance with Section 4.106-1 of Rev. Reg. No. 7-95.

8. Petitioner must prove that the input taxes paid on its domestic purchase of taxable goods and services were made in the course of its trade or business and supported by invoices or receipts in pursuance to Section 4.104-5 of Rev. Reg. No. 7-95.

9. Petitioner failed to show that the input taxes on its importation of taxable goods are supported with import entry or other equivalent documents which show that it actually paid the corresponding VAT imposed in pursuance to Section 4.104-5 (b) of Rev. Reg. No. 7-95.

10. Pursuant to Section 4.100-2 in relation to Section 4.102-1 and Section 4.102-2 of Rev. Reg. No. 7-95, petitioner must prove that its export sales of taxable goods and services to persons doing business outside the Philippines, are paid for in acceptable foreign currency, actually or constructively remitted to the Philippines and accounted for in accordance with the rules and regulations of the Central Bank of the Philippines.

11. It is incumbent upon petitioner to show that it has complied with the provisions under Sections 204(c) and 230 of the 1993 Tax Code. Otherwise, its failure to prove the same is fatal to the claim for refund.

12. Claims for refund are construed strictly against the claimant for the same partake the nature of exemption from taxation (Commissioner of Internal Revenue vs. Ledesma, 31 SCRA 95) and as such, they are looked upon with disfavor (Western Minolco Corp. vs. Commissioner of Internal Revenue, 124 SCRA 1211)

CTA CASE NO. 5952

"5. Taxes paid and collected are presumed to have been made in accordance with law, hence, not refundable.

6. Petitioner's claim for tax credit or refund of alleged unutilized VAT input taxes paid for the 3rd quarter of 1997 has already prescribed pursuant to Section 4.106-1 of Rev. Reg. No. 7-95.

7. Petitioner failed to prove the following:

a. Section 4.100-2 in relation to Section 4.102-1 and Section 4.102-2 of Rev. Reg. No. 7-95.

b. Section 4.104-5 of Rev. Reg. No.7-95.

8. Assuming but without admitting the fact that petitioner is entitled to tax refund, it is incumbent upon the latter to show that it has complied with the provisions under Sections 204 in relation to Section 230 (now 229) of the Tax Code. Otherwise, its failure to prove the same is fatal to its claim for refund.

To support its claim, Petitioner submitted the following documents:

1. Certificate of Registration issued by the BOI (Exhibit A)
2. Certificate of Registration issued by BIR (Exhibit B)
3. Quarterly VAT Returns and Amended Quarterly VAT Returns for taxable years 1997 & 1998 (Exhibits C to J)
4. Three applications for VAT credits for the following periods April 1, 1997 to June 30, 1997, July 1, 1997 to September 30, 1997 and October 1, 1997 to December 31, 1997, filed with the One Stop Shop Inter-Agency Tax Credit and Duty Drawback Center of the DOF (Exhibits K, L & M)
5. Summary of Input Tax on Local Purchases for the period April 1, 1997 to December 31, 1997 (Exhibit N)
6. Summary of Input Tax on Importations for the period April 1, 1997 to December 31, 1997 (Exhibit O)
7. Schedule of export Sales for the period April 1, 1997 to December 31, 1997 (Exhibit P)
8. Input Tax Supports for the periods April 1, 1997 to June 30, 1997, July 1, 1997 to September 30, 1997, and October 1, 1997 to December 31, 1997 (Exhibits Q, R, S)
9. Input Tax Supports-Importations for the periods April 1, 1997 to December 31, 1997 (Exhibits T-1 to T-140)
10. Export Sales Invoices for the period April 1, 1997 to December 31, 1997 (Exhibit U-1 to U-18)

11. Export Documents for the period April 1, 1997 to December 31, 1997 (Exhibits V-1 to V-146)

12. Bank Certifications of Inward Remittances for the period April 1, 1997 to December 31, 1997 (Exhibits W-1 to W-6)

13. SGV Report dated May 24, 1997 (Exhibit X)

Respondent, on the other hand, failed to present any evidence to support his Special and Affirmative defenses.

The sole issue to be resolved in these consolidated cases is whether or not Petitioner is entitled to the tax refund or issuance of tax credit certificate in the aggregate amount of P4,730,053.51 allegedly representing unutilized creditable input VAT taxes pertaining to domestic purchases of goods and services and importation of capital goods for the quarters covering the period April 1, 1997 to December 31, 1997.

We resolve in favor of the Petitioner.

Quoted hereunder are the following provisions of the Tax Code, as amended, from which Petitioner basically anchored its claim, viz:

> **SEC. 104.** ***Tax Credits.*** - x x x
>
> (b) *Excess output or input tax.* - If at the end of any taxable quarter the output tax exceeds the input tax, the excess shall be paid by the VAT-registered person. If the input tax exceeds the output tax, the excess shall be carried over to the succeeding quarters. Any input tax attributable to the purchase of capital goods or to zero-rated sales by a VAT-registered person may at his option be refunded or credited against other internal revenue taxes, subject to the provisions of Section 106.
>
> x x x x x x x x x
>
> **Section 106.** ***Refunds or tax credits of creditable input tax.*** –
>
> (a) Any VAT-registered person, whose sales are zero-rated or effectively zero-rated, may, within two (2) years after the close of the

taxable quarter when the sales were made, apply for the issuance of a tax credit certificate or refund of creditable input tax due or paid attributable to such sales, except transitional input tax, to the exteı.t that such input tax has not been applied against output tax: *Provided, however,* That in the case of zero-rated sales under Section 100(a)(2)(A)(i),(ii) and (b) and Section 102(b)(1) and (2), the acceptable foreign currency exchange proceeds thereof had been duly accounted for in accordance with the regulations of the Bangko Sentral ng Pilipinas (BSP): *Provided, further,* That where the taxpayer is engaged in zero-rated or effectively zero-rated sale and also in taxable or exempt sale of goods or properties or services, and the amount of creditable input tax due or paid cannot be directly and entirely attributed to any one of the transactions, it shall be allocated proportionately on the basis of the volume of sales.

x x x x x x x x x

Section 100 of the same Code defined export sales. to wit:

Section 100. ***Value-added tax on sale of goods or properties.*** - (a) *Rate and base of tax.* - x x x

(2) The following sales by VAT-registered persons shall be subject to 0%:

(A) Export sales. - The term `export sales' means:

(i) The sale and actual shipment of goods from the Philippines to a foreign country, irrespective of any shipping arrangement that may be agreed upon which may influence or determine the transfer of ownership of the goods so exported and paid for in acceptable foreign currency or its equivalent in goods or services, and accounted for in accordance with the rules and regulations of the Bangko Seı tral ng Pilipinas (BSP).

x x x x x x x x x

In order that a claim for refund of input VAT be granted, Petitioner must comply with the following requirements as provided in Section 106 of the National Internal Revenue Code, to wit:

1. That it is a VAT-registered person;

2. That its sales are zero-rated;

3. That the administrative claim for refund is seasonably filed;

4. That the input taxes claimed were attributable to zero-rated sales and were not applied against output tax liability; and

5. That foreign currency exchange proceeds had been duly accounted for in accordance with the Regulations of the Bangko Sentral ng Pilipinas.

A careful review of all the documentary evidence presented reveals that Petitioner has substantially complied with all the foregoing requirements.

Respondent, however, contended that the claim corresponding to the VAT return for the 3rd quarter of 1997 has already prescribed. We disagree with his contention. The 3rd quarter VAT return covering the period July 1, 1997 to September 30, 1997 was filed with the BIR on October 20, 1997 (see Exhibit "D"). The application for refund was filed with the One Stop Shop Inter-Agency Tax Credit and Duty Drawback Center of the DOF on July 21, 1999, while the Petition for Review was filed with this Court on October 11, 1999. Thus, filing of the claims for refund of the said input taxes, both administrative and judicial, were well-within the two-year prescriptive period.

Based on the report of the independent CPA commissioned by this Court, the input taxes claimed pertain to Petitioner's export and local sales. (Exhibit X) For the period April 1, 1997 to December 31, 1997, Petitioner obtained the following export and domestic sales, viz:

QUARTER INVOLVED	EXHIBIT		EXPORT SALES		DOMESTIC SALES		TOTAL SALES
2ND QUARTER	G	P	109,169,413.00	P	6,985,360.91	P	116,154,773.91
3RD QUARTER	H		120,863,228.01		6,938,088.88		127,801,316.89
4TH QUARTER	I		143,795,964.33		10,657,996.45		154,453,960.78

TOTAL	P	373,828,605.34	P	24,581,446.24	P	398,410,051.58

The export sales were duly substantiated with export documents such as Sales Invoice, Shipping Invoice, Bill of Lading, Export Declaration, Customs Inspector's Certificate of Loading and telegram for transmission (Exhibits V-1 to V-146) Moreover, the inward remittances of the foreign currency proceeds of Petitioner's export sales were substantiated by the Certifications issued by the Metropolitan Bank & Trust Company and Citibank (Exhibits W-2 to W-6).

To support its claim for refund of its unutilized creditable input taxes, Petitioner submitted various invoices and official receipts. (Exhibits Q-1 to Q-612, R-1 to R-599 & S-1 to S-412) Moreover, in the amended quarterly VAT returns, Petitioner deducted the amount of input taxes claimed for each of the respective calendar quarter under the caption : "Less: ANY REFUND/TCC CLAIMED".(Exhibits G, H & I) Hence, the total claimed unutilized creditable VAT input taxes was no longer carried over to the succeeding quarter, the 1st quarter of taxable year 1998 (Exhibits J & J-3).

However, the input taxes in the amount of P348,064.70 were disallowed by the independent CPA for the reason that these were not properly substantiated for VAT purposes. (Exhibit X) A further verification conducted by this Court disallowed the amount of P94,866.32 for failure to conform with the substantiation requirements prescribed in Section 4.104-5 of Revenue Regulations No. 7-95 (see Annex A).

In conclusion, this Court is inclined to grant Petitioner's claim, for refund of unutilized input VAT credits in the reduced amount of P1,828,977.87 computed as follows:

Amount Claimed		P4,730,053.51
Less: Disallowances		
(a) Per SGV's verification (Exh. X)	P348,064.70	
(b) Per Court's further verification (Annex A)	94,866.32	442,931.02
Allowable Input Tax		P4,287,122.49
Less: Output Tax Liabilities		
2nd Quarter 1997	P698,536.09	
3rd Quarter 1997	693,808.89	
4th Quarter 1997	1,065,799.64	2,458,144.62
Amount Refundable		**P1,828,977.87**

WHEREFORE, in view of all the foregoing, Respondent is hereby **ORDERED** to **REFUND** or **ISSUE A TAX CREDIT CERTIFICATE** in favor of Petitioner the amount of P1,828,977.87 representing the latter's unutilized VAT input taxes for the period April 1, 1997 to December 31, 1997.

SO ORDERED.

AMANCIO Q. SAGA
Associate Judge

WE CONCUR:

ERNESTO D. ACOSTA
Presiding Judge

Juanito C. Castañeda, Jr.
JUANITO C. CASTAÑEDA, JR.
Associate Judge

CERTIFICATION

I hereby certify that the above decision was reached after due consultation with the members of the Court of Tax Appeals in accordance with Section 13, Article VIII of the Constitution.

ERNESTO D. ACOSTA
Presiding Judge

DYNO NOBEL PHILIPPINES, INC. **ANNEX A**
SCHEDULE OF COURT'S DISALLOWANCE
FOR THE PERIOD APRIL 1, 1997 TO DECEMBER 31, 1997

SUPPLIER	QUARTER INVOLVED	EXHIBIT	REFERENCE NO.	INVOICE DATE		INVOICE AMOUNT		INPUT TAX
(a) Invoice/official receipt not in the name of Dyno Nobel Philippines, Inc.								
CIPRES STEVEDORING	3RD QTR.	R-415	628306	9/17/97		13.18		1.20
SMART COMMUNCATIONS	3RD QTR.	R-573	609260	9/23/97		1,780.57		161.87
SMART COMMUNICATIONS	3RD QTR.	R-133	167356	6/27/97		330.00		30.00
SMART COMMUNICATIONS	3RD QTR.	R-134	286333	8/8/97		14,402.30		1,309.30
SMART COMMUNICATIONS	3RD QTR.	R-136	286332	8/8/97		3,943.17		357.47
SMART COMMUNICATIONS	3RD QTR.	R-138	286067	7/31/97		2,104.96		191.36
SMART COMMUNICATIONS	3RD QTR.	R-140	286066	7/31/97		6,429.17		584.47
SMART COMMUNICATIONS	3RD QTR.	R-142	286065	7/31/97		415.14		37.74
SMART COMMUNICATIONS	3RD QTR.	R-144	286064	7/31/97		4,822.95		438.45
SMART COMMUNICATIONS	3RD QTR.	R-146	286068	7/31/97		1,327.15		120.65
SMART COMMUNICATIONS	3RD QTR.	R-148	286060	7/31/97		5,800.85		527.35
SMART COMMUNICATIONS	3RD QTR.	R-342	608515	9/1/97		918.50		83.50
		SUBTOTAL			P	**42,287.94**	P	**3,843.36**
(b) Invoice without date								
AVESCO	2ND QTR.	Q-218	54290		P	**492.00**	P	**44.73**
(c) Invoice/official receipt not within the period of claim								
LEHNKERING MONTAN	2ND QTR.	T-26	62997541	3/5/97	P	2,940.00	P	294.00
CIPRES STEVEDORING	2ND QTR.	Q-241	615767	3/14/97		34.76		3.16
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-448	47065	2/18/97		1,473.00		133.91
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-449	46916	1/4/97		2,800.00		254.55
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-450	46924	1/6/97		540.00		49.09
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-455	47151	3/19/97		298.20		27.11
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-454	46943	1/14/97		192.00		17.45
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-457	47084	2/28/97		280.00		25.45
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-456	46857	12/6/96		285.00		25.91
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-458	46940	1/14/97		68.75		6.25
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-457	46942	1/14/97		175.00		15.91
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-458	46945	1/14/97		261.90		23.81
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-459	46998	1/29/97		270.00		24.55
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-459	47118	3/7/97		72.00		6.55
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-460	47033	2/8/97		440.00		40.00
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-461	47005	1/31/97		81.00		7.36
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-460	46941	1/14/97		360.00		32.73
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-462	46995	1/29/97		480.00		43.64
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-461	46990	1/29/97		120.00		10.91
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-463	47052	2/13/97		78.00		7.09
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-462	47051	2/13/97		74.00		6.73
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-464	47007	1/31/97		226.90		20.63
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-464	47049	2/13/97		70.00		6.36
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-465	47121	3/7/97		120.00		10.91

DUMAGUETE GOLDEN RULE	2ND QTR.	Q-465	47085	2/28/97	420.00	38.19
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-466	47089	3/3/97	162.00	14.73
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-466	47147	3/19/97	180.00	16.36
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-467	47120	3/7/97	60.00	5.45
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-467	47083	2/28/97	144.00	13.09
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-468	47059	[illegible]/14/97	330.00	30.00
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-469	47072	2/24/97	65.00	5.91
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-468	47073	2/24/97	390.00	35.45
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-470	47074	2/24/97	30.00	2.73
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-469	47078	2/25/97	375.00	34.09
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-471	47086	2/28/97	324.00	29.45
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-470	47119	3/7/97	90.00	8.18
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-472	47117	3/7/97	30.50	2.77
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-471	47135	3/13/97	50.00	4.55
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-473	47136	3/13/97	30.00	2.73
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-472	47146	3/7/97	375.00	34.09
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-473	47145	3/19/97	380.00	34.55
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-484	47090	3/3/97	387.00	35.18
DUMAGUETE GOLDEN RULE	2ND QTR.	Q-483	47171	3/25/97	450.00	40.91
GRAND ASIAN SALES	2ND QTR.	Q-295	24368	3/11/97	93,600.00	8,509.09
GRAND ASIAN SALES	2ND QTR.	Q-296	24401	3/7/97	93,600.00	8,509.09
KINGBRO SCIENTIFICS	2ND QTR.	Q-306	5766	12/5/96	1,116.00	101.45
LBC EXPRESS	2ND QTR.	Q-308	3075391	1/2/97	49.50	4.50
LBC EXPRESS	2ND QTR.	Q-307	3075737	[illegible]/21/97	49.50	4.50
LBC EXPRESS	2ND QTR.	Q-308	2831671	2/10/97	84.00	7.00
LBC EXPRESS	2ND QTR.	Q-308	2573791	3/5/97	84.00	7.00
LBC EXPRESS	2ND QTR.	Q-308	3075138	2/21/97	49.50	4.50
NCH PHILIPPINES	2ND QTR.	Q-131	003669	2/27/97	10,311.84	937.44
NEW BIAN YEK COMML	2ND QTR.	Q-134	15480	3/21/97	255.00	23.18
NEW VICTORY TRADING	2ND QTR.	Q-127	83661	3/31/97	43.40	3.95
NOL PHILIPPINES	2ND QTR.	Q-126	66608	3/24/97	1,500.00	136.36
NOL PHILIPPINES	2ND QTR.	Q-136	66448	3/21/97	1,764.30	160.39
ORIENT FREIGHT INT'L	2ND QTR.	Q-139	9859	3/6/97	1,774.61	161.33
ORIENT PORT & ALLIED	2ND QTR.	Q-138	150429	3/21/97	661.10	60.10
ORIENT PORT & ALLIED	2ND QTR.	Q-139	151162	3/25/97	661.10	60.10
PC IDEAS	2ND QTR.	Q-327	0000850	3/26/97	2,000.00	181.82
PHILAB INDUSTRIES	2ND QTR.	Q-555	9874	2/14/97	2,790.00	253.64
POLARIS POWER ENGR	2ND QTR.	Q-158	4773	3/22/97	1,120.00	101.82
RCPI	2ND QTR.	Q-161	919697	3/26/97	72.16	6.56
RCPI	2ND QTR.	Q-161	919579	3/12/97	344.79	31.34
RCPI	2ND QTR.	Q-162	386493	3/18/97	123.86	11.26
RCPI	2ND QTR.	Q-160	387317	2/14/97	123.86	11.26
RCPI	2ND QTR.	Q-160	386421	3/14/97	99.22	9.02
RICKY'S BAKERY & GROCERY	2ND QTR.	Q-159	514561	3/31/97	60.50	5.50
SIEMEN'S, INC.	2ND QTR.	Q-164	20719	3/7/97	176,473.44	16,043.04
SIMON ENTRP.	2ND QTR.	Q-169	31321	1/10/97	12,607.90	1,146.17
SOUTHERN IND'L GASES	2ND QTR.	Q-175	713428	3/21/97	1,896.00	172.36
SUPERLIFT EQUIPMENT	2ND QTR.	Q-181	5980	3/6/97	46,295.90	4,208.72
SUPERLIFT EQUIPMENT	2ND QTR.	Q-182	5985	3/15/97	4,214.98	383.18
SUPERLIFT EQUIPMENT	2ND QTR.	Q-597	5962	12/19/96	78,512.12	7,137.47
SYMBOLIC MARKETING	2ND QTR.	Q-183	7071	3/10/97	37,342.00	3,394.73
SYMBOLIC MARKETING	2ND QTR.	Q-184	7072	3/10/97	25,000.00	2,272.73
SYMBOLIC MARKETING	2ND QTR.	Q-185	7083	3/11/97	3,440.00	312.73
YUTEK HARDWARE	2ND QTR.	Q-606	176269	3/3/97	91,000.00	8,272.73
YUTEK HARDWARE	2ND QTR.	Q-605	177187	3/17/97	1,120.00	101.82

YUTEK HARDWARE	2ND QTR.	Q-607	177733	3/10/97	11,740.00	1,067.27
YUTEK HARDWARE	2ND QTR.	Q-608	177732	3/10/97	72,564.00	6,596.73
YUTEK HARDWARE	2ND QTR.	Q-609	175972	2/27/97	78,320.00	7,120.00
YUTEK HARDWARE	2ND QTR.	Q-610	163451	9/5/96	5,912.00	537.45
CJ KARR IND'L	3RD QTR.	R-33	16165	3/11/97	306.60	27.87
MASON TRADING	3RD QTR.	R-87	102	1/29/97	5,820.00	529.09
PAC-ATLANTIC	3RD QTR.	R-102	0007965	3/25/97	1,904.33	173.12
YUTEK HARDWARE	3RD QTR.	R-364	163828	9/11/96	6,000.00	545.45
		SUBTOTAL			**P 888,820.52**	**P 80,827.33**

(d) Invoice/official receipt printed after July 31, 1991 with stamped TIN-V

DGTE. AUTO PARTS	4TH QTR.	S-47	26452	9/18/97	35.00	3.18
DGTE AUTO PARTS	2ND QTR.	Q-436	25880	6/6/97	1,500.00	136.36
PC IDEAS	2ND QTR.	Q-327	0000880	4/17/97	125.00	11.36
		SUBTOTAL			**P 1,660.00**	**P 150.90**

(e) SGV's disallowance in which the amount is understated

LURGI AG	3RD QTR.	T-47	PV-97-7-263	7/30/97		**P 10,000.00**
		TOTAL			**P 933,752.46**	**P 94,866.32**