REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

THIRD DIVISION

AIR LIQUIDE PHILIPPINES, INC.,
Petitioner,

-versus-

COMMISSIONER OF INTERNAL REVENUE,
Respondent.

CTA Cases No. 8259 & 8296

Members:

BAUTISTA, Chairperson
FABON-VICTORINO, *and*
RINGPIS-LIBAN, *JJ.*

Promulgated:

MAY 27 2015 1:28 p.m.

x---x

DECISION

RINGPIS-LIBAN, *J.*:

Before the Court are consolidated Petitions for Review under Section 3(a)(2) of Rule 4 of the 2005 Revised Rules of the Court of Tax Appeals (RRCTA), as amended, and pursuant to Section 112(c) of the National Internal Revenue Code (Tax Code), for the refund/issuance of tax credit certificates for the excess and unutilized input value-added tax (VAT) accrued by the petitioner from its domestic purchases of goods and services attributable to VAT zero-rated sales for the first and second quarters of calendar year 2009 in the aggregate amount of ₱18,824,845.60, broken down as follows:

CTA Case No.	Period Covered	Input VAT Claim
8259	1st Quarter - 2009	₱ 10,303,119.23[1]
8296	2nd Quarter - 2009	8,521,726.37[2]
	Total	**₱ 18,824,845.60**

Petitioner filed its Petition for Review seeking refund for the first quarter of 2009 on April 1, 2011, docketed as CTA Case No. 8259. Petitioner's Petition for

[1] Petition for Review, CTA Case No. 8259, *Docket*, Vol. One, p. 15.

[2] Petition for Review, CTA Case No. 8296, p. 15.

Review for the second quarter of 2009 was filed on June 21, 2011, docketed as CTA Case No. 8296. These cases were ordered consolidated by this Court upon petitioner's motion on October 27, 2011.

THE PARTIES

The petitioner is a domestic corporation duly registered with and authorized by the Securities and Exchange Commission (SEC) to engage in the manufacture, production, purchase, wholesale, importation, marketing and dealing in general of all kinds of industrial, medical and specialty liquid gases, other chemicals and their residual components.[3] Petitioner's principal place of business is currently at 12/F Ecotower Building, 32nd Avenue cor. 7th Street, Bonifacio Global City, Taguig City.

The respondent is the duly-appointed Commissioner of the Bureau of Internal Revenue (BIR), vested with authority to, *inter alia*, decide refunds of internal revenue taxes, fees or other charges, penalties imposed in relation thereto, or other matters arising under the National Internal Revenue Code or other laws administered by the BIR, and holding office at the BIR National Office Building, Diliman, Quezon City.

JURISDICTIONAL FACTS

Section 112(A) of the Tax Code states that:

> "**SEC. 112.** ***Refunds or Tax Credits of Input Tax.-*** **(A)** ***Zero-Rated or Effectively Zero-Rated Sales.-*** 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 extent that such input tax has not been applied against output tax: x x x"

As explicitly stated under Section 112(A), the application for tax credit certificate/refund of unutilized excess input VAT must be filed within two years after the close of the taxable quarter when the zero-rated or effectively zero-rated sales were made.

In the instant case, the claims cover the first and second quarters of 2009 which closed on March 31, 2009 and June 30, 2009, respectively. Counting two

[3] *Docket*, pp. 1718.

years from the said dates, petitioner had until March 31, 2011 and June 30, 2011, respectively, within which to file its administrative claims for refund/tax credit certificate. Evidently, petitioner's administrative claims for refund/tax credit certificate were seasonably filed within two years from the close of the taxable quarters, as shown below:

CTA Case No.	Period Covered	Close of the Taxable Quarter	Last Day to File Administrative Claim	Date of Filing of Administrative Claim
8259	1st Qtr – 2009	March 31, 2009	March 31, 2011	Nov. 5, 2010[4]
8296	2nd Qtr - 2009	June 30, 2009	June 30, 2011	Jan. 27, 2011[5]

As to the timeliness of petitioner's judicial appeal, Section 112(C) of the Tax Code, as amended, provides as follows:

> "**SEC. 112.** ***Refunds or Tax Credits of Input Tax.***- x x x
>
> **(C)** ***Period within which Refund or Tax Credit of Input Taxes shall be Made.***- In proper cases, the Commissioner shall grant a refund or issue the tax credit certificate for creditable input taxes within one hundred twenty (120) days from the date of submission of complete documents in support of the application filed in accordance with Subsection (A) hereof.
>
> In case of full or partial denial of the claim for tax refund or tax credit, or the failure on the part of the Commissioner to act on the application within the period prescribed above, the taxpayer affected may, within thirty (30) days from the receipt of the decision denying the claim or after the expiration of the one hundred twenty day-period, appeal the decision or the unacted claim with the Court of Tax Appeals."

The foregoing provision provides that the CIR has 120 days from the date of submission of complete documents in support of the application for refund/tax credit within which to grant or deny the claim. In case of full or partial denial by the CIR or the inability of the CIR to act on the claim within the 120-day period, the taxpayer may appeal with this Court within 30 days from receipt of the adverse decision or the expiration of the 120-day period without any action on the part of the CIR.

Thus, applying Section 112(C) of the Tax Code, as amended, the following are the pertinent dates in petitioner's claim for refund/tax credit certificate:

[4] Exhibit "C".
[5] Exhibit "TT".

CTA Case No.	Taxable Quarter of 2009	Date of Filing Administrative Claim	End of 120 days for the BIR Commissioner to decide on the claim	End of 30 days from the expiration of the 120 days	Date of Filing of Judicial Claim
8259	1st Quarter	Nov. 5, 2010	March 5, 2011	April 4, 2011	April 1, 2011
8296	2nd Quarter	Jan. 27, 2011	May 27, 2011	June 26, 2011	June 21, 2011

Clearly from the above, petitioner's judicial claims for the first and second quarters of 2009 were timely filed within the "120-30" day period required under Section 112(C) of the NIRC of 1997, as amended. The consolidated Petitions for Review are therefore well within the jurisdiction of the Court.

FACTUAL ANTECEDENTS

In the course of its operations, petitioner generates VATable, VAT-exempt, and VAT zero-rated sales by selling its products and rendering related services to various domestic entities, including corporations registered with the Philippine Economic Zone Authority (PEZA) under Republic Act (RA) No. 7916[6], as amended, with the Subic Bay Metropolitan Authority (SBMA) under RA 7227[7], as amended, and with the Board of Investments (BOI) under Executive Order (EO) No. 226[8], with whom petitioner deals with pursuant to service agreements.[9]

For the first and second quarters of 2009, petitioner recorded its VATable, VAT-exempt, and VAT zero-rated sales in the following amounts:

CY2009	VATable sales	VAT-exempt sales	VAT zero-rated sales	TOTAL SALES
First Quarter	₱ 64,069,544.00	₱ 1,068,794.40	₱ 145,334,264.90	₱ 210,472,603.30
Second Quarter	83,724,354.42	1,263,093.64	159,178,836.06	244,166,284.12
TOTAL	**₱ 147,793,898.42**	**₱ 2,331,888.04**	**₱ 304,513,100.96**	**₱ 454,638,887.42**

For the same period, petitioner recorded the following amounts of output VAT resulting from its VATable sales, pursuant to the Tax Code and Revenue Regulations (RR) No. 16-2005, as amended:

CY2009	Output VAT recorded
First Quarter	₱ 7,688,345.28
Second Quarter	10,046,922.53
TOTAL	**₱ 17,735,267.81**

[6] Otherwise known as the "Special Economic Zone Act of 1995".
[7] Otherwise known as the "Bases Conversion and Development Act of 1992".
[8] Otherwise known as the "Omnibus Investments Code of 1987".
[9] Exhibits "QQQ" through "RRRR".

As a corporation transacting business in the Philippines, petitioner pays the VAT passed on to it by its suppliers for its domestic purchases of supplies and services, in addition to the VAT it pays for importing materials, thereby incurring input VAT pursuant to the Tax Code and RR No. 16-2005.

Thus, for the first and second quarters of 2009, petitioner recorded the following amounts of input VAT:

CY2009	Input VAT from domestic purchases of goods	Input VAT from domestic purchases of services	Input VAT from importation of goods	TOTAL INPUT VAT
First Quarter	₱ 2,441,526.42	₱ 8,893,809.49	₱ 3,011,079.00	₱ 14,346,414.91
Second Quarter	1,963,791.28	9,334,403.67	1,773,381.10	13,071,576.05
TOTAL	**₱ 4,405,317.70**	**₱ 18,228,213.16**	**₱ 4,784,460.10**	**₱ 27,417,990.96**

At the start of the first quarter of 2009, petitioner recorded an allowable input VAT in the amount of ₱184,190,750.03 which was comprised of input VAT carried over from previous quarters and deferred input VAT.[10] By the end of the second quarter of 2009 (start of the third quarter of 2009), petitioner recorded an allowable input VAT in the amount of ₱191,908,928.75 which likewise was comprised of input VAT carried over from previous quarters and deferred input VAT.[11]

Considering the availability of input VAT carried over from previous quarters, petitioner also carried-over the input VAT it incurred from the first and second quarters of 2009 to succeeding quarters, deducting them from any available output VAT, pursuant to the principle of "first in, first out" enunciated in RR No. 16-2005.

By the third quarter of 2009, however, petitioner's carry-over input VAT had already grown considerably, and petitioner decided to claim the unutilized input VAT from the first quarter of 2009 as tax credit or for refund. Thus, petitioner indicated in its Amended Quarterly VAT Return for the third quarter of 2010 that it was claiming ₱10,303,119.23 for refund/tax credit, thereby taking out the amount from the bulk of input VAT to be carried-over to succeeding quarters.

Also, by the fourth quarter of 2010, petitioner decided to claim the unutilized input VAT from the second quarter of 2009 as tax credit or for refund by indicating in its Quarterly VAT Return for the fourth quarter of 2010[12] that it

[10] Exhibit "I".
[11] Exhibit "J".
[12] Exhibit "S".

was claiming ₱8,521,726.37 for refund/tax credit, thereby taking out the amount from the bulk of input VAT to be carried-over to succeeding quarters.

Combining both amounts, petitioner claims a total of ₱18,824,845.60 representing excess and unutilized input VAT from the first and second quarters of 2009 attributable to its VAT zero-rated sales.

Pursuant to the Tax Code and prevailing BIR regulations, petitioner filed its administrative applications for issuance of tax credit certificate/refund of excess input tax for the first and second quarters of 2009, with the BIR's Large Taxpayers Audit and Investigation Division II (BIR-LTAID).

The application for the first quarter of 2009 was filed with the BIR-LTAID on November 5, 2010, complete with supporting documents.[13] The application for the second quarter of 2009 was filed with the BIR-LTAID on January 27, 2011, complete with supporting documents.[14]

After 120 days without action on respondent's part, petitioner elevated its claims for refund/tax credit to this Court via Petitions for Review. Its Petition for Review for its claim for the first quarter of 2009 was filed on April 1, 2011 and was docketed as CTA Case No. 8259. Its Petition for Review for its claim for the second quarter of 2009 was filed on June 21, 2011, and was docketed as CTA Case No. 8296.

Respondent filed her Answer in CTA Case No. 8259 on May 27, 2011, after having sought extension to file the same. Her Answer in CTA Case No. 8296, on the other hand, was filed on July 21, 2011. Both cited the following Special and Affirmative Defenses:

1. A valid claim for refund should consist of the following:

    a. a written claim for refund filed by the taxpayer with the Commissioner of Internal Revenue which is a mandatory requirement. Without this requirement, the CIR is without any authority to refund[15];

    b. the claim for refund must be a categorical demand for reimbursement; and

[13] Exhibit "C".
[14] Exhibit "TT".
[15] *Docket*, p. 115.

c. The claim for refund must be filed within two years from date of payment of the tax or penalty regardless of any supervening cause. In claims for refund, the thirty-day period to appeal should be within the two-year prescriptive period;[16]

2. It is incumbent upon petitioner to prove that the alleged claim for refund was filed within the prescriptive period provided under the law, rules, and jurisprudence;

3. Petitioner must prove that the input taxes allegedly paid by petitioner on its domestic purchases of non-capital goods and service, services rendered by non-residents and importation of non-capital goods for the first and second quarters of 2009 were attributable to its zero-rated sales and such have not been applied against any output tax and were not carried over in the succeeding taxable quarter or quarters;

4. Petitioner must prove that its domestic purchases of goods and services were made in the course of its trade or business, properly supported by VAT invoices and/or official receipts and other documents, such as subsidiary purchase journal, showing that it actually paid VAT in compliance with Sections 110(A)(2), 113(A) and 237 of the Tax Code, and in pursuance to Section 4.104.5(a) and (b) of RR No. 7-95;

5. Petitioner must substantiate its claim for refund in accordance with RR No. 53-1998[17] which provides requirements in claims for refund involving excess or unutilized input VAT;

6. Petitioner's claim for refund is subject to administrative investigation/examination and pending closure of this investigation, no grant of refund may be given to petitioner based on the filed claim; and

7. A claim for refund partakes the nature of exemption from taxation and is thus, construed against the taxpayer and in favor of the State.

Upon petitioner's motion, CTA Case No. 8296 was ordered consolidated with CTA Case No. 8259 in a Resolution issued on October 27, 2011.

---

[16] *Id.*

[17] Checklist of Documents to be Submitted by a Taxpayer upon Audit of his Tax Liabilities as well as of the Mandatory Reporting Requirements to be Prepared by a Revenue Officer, all of which Comprise a Complete Tax Docket.

The Pre-trial Conference was held on July 12, 2012 wherein both petitioner and respondent agreed to file a joint stipulation of facts and issues. Both parties filed their Joint Stipulation of Facts and Issues on August 10, 2012. The Pre-Trial Order for these consolidated cases was issued on September 10, 2012, thereby terminating the pre-trial.

Trial ensued thereafter. Petitioner presented its witnesses: 1) Leah R. Acasio, its Accounting Manager, who testified on matters in her sworn statement dated October 3, 2012[18]; 2) Daisy C. Egpit, its Sales Administration Assistant Manager, who testified on matters in her sworn statement dated April 24, 2013; and 3) Emmanuel Y. Mendoza, the Independent CPA commissioned by the Court for the consolidated cases who testified on matters in his sworn statement dated May 27, 2013.

On June 19, 2013, petitioner filed its Formal Offer of Evidence to which respondent filed her Comment on June 25, 2013.

After further proceedings and after having filed its Supplemental Formal Offer of Exhibits on November 5, 2013, petitioner formally rested its case on January 3, 2014. Respondent then manifested that she would not be presenting evidence.

In a Resolution dated January 3, 2014, the parties were given time to file their respective memoranda.

On February 28, 2014, respondent filed her Manifestation that she would be adopting the arguments raised in her Answers filed on May 27, 2011, and July 21, 2011, in CTA Case No. 8259 and CTA Case No. 8296, respectively, as her Memorandum.

Petitioner filed its Memorandum[19] on March 11, 2014, together with a Motion to Admit the same for having been filed beyond the extended period allowed by the Court. This was granted in a Resolution dated May 19, 2014. Considering the petitioner's Memorandum and respondent's Manifestation, the case was then submitted for decision.

ISSUES[20]

The parties stipulated that the sole issue to be resolved in this case is:

---

[18] Exhibit SSS.
[19] *Docket*, pp. 1717-1743.
[20] Joint Stipulation of Facts and Issue (JSFI), Stipulation of Issue, CTA Case No. 8259, Docket, Vol 2, p. 924.

Whether petitioner is entitled to the refund or issuance of a tax credit certificate for its unutilized/excess input VAT payments for the 1st and 2nd Quarters of 2009 amounting to ₱18,824,845.60.

APPLICABLE LAWS AND REGULATIONS

The laws applicable to the case are the relevant provisions of the NIRC of 1997, as amended in 2005 by R.A. No. 9337, and as implemented by administrative issuances, notably Revenue Regulations 16-2005.

DISCUSSION

Petitioner's claim finds legal basis in Section 112(A) of the Tax Code, as amended, which provides:

> "SEC. 112. ***Refunds or Tax Credits of Input Tax.-***
>
> (A) *Zero-rated or Effectively Zero-rated Sales.-* 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 extent that such input tax has not been applied against output tax: *Provided, however,* That in the case of zero-rated sales under Section 106(A)(2)(a)(1), (2) and (b) and Section 108(B)(1) and (2), the acceptable foreign currency exchange proceeds thereof had been duly accounted for in accordance with the rules and 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: *Provided, finally,* That for a person making sales that are zero-rated under Section 108(B)(6), the input taxes shall be allocated ratably between his zero-rated and nonzero-rated sales.
>
> xxx xxx xxx

From the foregoing, in order to be entitled to a refund or tax credit of input tax due or paid attributable to zero-rated or effectively zero-rated sales, the following requisites must be complied with:

a) the taxpayer is VAT-registered;
b) the taxpayer is engaged in zero-rated or effectively zero-rated sales;

c) the input taxes are due or paid;
d) the input taxes are not transitional input taxes;
e) the input taxes have not been applied against output taxes during and in the succeeding quarters;
f) the input taxes claimed are attributable to zero-rated or effectively zero-rated sales;
g) for zero-rated sales under Sections 106(A)(2)(1) and (2); 106(B); and 108(B)(1) and (2), the acceptable foreign currency exchange proceeds have been duly accounted for in accordance with the rules and regulations of the Bangko Sentral ng Pilipinas;
h) where there are both zero-rated or effectively zero-rated sales and taxable or exempt sales, and the input taxes cannot be directly and entirely attributable to any of these sales, the input taxes shall be proportionately allocated on the basis of sales volume; and
i) the claim is filed within two years after the close of the taxable quarter when such sales were made[21].

We have already discussed the timeliness of petitioner's administrative claims in the "Jurisdictional Facts" portion of this Decision. We will now determine petitioner's compliance with the remaining requisites for refund of input VAT.

It is undisputed that petitioner is registered with the BIR as a VAT entity under Certificate of Registration No. OCN 8RC0000019634[22]. It is also duly registered with the SEC to engage in the manufacture, production, purchase, wholesale, importation, marketing and generally deal in all kinds of industrial, medical and specialty liquid gases, other chemicals and their residual components.[23]

For the first and second quarters of taxable year 2009, petitioner allegedly sold its products and rendered related services to entities registered with the PEZA, SBMA, and BOI. Petitioner posits that such sales of goods and related services, being considered export sales under RA No. 7916, RA No. 7227 and EO No. 226, are subject to zero percent (0%) VAT under Sections 106(A)(2)(a)(5) and 108(B)(3) of the NIRC of 1997, as amended.

For easy reference, Sections 106(A)(2)(a)(5) and 108(B)(3) of the NIRC of 1997, as amended, are quoted herein below:

"SEC. 106. *Value-Added Tax on Sale of Goods or Properties.-*

(A) *Rate and Base of Tax.* - There shall be levied, assessed and collected on every sale, barter or exchange of goods or properties, a

[21] *Luzon Hydro Corporation vs. Commissioner of Internal Revenue*, G.R. No. 188260, November 13, 2013.
[22] JSFI, Stipulation of Facts, par. 4, CTA Case No. 8259, *Docket*, Vol. 2, p. 923.
[23] JSFI, Stipulation of Facts, par. 3, CTA Case No. 8259, *Docket*, Vol. 2, p. 923.

value added tax equivalent to ten percent (10%) of the gross selling price or gross value in money of the goods or properties sold, bartered or exchanged, such tax to be paid by the seller or transferor: *Provided,* That the President, upon the recommendation of the Secretary of Finance, shall, effective January 1, 2006, raise the rate of value-added tax to twelve percent (12%), after any of the following conditions has been satisfied:

xxx xxx xxx

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

(a) *Export Sales.* -The term 'export sales' means:

xxx xxx xxx

(5) **Those considered export sales under Executive Order No. 226, otherwise known as the Omnibus Investment Code of 1987, and other special laws**; and

xxx xxx xxx

"SEC. 108. *Value-added Tax on Sale of Services and Use or Lease of Properties.-*

xxx xxx xxx

(B) *Transactions Subject to Zero Percent (0%) Rate.* – The following services performed in the Philippines by VAT –registered persons shall be subject to zero percent (0%) rate:

xxx xxx xxx

"(3) **Services rendered to persons or entities whose exemption under special laws or international agreements to which the Philippines is a signatory effectively subjects the supply of such services to zero percent (0%) rate;** *(Emphasis supplied)*

We agree with petitioner.

Sales by a VAT-registered taxpayer from the customs territory to entities located in export processing zones are considered export sales under EO No. 226, otherwise known as the "Omnibus Investments Code of 1987", the relevant portions of which, read as follows:

> **"ARTICLE 23.** "Export Sales" shall mean the Philippine port F.O.B. value, determined from invoices, bills of lading, inward letters of credit, landing certificates, and other commercial documents, of exports products exported directly by a registered export producer or the net selling price of export products sold by a registered export producer to another export producer, or to an export trader that subsequently exports the same: *Provided,* That sales of export products to another producer or to an export trader shall only be deemed export sales when actually exported by the latter, as evidenced by landing certificates or similar commercial documents: *Provided, further,* **That without actual exportation the following shall be considered constructively exported for purposes of this provision:** (1) sales to bonded manufacturing warehouses of export-oriented manufacturers; (2) **sales to export processing zones** x x x" (*Emphasis supplied*)
>
> **"ARTICLE 77.** ***Tax Treatment of Merchandise in the Zone.*** – (1) Except as otherwise provided in this Code, foreign and domestic merchandise, raw materials, supplies, articles, equipment, machineries, spare parts and wares of every description, except those prohibited by law, brought into the zone to be sold, stored, broken up, repacked, assembled, installed, sorted, cleaned, graded, or otherwise processed, manipulated, manufactured, mixed with foreign or domestic merchandise whether directly or indirectly related in such activity, shall not be subject to customs and internal revenue laws and regulations nor to local tax ordinances, the provisions of law to the contrary notwithstanding.
>
> "(2) **Merchandise purchased by a registered zone enterprise from the customs territory and subsequently brought into the zone, shall be considered as export sales and the exporter thereof shall be entitled to the benefits allowed by law for such transaction.** x x x" (*Emphasis supplied*)

Since petitioner's sales of goods to entities located in export processing zones fall within the definition of "export sales" under EO No. 226, such sales are export sales contemplated by Section 106(A)(2)(a)(5) of the Tax Code, as amended, that are subject to zero percent (0%) VAT.

Moreover, RA No. 7916, otherwise known as "The Special Economic Zone Act of 1995", provides that ecozones are considered separate customs territory, and the business establishments operating within the ecozones are entitled to certain fiscal incentives. Sections 8 and 23 of RA No. 7916 provide:

> "SECTION 8. ECOZONE to be Operated and Managed as Separate Customs Territory. - The ECOZONES shall be managed and operated by the PEZA as separate customs territory."
>
> xxx xxx xxx
>
> "SECTION 23. Fiscal Incentives. Business establishments operating within the ECOZONES shall be entitled to the fiscal incentives as provided for under Presidential Decree No. 66, the law creating the Export Processing Zone Authority, or those provided under Book VI of Executive Order No. 226, otherwise known as the Omnibus Investment Code of 1987."

RA No. 7227, otherwise known as the "Bases Conversion and Development Act of 1992", provides a similar provision treating the Subic Special Economic Zone as a separate customs territory, thus:

> "SECTION 12. Subic Special Economic Zone. --
>
> xxx xxx xxx
>
> (b) The Subic Special Economic Zone shall be operated and managed as a separate customs territory ensuring free flow or movement of goods and capital within, into and exported out of the Subic Special Economic Zone, as well as provide incentives such as tax and duty free importations of raw materials, capital and equipment. However, exportation or removal of goods from the territory of the Subic Special Economic Zone to the other parts of the Philippine territory shall be subject to customs duties and taxes under the Customs and Tariff Code and other relevant tax laws of the Philippines;"

In ***Commissioner of Internal Revenue vs. Toshiba Information Equipment (Phils.), Inc.***,[24] the Supreme Court explained in this wise:

[24] G.R. No. 150154, August 9, 2005.

"This Court agrees, however, that PEZA-registered enterprises, which would necessarily be located within ECOZONES, are VAT-exempt entities, not because of Section 24 of Rep. Act No. 7916, as amended, which imposes the five percent (5%) preferential tax rate on gross income of PEZA-registered enterprises, in lieu of all taxes; but, rather, because of Section 8 of the same statute which establishes the fiction that ECOZONES are foreign territory.

xxx xxx xxx

Section 8 of Rep. Act No. 7916, as amended, mandates that the PEZA shall manage and operate the **ECOZONES as a separate customs territory; thus, creating the fiction that the ECOZONE is a foreign territory. As a result, sales made by a supplier in the Customs Territory to a purchaser in the ECOZONE shall be treated as an exportation from the Customs Territory. Conversely, sales made by a supplier from the ECOZONE to a purchaser in the Customs Territory shall be considered as an importation into the Customs Territory.**

Given the preceding discussion, what would be the VAT implication of sales made by a supplier from the Customs Territory to an ECOZONE enterprise?

The Philippine VAT system adheres to the **Cross Border Doctrine**, according to which, no VAT shall be imposed to form part of the cost of goods destined for consumption outside of the territorial border of the taxing authority. Hence, **actual export of goods and services from the Philippines to a foreign country must be free of VAT**; while, those destined for use or consumption within the Philippines shall be imposed with ten percent (10%) VAT." *(Emphasis supplied)*

Likewise, in ***Commissioner of Internal Revenue vs. Sekisui Jushi Philippines, Inc.,***[25] the Supreme Court held that:

"Notably, **while an ecozone is geographically within the Philippines, it is deemed a separate customs territory and is regarded in law as foreign soil.** Sales by suppliers from outside the borders of the ecozone to this separate customs territory are **deemed as exports and treated as export sales. These sales are zero-rated or subject to a tax rate of zero percent.**" *(Emphasis supplied)*

[25] G.R. No. 149671, July 21, 2006.

With respect to sales by a VAT-registered supplier to a BOI-registered manufacturer/producer, Section 4.106-5 of RR No. 16-2005 provides:

"SECTION 4.106-5. Zero-Rated Sales of Goods or Properties.

--

A zero-rated sale of goods or properties (by a VAT -registered person) is a taxable transaction for VAT purposes, but shall not result in any output tax. However, the input tax on purchases of goods, properties or services, related to such zero-rated sale, shall be available as tax credit or refund in accordance with these Regulations.

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

(a) Export sales.- 'Export Sales' shall mean:

xxx xxx xxx

(5) Transactions considered export sales under Executive Order No. 226, otherwise known as the Omnibus Investments Code of 1987, and other special laws.

Considered export sales under Executive Order No. 226 shall mean the Philippine port F.O.B. value determined from invoices, bills of lading, inward letters of credit, landing certificates, and other commercial documents, of export products exported directly by a registered export producer, or the net selling price of export products sold by a registered export producer to another export producer, or to an export trader that subsequently exports the same; *Provided,* That sales of export products to another producer or to an export trader shall only be deemed export sales when actually exported by the latter, as evidenced by landing certificates or similar commercial documents; *Provided, further,* That without actual exportation the following shall be considered constructively exported for purposes of these provisions: (1) sales to bonded manufacturing warehouses of export-oriented manufacturers; (2) sales to export processing zones; (3) sales to registered export traders operating bonded trading warehouses supplying raw materials in the manufacture of export products under guidelines to be set by the Board in consultation with the Bureau of Internal Revenue (BIR) and the Bureau of Customs (BOC); (4) sales to diplomatic missions and other agencies and/or instrumentalities granted tax immunities, of locally manufactured, assembled or repacked products whether paid for in foreign currency or not.

For purposes of zero-rating, the export sales of registered export traders shall include commission income. The exportation of goods on consignment shall not be deemed export sales until the export products consigned are in fact sold by the consignee; and *Provided, finally,* that **sales of goods, properties or services made by a VAT-registered supplier to a BOI-registered manufacturer/producer whose products are 100% exported are considered export sales**. A certification to this effect must be issued by the Board of Investment (BOI) which shall be good for one year unless subsequently re-issued by the BOI." *(Emphasis supplied)*

Clearly, sales of goods to entities located in ECOZONES and those manufacturers/producers registered with BOI whose products are 100% exported are considered "export sales" subject to zero percent (0%) VAT rate pursuant to Section 106(A)(2)(a)(5) of the Tax Code, as amended. Similarly, services rendered to entities registered with the PEZA and SBMA are subject to zero percent (0%) VAT rate pursuant to Section 108(B)(3) of the Tax Code, as amended.

In its Quarterly VAT Returns for the first and second quarters of taxable year 2009, petitioner reflected the amount of ₱304,513,100.96 as zero-rated sales/receipts, detailed as follows:

Exhibit	Taxable Quarter of 2009	Zero-Rated Sales/Receipts
"I"	1st Quarter	₱ 145,334,264.90
"J"	2nd Quarter	159,178,836.06
Total		**₱ 304,513,100.96**

To substantiate the aforestated zero-rated sales/receipts, petitioner presented the sales invoices[26] it issued to its clients for the subject period of claim, Certification[27] from PEZA dated November 26, 2010 attesting that the enterprises listed therein are registered with PEZA or were issued Certifications for 2009 VAT zero-rating, Certificates of Registration and Tax Exemption issued by SBMA on December 4, 2009 and March 5, 2009 to NIDEC Subic Philippines Corporation and HHIC-PHIL INC., respectively,[28] Certification[29] issued by BOI on November 17, 2010 confirming that Shinkozan Corporation and Mindanao Silicon Metal Corp. were endorsed to the BIR for VAT zero-rated transactions within the validity periods indicated therein and the report[30] of the Court-commissioned Independent Certified Public Accountant (ICPA).

[26]Exhibits "XXX-1" to "XXX-3049".
[27] Exhibit "UU".
[28] Exhibits "WW-1" and "WW-2".
[29] Exhibit "VV".
[30] Exhibit "O^5-1".

However, only the reported zero-rated sales of goods in the amount of ₱147,412,764.25 is duly covered by PEZA and SBMA certifications, and VAT zero-rated sales invoices issued in accordance with Section 113(A)(1) and (B) in relation to Section 106(A)(2)(a)(5) of the Tax Code, as amended. Below is the breakdown of the amount of ₱147,412,764.25:

		1st Quarter	2nd Quarter	Total
Zero-Rated Sales/Receipts per Returns		₱ 145,334,264.90	₱ 159,178,836.06	₱ 304,513,100.96
Less:	Disallowances			
	Per ICPA's findings:			
	Sales supported by invoices without the word "zero-rated" printed on the invoices[31] in violation of Section 113(B)(2)(c) of the NIRC of 1997, as amended	₱ 65,137,478.55	₱ 70,127,430.89	₱ 135,264,909.44
	Sales supported by invoices dated outside the period of claim[32]	1,556,385.22	-	1,556,385.22
	Per this Court's further verification:[33]			
	Sales of goods to PEZA/SBMA-registered entities not covered by the effectivity period or date of issuance of the PEZA/SBMA certification	9,014,165.90	151,812.31	9,165,978.21
	Sales of goods to entities with cancelled PEZA Registration	260,620.00	309,500.00	570,120.00
	Sale of goods to entities without VAT Zero-Rating Certification from PEZA	1,200,730.44	1,361,774.56	2,562,505.00
	Sale of goods to entities not registered with PEZA/SBMA	3,764,984.30	3,524,473.99	7,289,458.29
	Declared zero-rated rental income was not supported by VAT zero-rated official receipts (ORs) in violation of Section 113(A)(2) of the NIRC of 1997, as amended	293,999.79	396,980.76	690,980.55
	Total Disallowances	₱ 81,228,364.20	₱ 75,871,972.51	₱ 157,100,336.71
Valid Zero-Rated Sales		**₱ 64,105,900.70**	**₱ 83,306,863.55**	**₱ 147,412,764.25**

Consequently, only the portion of the input VAT claim attributable to the valid zero-rated sales of ₱147,412,764.25 will be considered for refund. The rate to be applied is based on the valid zero-rated sales over the total amount of reported zero-rated sales/receipts, computed as follows:

Taxable Year 2009	Exh.	Total Sales/Receipts per Returns	Valid Zero-Rated Sales	Ratio of Valid Zero-Rated Sales to Total Sales/Receipts per Returns
1st Quarter	"I"	₱ 210,472,603.30	₱ 64,105,900.70	30.458074%

[31] Exhibit "O[5]-1", Annex C-3.
[32] Exhibit "O[5]-1", Annex C-4.
[33] See details in Annex A of this Decision.

2nd Quarter	"J"	244,166,284.12	83,306,863.55	34.118905%
		₱ 454,638,887.42	₱ 147,412,764.25	

After having resolved that petitioner had VAT zero-rated sales for the subject period of claim in the total amount of ₱147,412,764.25, we proceed to the determination of whether petitioner incurred input taxes in connection thereto.

Petitioner submitted various suppliers' official receipts, invoices, BOC Import Entry Internal Revenue Declarations (IEIRDs) and other documents[34] in support of the input taxes reflected in its Quarterly VAT Returns for the first and second quarters of 2009 in the aggregate sum of ₱27,417,990.96, broken down as follows:

	1st Quarter	2nd Quarter	Total
	Exhibit "I"	*Exhibit "J"*	
Purchase of Capital Goods not exceeding ₱1Million	₱ 96,137.69	₱ 79,825.71	₱ 175,963.40
Purchase of Capital Goods exceeding ₱1Million	478,390.70	467,243.31	945,634.01
Domestic Purchase of Goods other than Capital Goods	1,866,998.03	1,416,722.26	3,283,720.29
Importation of Goods other than Capital Goods	3,011,079.00	1,773,381.10	4,784,460.10
Domestic Purchase of Services	8,893,809.49	9,334,403.67	18,228,213.16
Total	**₱ 14,346,414.91**	**₱ 13,071,576.05**	**₱ 27,417,990.96**

Upon examination of the documents supporting petitioner's reported input VAT, the Court-commissioned ICPA firm, Mendoza Querido & Co, through its Partner, Mr. Emmanuel Y. Mendoza, noted the following findings[35]:

Findings	Services	Goods	Capital Goods Exceeding ₱1Million	Importation	Total
Properly Substantiated					
1. Input VAT on domestic purchases and importation supported by documents such as VAT ORs and VAT invoices, BOC IEIRD, BOC ORs and Bank ORs (*Annexes A-1, A-2, A-3, A-11, A-12, A-13 and A-14 of Exhibit "O^5-1"*)					
a. First Quarter of 2009	₱ 8,733,076.06	₱ 959,314.77	₱ 308,561.45	₱ 2,221,486.00	₱ 12,222,438.28

[34] Exhibits "UUU-1" to "UUU-2574" and "VVV-1" to "VVV-111".
[35] Exhibit "O^5-1", pp. 4-5.

b. Second Quarter of 2009	7,596,977.99	1,406,113.00	470,393.31	1,572,026.10	11,045,510.40
Subtotal	**₱16,330,054.05**	**₱2,365,427.77**	**₱778,954.76**	**₱3,793,512.10**	**₱23,267,948.68**
Other Findings					
1. Input VAT on domestic purchases of services supported by ORs with pre-printed Non-VAT/NV (*Annex A-4 of Exhibit "O^{5}-1"*)					
a. First Quarter of 2009	₱ 10,709.56	-	-	-	₱ 10,709.56
b. Second Quarter of 2009	1,492.10	-	-	-	1,492.10
2. Input VAT on domestic purchases of services supported by documents such as invoices, statement of accounts, statements of charges, billing statements and credit memos (*Annex A-5 of Exhibit "O^{5}-1"*)					
a. First Quarter of 2009	98,884.66	-	-	-	98,884.66
b. Second Quarter of 2009	92,158.63	-	-	-	92,158.63
3. Input VAT on domestic purchases of goods supported by documents such as ORs (*Annex A-6 of Exhibit "O^{5}-1"*)					
a. First Quarter of 2009	-	₱ 29,256.81	-	-	29,256.81
4. Input VAT on domestic purchases and importation supported by documents dated outside the period of claim (*Annexes A-7, A-8, A-9 and A-16 of Exhibit "O^{5}-1"*)					
a. First Quarter of 2009	23,087.73	924,115.10	₱ 77,629.25	₱ 292,331.00	1,417,163.08
b. Second Quarter of 2009	1,616,754.95	101,931.97	-	-	1,718,686.92
5. Input VAT on importation wherein the amount of input VAT in supporting documents is lower than the amount of input VAT in schedule (*Annex A-15 of Exhibit "O^{5}-1"*)					
a. Second Quarter of 2009	-	-	-	25,969.00	25,969.00
6. Input VAT on domestic purchases and importation with no available supporting documents (*Annexes A-10 and A-17 of Exhibit "O^{5}-1"*)					
a. First Quarter of 2009	-	-	-	-	567,962.53
b. Second Quarter of 2009	-	-	-	-	187,758.99
Subtotal	**₱ 1,843,087.63**	**₱1,055,303.88**	**₱177,629.25**	**₱ 318,300.00**	**₱ 4,150,042.28**
TOTAL	**₱ 18,173,141.68**	**₱3,420,731.65**	**₱956,584.01**	**₱4,111,812.10**	**₱27,417,990.96**

Save for the amount of ₱25,969.00, the input taxes enumerated under the "Other Findings" shall be disallowed for not being properly substantiated by VAT invoices or official receipts in accordance with Sections 110(A) and 113(A) and (B) of the Tax Code, as amended, and as implemented by Sections 4.110-8 and 4.113-1 of RR No. 16-2005, as amended.

With regard to the input taxes of ₱25,969.00 (item no. 5) pertaining to petitioner's importation wherein the input VAT per the supporting document is lower than the input VAT per schedule, only the difference in the amount of ₱250.00 shall be disallowed. Thus, of the ₱4,150,042.28 input taxes listed under the ICPA's "Other Findings", **only the amount of ₱4,124,323.28 should be disallowed as computed below:**

Input Taxes listed under the ICPA's "Other Findings"	₱ 4,150,042.28
Less: Input taxes on importation wherein the input VAT per the supporting document is lower than the input VAT per schedule *(Annex A-15 of Exhibit "O⁵-1")*	25,969.00
Add: Difference between the input taxes on importation as reflected per the supporting document and per schedule *(Annex A-15 of Exhibit "O⁵-1")*	250.00
Disallowed Input VAT per ICPA's findings	**₱ 4,124,323.28**

In addition, input taxes in the amount of ₱8,951,549.21[36], detailed below, shall likewise be disallowed:

Findings	1st Quarter	2nd Quarter	Total
Input VAT on domestic purchases of services supported by VAT official receipts but the VAT was not separately indicated in violation of Section 113(B)(2)(a) of the NIRC of 1997, as amended.	₱ 802,423.62	₱ 1,762,443.30	₱ 2,564,866.92
Input VAT on domestic purchases of goods (other than capital goods) supported by VAT sales invoices but the VAT was not separately indicated in violation of Section 113(B)(2)(a) of the NIRC of 1997, as amended.	4,272.00	9,312.42	13,584.42
Input VAT on domestic purchases of services supported by documents other than VAT official receipts in violation of Section 113(A)(2) of the NIRC of 1997, as amended.	1,554,736.94	1,766,183.32	3,320,920.26
Input VAT on domestic purchases of goods (other than capital goods) supported by documents other than VAT sales invoices in violation of Section 113(A)(1) of the NIRC of 1997, as amended.	-	10,037.00	10,037.00
Input VAT on domestic purchase of capital goods exceeding ₱1 million supported by documents other than VAT sales invoices in	28,308.78	-	28,308.78

[36] See details in Annex B of this Decision.

violation of Section 113(A)(1) of the NIRC of 1997, as amended.			
Input VAT on domestic purchase of services supported by undated official receipt in violation of Section 113(B)(3) of the NIRC of 1997, as amended.	8,676.00	-	8,676.00
Input VAT on domestic purchases of goods (other than capital goods) supported by sales invoices but are not dated within the period of claim.	25,200.73		25,200.73
Input VAT on importation of goods (other than capital goods) supported only by BOC IEIRDs, which do not reflect an entry date and/or machine validation for the amount of customs duties and taxes paid in violation of Section 110(A)(1)(b) of the NIRC of 1997, as amended and Section 4.110-8(a)(1) of RR No. 16-05, as amended.	1,981,608.00	998,347.10	2,979,955.10
TOTAL	**₱4,405,226.07**	**₱4,546,323.14**	**₱8,951,549.21**

Further, this Court observes that the ICPA accounted for the input tax on purchases of capital goods exceeding ₱1 million in the amount of ₱956,584.01 which is higher than the amount of ₱945,634.01 reflected in the petitioner's Quarterly VAT Returns, as shown below:

	1st Quarter	2nd Quarter	Total
Input VAT on purchases of capital goods exceeding ₱1 million			
Per ICPA report	₱ 486,190.70	₱ 470,393.31	₱ 956,584.01
Per Quarterly VAT Returns	478,390.70	467,243.31	945,634.01
Difference	**₱ 7,800.00**	**₱ 3,150.00**	**₱ 10,950.00**

Moreover, this Court notes that petitioner's input VAT from purchase of capital goods exceeding ₱1 million as declared in its Quarterly VAT Returns in the amount of ₱478,390.70 and ₱467,243.31 were being claimed in full. Considering the previously disallowed input tax, only the balance (net of disallowances per ICPA report and per this Court's findings) in the respective amounts of ₱272,452.67 and ₱470,393.31 for the first and second quarters of 2009 remain in the petitioner's claim, computed as follows:

	1st Quarter	2nd Quarter	Total
Input VAT on purchase of capital goods exceeding 1 million per VAT returns	₱ 478,390.70	₱ 467,243.31	₱ 945,634.01
Less: Disallowances			
Per ICPA findings	177,629.25	-	177,629.25
Per this Court's further verification	28,308.78	-	28,308.78
Difference	**₱ 272,452.67**	**₱ 467,243.31**	**₱ 739,695.98**

The amounts of ₱272,452.67 and ₱467,243.31 are broken down as follows:

Exhibit	Supplier's Name	Invoice Date	Input VAT
First Quarter of 2009			
January			
"UUU-1986"	JM Brenton Industries	1/9/2009	₱ 20,220.24
"UUU-1987"	Samaritan Industrial Sales	1/1/2009	1,326.43
March			
"UUU-1988"	Alliance Industrial Sales	2/5/2009	22,728.00
"UUU-1989"	Coren Digital Prints	3/6/2009	2,142.85
"UUU-1990"	F&A Industrial Sales	2/27/2009	964.28
"UUU-1991"	Fairchild Process Controls	3/3/2009	50,460.00
"UUU-1992"	Fairchild Process Controls	3/3/2009	4,752.00
"UUU-1993"	Fairchild Process Controls	3/3/2009	5,940.00
"UUU-1994"	Fairchild Process Controls	3/3/2009	5,940.00
"UUU-1995"	Fairchild Process Controls	3/11/2009	16,680.00
"UUU-1996"	Fairchild Process Controls	3/11/2009	20,400.00
"UUU-1997"	Fairchild Process Controls	3/11/2009	10,200.00
"UUU-1998"	Fairchild Process Controls	3/18/2009	19,800.00
"UUU-1999"	Fairchild Process Controls	3/18/2009	5,760.00
"UUU-2000"	Fairchild Process Controls	3/18/2009	12,948.00
"UUU-2001"	General Electric Phils., Inc.	3/3/2009	17,182.80
"UUU-2002"	Gilbilt Industrial Marketing	3/12/2009	1,317.86
"UUU-2003"	Instrumentation & Control Specialist, Inc.	3/23/2009	8,940.00
"UUU-2004"	MSJC Electrical & Construction Supply	3/17/2009	844.39
"UUU-2005"	Niagara Industrial Equipment Corp.	2/17/2009	6,471.43
"UUU-2006"	RS Components Limited	2/19/2009	1,670.76
"UUU-2007"	Samaritan Industrial Sales	2/25/2009	2,154.60
"UUU-2008"	Samaritan Industrial Sales	3/12/2009	1,623.54
"UUU-2009"	Samaritan Industrial Sales	3/18/2009	1,840.70
"UUU-2010"	Samaritan Industrial Sales	3/18/2009	832.26
"UUU-2011"	Top Rigid Industrial Safety Supply, Inc.	2/24/2009	996.32
"UUU-2012"	Top Rigid Industrial Safety Supply, Inc.	2/27/2009	1,469.70
"UUU-2013"	Top Rigid Industrial Safety Supply, Inc.	3/2/2009	2,119.28
"UUU-2014"	Top Rigid Industrial Safety Supply, Inc.	2/26/2009	1,851.46
"UUU-2015"	Top Rigid Industrial Safety Supply, Inc.	3/7/2009	1,612.38
"UUU-2016"	Top Rigid Industrial Safety Supply, Inc.	3/19/2009	5,298.22
"UUU-2017"	Windshear International Philippines, Inc.	3/5/2009	3,672.00
"UUU-2018"	Xtreme Heat Industrial Sales	2/2/2009	2,260.72
"UUU-2019"	Yokogawa Phils., Inc.	2/16/2009	10,032.48
	Subtotal		₱ 272,452.70
Second Quarter of 2009			
May			
"UUU-2020"	Fairchild Process Controls	5/5/2009	₱ 8,640.00
"UUU-2021"	Fairchild Process Controls	5/7/2009	5,640.00
"UUU-2022"	Gateronics Elec. Components & Inst. Services	5/9/2009	2,445.21
"UUU-2023"	Greenlee CP Electrical Corporation	5/18/2009	3,320.10
"UUU-2024"	Greenlee CP Electrical Corporation	5/8/2009	13,280.40

/v

"UUU-2025"	K-Lite Systems Innovations, Inc.	5/8/2009	1,821.43
"UUU-2026"	MH Poly Electromechs, Inc.	5/19/2009	3,307.20
"UUU-2027"	Top Rigid Industrial Safety Supply, Inc.	5/7/2009	1,612.38
"UUU-2028"	Top Rigid Industrial Safety Supply, Inc.	5/7/2009	3,163.24
"UUU-2029"	Tork Philippines, Inc.	4/3/2009	1,420.71
"UUU-2030"	Victor Hardware	4/27/2009	1,123.71
"UUU-2031"	Windshear International Philippines, Inc.	4/28/2009	66,651.97
"UUU-2032"	Yokogawa Phils., Inc.	5/21/2009	51,752.40
"UUU-2033"	Yokogawa Phils., Inc.	5/14/2009	119,188.05
June			
"UUU-2034"	Accent Micro Technologies, Inc.	5/19/2009	3,210.32
"UUU-2035"	Belfer International Company	5/28/2009	2,868.20
"UUU-2036"	Computer Support Center, Inc.	5/11/2009	4,773.21
"UUU-2037"	Contronics Computer Center, Inc.	5/25/2009	4,178.57
"UUU-2038"	Fairchild Process Controls	5/25/2009	3,000.00
"UUU-2039"	Fairchild Process Controls	5/25/2009	5,568.00
"UUU-2040"	Fairchild Process Controls	5/27/2009	19,008.00
"UUU-2041"	K-Lite Systems Innovations, Inc.	6/1/2009	1,821.43
"UUU-2042"	MH Poly Electromechs, Inc.	5/30/2009	900.00
"UUU-2043"	Platinum International Supply, Inc.	4/30/2009	27,988.80
"UUU-2044"	Platinum International Supply, Inc.	5/28/2009	31,206.00
"UUU-2045"	Platinum International Supply, Inc.	6/9/2009	30,702.86
"UUU-2046"	RPV Electro Technology Phils. Corp.	6/4/2009	24,107.98
"UUU-2047"	Samaritan Industrial Sales	5/14/2009	7,639.26
"UUU-2048"	Samaritan Industrial Sales	6/23/2009	5,211.42
"UUU-2049"	Samaritan Industrial Sales	6/23/2009	1,055.35
"UUU-2050"	Samaritan Industrial Sales	6/25/2009	2,836.07
"UUU-2051"	South Manila V&F, Inc.	6/1/2009	3,679.02
"UUU-2052"	South Manila V&F, Inc.	6/22/2009	332.22
"UUU-2053"	Top Rigid Industrial Safety Supply, Inc.	6/11/2009	925.36
"UUU-2054"	Top Rigid Industrial Safety Supply, Inc.	6/15/2009	1,221.43
"UUU-2055"	Zenith Wire & Conduit Inc.	3/21/2009	1,643.01
	Subtotal		₱ 467,243.31
	TOTAL		**₱ 739,696.01**[37]

Pursuant to Section 110(A) of the Tax Code, as amended, input VAT claim on capital goods purchases attributable to zero-rated sales may be claimed either in full during the month of acquisition, or spread over a period of time, depending on the aggregate acquisition cost of the capital goods in the calendar month. If the aggregate acquisition cost exceeds ₱1Million, the claim for input tax should be spread over 60 months or the estimated useful life of the capital goods, whichever is shorter. On the other hand, if aggregate acquisition cost does not exceed ₱1Million, the total input taxes shall be allowed as credit/refund in the month of acquisition.

[37] Difference of ₱0.03 (₱739,696.01 minus ₱739,695.98) is due to rounding-off.

Applying the provisions of Section 110(A) to the present case, out of the ₱739,695.98 input VAT incurred by petitioner on capital goods exceeding ₱1 million, only the amounts of ₱13,622.64 and ₱12,510.17 are creditable or refundable for the first and second quarters of taxable year 2009, computed as follows:

Exhibit	Input VAT	Useful Life (in Months)[38]	Monthly Input Tax Credit	Allowable Input Tax	
				1st Quarter	2nd Quarter
First Quarter of 2009					
January					
"UUU-1986"	₱ 20,220.24	60	₱ 337.00	₱ 1,011.01	₱ 1,011.01
"UUU-1987"	1,326.43	60	22.11	66.32	66.32
March					
"UUU-1988	22,728.00	60	378.80	378.80	1,136.40
"UUU-1989	2,142.85	60	35.71	35.71	107.14
"UUU-1990	964.28	60	16.07	16.07	48.21
"UUU-1991	50,460.00	60	841.00	841.00	2,523.00
"UUU-1992	4,752.00	60	79.20	79.20	237.60
"UUU-1993	5,940.00	60	99.00	99.00	297.00
"UUU-1994	5,940.00	60	99.00	99.00	297.00
"UUU-1995	16,680.00	60	278.00	278.00	834.00
"UUU-1996	20,400.00	60	340.00	340.00	1,020.00
"UUU-1997	10,200.00	60	170.00	170.00	510.00
"UUU-1998	19,800.00	60	330.00	330.00	990.00
"UUU-1999	5,760.00	60	96.00	96.00	288.00
"UUU-2000	12,948.00	60	215.80	215.80	647.40
"UUU-2001	17,182.80	60	286.38	286.38	859.14
"UUU-2002	1,317.86	60	21.96	21.96	65.89
"UUU-2003	8,940.00	60	149.00	149.00	447.00
"UUU-2004	844.39	60	14.07	14.07	42.22
"UUU-2005	6,471.43	60	107.86	107.86	323.57
"UUU-2006	1,670.76	60	27.85	27.85	83.54
"UUU-2007	2,154.60	60	35.91	35.91	107.73
"UUU-2008	1,623.54	60	27.06	27.06	81.18
"UUU-2009	1,840.70	60	30.68	30.68	92.04
"UUU-2010	832.26	60	13.87	13.87	41.61
"UUU-2011	996.32	60	16.61	16.61	49.82
"UUU-2012	1,469.70	60	24.50	24.50	73.49
"UUU-2013	2,119.28	60	35.32	35.32	105.96
"UUU-2014	1,851.46	60	30.86	30.86	92.57
"UUU-2015	1,612.38	60	26.87	26.87	80.62
"UUU-2016	5,298.22	60	88.30	88.30	264.91
"UUU-2017	3,672.00	60	61.20	61.20	183.60
"UUU-2018	2,260.72	60	37.68	37.68	113.04
"UUU-2019	10,032.48	60	167.21	167.21	501.62
				Subtotal	₱ 13,622.64
Second Quarter of 2009					

[38] Exhibit "O^5-1", p. 6, par. 1.

May					
"UUU-2020	₱ 8,640.00	60	₱ 144.00	-	₱ 288.00
"UUU-2021	5,640.00	60	94.00	-	188.00
"UUU-2022	2,445.21	60	40.75	-	81.51
"UUU-2023	3,320.10	60	55.34	-	110.67
"UUU-2024	13,280.40	60	221.34	-	442.68
"UUU-2025	1,821.43	60	30.36	-	60.71
"UUU-2026	3,307.20	60	55.12	-	110.24
"UUU-2027	1,612.38	60	26.87	-	53.75
"UUU-2028	3,163.24	60	52.72	-	105.44
"UUU-2029	1,420.71	60	23.68	-	47.36
"UUU-2030	1,123.71	60	18.73	-	37.46
"UUU-2031	66,651.97	60	1,110.87	-	2,221.73
"UUU-2032	51,752.40	60	862.54	-	1,725.08
"UUU-2033	119,188.05	60	1,986.47	-	3,972.94
June					
"UUU-2034	3,210.32	60	53.51	-	53.51
"UUU-2035	2,868.20	60	47.80	-	47.80
"UUU-2036	4,773.21	60	79.55	-	79.55
"UUU-2037	4,178.57	60	69.64	-	69.64
"UUU-2038	3,000.00	60	50.00	-	50.00
"UUU-2039	5,568.00	60	92.80	-	92.80
"UUU-2040	19,008.00	60	316.80	-	316.80
"UUU-2041	1,821.43	60	30.36	-	30.36
"UUU-2042	900.00	60	15.00	-	15.00
"UUU-2043	27,988.80	60	466.48	-	466.48
"UUU-2044	31,206.00	60	520.10	-	520.10
"UUU-2045	30,702.86	60	511.71	-	511.71
"UUU-2046	24,107.98	60	401.80	-	401.80
"UUU-2047	7,639.26	60	127.32	-	127.32
"UUU-2048	5,211.42	60	86.86	-	86.86
"UUU-2049	1,055.35	60	17.59	-	17.59
"UUU-2050	2,836.07	60	47.27	-	47.27
"UUU-2051	3,679.02	60	61.32	-	61.32
"UUU-2052	332.22	60	5.54	-	5.54
"UUU-2053	925.36	60	15.42	-	15.42
"UUU-2054	1,221.43	60	20.36	-	20.36
"UUU-2055	1,643.01	60	27.38	-	27.38
				Subtotal	₱ 12,510.17
				TOTAL	**₱ 26,132.80**

Proceeding from the aforesaid disallowances, out of petitioner's reported input VAT of ₱27,417,990.96, only the amount of ₱13,628,555.30, as computed below, represents petitioner's valid input VAT:

	1st Quarter	2nd Quarter	Total
Input VAT per Quarterly VAT Returns	₱ 14,346,414.91	₱ 13,071,576.05	₱ 27,417,990.96
Less: Disallowances			

H

Per ICPA Findings	₱ 2,123,976.64	₱ 2,000,346.64	₱ 4,124,323.28
Per this Court's further verification	4,405,226.07	4,546,323.14	8,951,549.21
Input VAT on Purchase of Capital Goods exceeding ₱1 million	272,452.67	467,243.31	739,695.98
Less: Allowable Input Tax Credit for the period of claim	(13,622.64)	(12,510.17)	(26,132.81)
Total Disallowances	₱ 6,788,032.74	₱ 7,001,402.92	₱ 13,789,435.66
Substantiated Input VAT	**₱ 7,558,382.17**	**₱ 6,070,173.13**	**₱ 13,628,555.30**

At this point, the Court took into consideration the output taxes reported by petitioner in its Quarterly VAT Returns for the first and second quarters of taxable year 2009 and compared the same with the foregoing substantiated input taxes, to wit:

	1st Quarter	2nd Quarter	Total
Output Tax	₱ 7,688,345.28	[39] ₱ 10,046,922.53	[40] ₱ 17,735,267.81
Less: Valid Input Tax	7,558,382.17	6,070,173.13	13,628,555.30
Output Tax Still Due	**₱ 129,963.11**	**₱ 3,976,749.40**	**₱ 4,106,712.51**

As shown above, petitioner's properly substantiated input taxes for the first and second quarters of 2009 are not enough to cover its output taxes for the same period. While petitioner reflected in its Quarterly VAT Return for the first quarter of 2009, the amount of ₱181,171,453.02[41] as "Input Tax Carried Over from Previous Quarter", this Court finds that petitioner failed to present VAT invoices or receipts to prove the existence of such amount. Hence, the input tax carry-over of ₱181,171,453.02 cannot be validly applied against petitioner's output tax pursuant to Section 110(A) in relation to Section 110(B) of the Tax Code, as amended, which states:

> "SEC. 110. *Tax Credits.* --
>
> "A. *Creditable Input Tax.* --
>
> (1) Any input tax evidenced by a VAT invoice or official receipt issued in accordance with Section 113 hereof on the following transactions shall be creditable against the output tax:
>
> xxx xxx xxx

[39] Exhibit "I", line 15B.
[40] Exhibit "J", line 15B.
[41] Exhibit "I", line 20A.

> (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 quarter or quarters."

Considering that there is no excess input VAT which may be the subject of a claim for refund/tax credit certificate under Section 112(A) of the Tax Code, as amended, the instant claim must be denied.

WHEREFORE, premises considered, the consolidated petitions are **DENIED** for lack of merit.

SO ORDERED.

Ma. Belen S. L.
MA. BELEN M. RINGPIS-LIBAN
Associate Justice

WE CONCUR:

LOVELL R. BAUTISTA
Associate Justice

ESPERANZA R. FABON-VICTORINO
Associate Justice

ATTESTATION

I attest that the conclusions in the above decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

LOVELL R. BAUTISTA
Associate Justice
Chairperson

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, and the Division Chairperson's Attestation, it is hereby certified that the conclusions in the above Decision were reached in consultation before the case was assigned to the writer of the opinion of this Court.

ROMAN G. DEL ROSARIO
Presiding Justice

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
1)	**Sales of goods to PEZA/SBMA-registered entities not covered by the effectivity period or date of issuance of the PEZA/SBMA certification**			
	First Quarter of 2009			
	January			
	"XXX-118	15-Jan-09	Aichi Forging Company of Asia Inc.	4,000.00
	"XXX-149	19-Jan-09	Aichi Forging Company of Asia Inc.	4,000.00
	"XXX-1	05-Jan-09	Austria Microsystems (Phils) Inc.	39,000.00
	"XXX-2	05-Jan-09	Austria Microsystems (Phils) Inc.	58,500.00
	"XXX-11	05-Jan-09	Austria Microsystems (Phils) Inc.	65,000.00
	"XXX-12	05-Jan-09	Austria Microsystems (Phils) Inc.	65,000.00
	"XXX-14	05-Jan-09	Austria Microsystems (Phils) Inc.	65,000.00
	"XXX-15	06-Jan-09	Austria Microsystems (Phils) Inc.	78,000.00
	"XXX-45	08-Jan-09	Austria Microsystems (Phils) Inc.	71,500.00
	"XXX-46	08-Jan-09	Austria Microsystems (Phils) Inc.	32,500.00
	"XXX-52	08-Jan-09	Austria Microsystems (Phils) Inc.	19,500.00
	"XXX-59	09-Jan-09	Austria Microsystems (Phils) Inc.	39,000.00
	"XXX-60	09-Jan-09	Austria Microsystems (Phils) Inc.	39,000.00
	"XXX-66	12-Jan-09	Austria Microsystems (Phils) Inc.	65,000.00
	"XXX-75	12-Jan-09	Austria Microsystems (Phils) Inc.	26,000.00
	"XXX-104	14-Jan-09	Austria Microsystems (Phils) Inc.	10,000.00
	"XXX-109	14-Jan-09	Austria Microsystems (Phils) Inc.	52,000.00
	"XXX-321	31-Jan-09	Cam Mechatronic (Phils) Inc.	450.00
	"XXX-28	07-Jan-09	Castem Philippines Corporation	14,500.00
	"XXX-141	19-Jan-09	Castem Philippines Corporation	11,600.00
	"XXX-110	14-Jan-09	Cirtek Electronics Corporation	17,000.00
	"XXX-150	19-Jan-09	Cirtek Electronics Corporation	20,400.00
	"XXX-209	23-Jan-09	Cirtek Electronics Corporation	23,800.00
	"XXX-280	30-Jan-09	Cirtek Electronics Corporation	23,800.00
	"XXX-308	31-Jan-09	Cirtek Electronics Corporation	476,611.39
	"XXX-322	31-Jan-09	Cirtek Electronics Corporation	1,920.00
	"XXX-56	08-Jan-09	Continental Temic Electronics (Phils) Inc.	18,000.00
	"XXX-57	08-Jan-09	Continental Temic Electronics (Phils) Inc.	15,000.00
	"XXX-204	23-Jan-09	Continental Temic Electronics (Phils) Inc.	7,500.00
	"XXX-247	28-Jan-09	Continental Temic Electronics (Phils) Inc.	46,000.00
	"XXX-253	28-Jan-09	Continental Temic Electronics (Phils) Inc.	15,000.00
	"XXX-279	30-Jan-09	Continental Temic Electronics (Phils) Inc.	7,500.00
	"XXX-297	31-Jan-09	Continental Temic Electronics (Phils) Inc.	7,500.00
	"XXX-309	31-Jan-09	Continental Temic Electronics (Phils) Inc.	703,634.41
	"XXX-323	31-Jan-09	Continental Temic Electronics (Phils) Inc.	5,100.00
	"XXX-324	31-Jan-09	Continental Temic Electronics (Phils) Inc.	5,000.00
	"XXX-112	15-Jan-09	Heraeus Electronic Materials Phils. Inc.	19,800.00
	"XXX-120	16-Jan-09	Heraeus Electronic Materials Phils. Inc.	55,500.00
	"XXX-241	28-Jan-09	Heraeus Electronic Materials Phils. Inc.	22,000.00
	"XXX-9	05-Jan-09	Hitachi Industrial Machinery Philippines Corp.	16,000.00
	"XXX-30	07-Jan-09	Hitachi Industrial Machinery Philippines Corp.	16,000.00
	"XXX-67	12-Jan-09	Hitachi Industrial Machinery Philippines Corp.	24,500.00
	"XXX-113	15-Jan-09	Hitachi Industrial Machinery Philippines Corp.	16,000.00
	"XXX-142	19-Jan-09	Hitachi Industrial Machinery Philippines Corp.	24,500.00
	"XXX-2268	12-Jan-09	Hoya Glass Disk Philippines, Inc.	28,653.55
	"XXX-2269	12-Jan-09	Hoya Glass Disk Philippines, Inc.	27,803.89
	"XXX-2270	12-Jan-09	Hoya Glass Disk Philippines, Inc.	23,775.83
	"XXX-8	05-Jan-09	Ibiden Philippines Inc.	4,500.00
	"XXX-115	15-Jan-09	Ibiden Philippines Inc.	4,500.00
	"XXX-72	12-Jan-09	Iomni Precision Inc.	4,980.00
	"XXX-73	12-Jan-09	Iomni Precision Inc.	3,320.00
	"XXX-212	23-Jan-09	Ju-Young Electronics (Phils) Inc.	17,500.00
	"XXX-325	31-Jan-09	Ju-Young Electronics (Phils) Inc.	200.00

AIR LIQUIDE PHILIPPINES, INC.
-versus- COMMISSIONER OF INTERNAL REVENUE
CTA CASE NOS. 8259 & 8296
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION
FOR THE FIRST AND SECOND QUARTERS OF 2009

	Exhibit	Invoice Date	Customer's Name	Amount of Sales (in PhP)
	"XXX-48	08-Jan-09	Kuy Corporation	6,300.00
	"XXX-49	08-Jan-09	Kuy Corporation	16,000.00
	"XXX-155	20-Jan-09	Kuy Corporation	16,000.00
	"XXX-58	08-Jan-09	Kyocera Kinseki Philippines Inc.	10,800.00
	"XXX-5	05-Jan-09	Littlefuse Phils Inc,	25,695.00
	"XXX-68	12-Jan-09	Littlefuse Phils Inc,	8,565.00
	"XXX-114	15-Jan-09	Littlefuse Phils Inc,	8,565.00
	"XXX-163	21-Jan-09	Littlefuse Phils Inc,	34,260.00
	"XXX-218	26-Jan-09	Littlefuse Phils Inc,	8,565.00
	"XXX-40	07-Jan-09	Luzon Electronics Tehnology Inc,	12,729.90
	"XXX-133	16-Jan-09	Luzon Electronics Tehnology Inc,	29,073.70
	"XXX-235	26-Jan-09	Luzon Electronics Tehnology Inc,	31,375.80
	"XXX-63	09-Jan-09	Maeno Giken Inc,	5,700.00
	"XXX-91	12-Jan-09	Maeno Giken Inc,	5,700.00
	"XXX-139	16-Jan-09	Maeno Giken Inc,	5,700.00
	"XXX-33	07-Jan-09	Masuda Philippines Inc,	9,600.00
	"XXX-55	08-Jan-09	Masuda Philippines Inc,	9,600.00
	"XXX-64	09-Jan-09	Masuda Philippines Inc,	28,800.00
	"XXX-88	12-Jan-09	Masuda Philippines Inc,	19,200.00
	"XXX-92	12-Jan-09	Masuda Philippines Inc,	9,600.00
	"XXX-107	14-Jan-09	Masuda Philippines Inc,	9,600.00
	"XXX-108	14-Jan-09	Masuda Philippines Inc,	11,892.32
	"XXX-111	14-Jan-09	Masuda Philippines Inc,	9,600.00
	"XXX-151	19-Jan-09	Masuda Philippines Inc,	14,400.00
	"XXX-51	08-Jan-09	MSM Manila Inc.	7,500.00
	"XXX-74	12-Jan-09	MSM Manila Inc.	7,500.00
	"XXX-65	12-Jan-09	Nidec Subic Philippines Corporation	49,335.05
	"XXX-333	31-Jan-09	Nidec Subic Philippines Corporation	3,500.00
	"XXX-24	06-Jan-09	NXP Semiconductors Cabuyao	7,500.00
	"XXX-100	14-Jan-09	NXP Semiconductors Cabuyao	7,500.00
	"XXX-158	20-Jan-09	NXP Semiconductors Cabuyao	7,500.00
	"XXX-162	21-Jan-09	NXP Semiconductors Cabuyao	7,500.00
	"XXX-193	23-Jan-09	NXP Semiconductors Cabuyao	4,000.00
	"XXX-194	23-Jan-09	NXP Semiconductors Cabuyao	4,000.00
	"XXX-195	23-Jan-09	NXP Semiconductors Cabuyao	1,900.00
	"XXX-271	29-Jan-09	NXP Semiconductors Cabuyao	7,500.00
	"XXX-37	07-Jan-09	On Semiconductors Phils.	24,893.60
	"XXX-42	07-Jan-09	On Semiconductors Phils.	49,227.02
	"XXX-83	12-Jan-09	On Semiconductors Phils.	34,242.36
	"XXX-128	16-Jan-09	On Semiconductors Phils.	60,633.92
	"XXX-129	16-Jan-09	On Semiconductors Phils.	27,415.95
	"XXX-140	16-Jan-09	On Semiconductors Phils.	70,586.15
	"XXX-170	22-Jan-09	On Semiconductors Phils.	69,350.76
	"XXX-171	22-Jan-09	On Semiconductors Phils.	75,717.27
	"XXX-172	22-Jan-09	On Semiconductors Phils.	68,852.35
	"XXX-173	22-Jan-09	On Semiconductors Phils.	68,017.11
	"XXX-174	22-Jan-09	On Semiconductors Phils.	172,160.81
	"XXX-175	22-Jan-09	On Semiconductors Phils.	59,459.92
	"XXX-176	22-Jan-09	On Semiconductors Phils.	77,958.94
	"XXX-177	22-Jan-09	On Semiconductors Phils.	63,469.40
	"XXX-178	22-Jan-09	On Semiconductors Phils.	59,244.86
	"XXX-179	22-Jan-09	On Semiconductors Phils.	87,006.13
	"XXX-180	22-Jan-09	On Semiconductors Phils.	45,513.47
	"XXX-232	26-Jan-09	On Semiconductors Phils.	27,894.39
	"XXX-233	26-Jan-09	On Semiconductors Phils.	23,136.31
	"XXX-262	28-Jan-09	On Semiconductors Phils.	68,895.71
	"XXX-263	28-Jan-09	On Semiconductors Phils.	31,937.59
	"XXX-62	09-Jan-09	Orient Semiconductor Electronics Philippines	8,800.00
	"XXX-99	13-Jan-09	Orient Semiconductor Electronics Philippines	4,500.00

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	"XXX-143	19-Jan-09	Orient Semiconductor Electronics Philippines	5,500.00
	"XXX-144	19-Jan-09	Orient Semiconductor Electronics Philippines	5,500.00
	"XXX-314	31-Jan-09	Orient Semiconductor Electronics Philippines	324,167.46
	"XXX-330	31-Jan-09	Orient Semiconductor Electronics Philippines	2,670.00
	"XXX-39	07-Jan-09	Philippine Toei Chemical Corporation	50,121.60
	"XXX-132	16-Jan-09	Philippine Toei Chemical Corporation	40,150.00
	"XXX-25	06-Jan-09	Pricon Microelectronics Inc.	19,670.93
	"XXX-26	06-Jan-09	Pricon Microelectronics Inc.	37,967.14
	"XXX-76	12-Jan-09	Pricon Microelectronics Inc.	10,816.00
	"XXX-77	12-Jan-09	Pricon Microelectronics Inc.	30,262.92
	"XXX-78	12-Jan-09	Pricon Microelectronics Inc.	24,569.23
	"XXX-123	16-Jan-09	Pricon Microelectronics Inc.	43,780.97
	"XXX-124	16-Jan-09	Pricon Microelectronics Inc.	19,678.60
	"XXX-125	16-Jan-09	Pricon Microelectronics Inc.	30,519.85
	"XXX-183	23-Jan-09	Pricon Microelectronics Inc.	26,162.48
	"XXX-184	23-Jan-09	Pricon Microelectronics Inc.	18,406.51
	"XXX-185	23-Jan-09	Pricon Microelectronics Inc.	19,655.04
	"XXX-225	26-Jan-09	Pricon Microelectronics Inc.	17,153.35
	"XXX-226	26-Jan-09	Pricon Microelectronics Inc.	15,623.66
	"XXX-245	28-Jan-09	Pricon Microelectronics Inc.	23,420.78
	"XXX-246	28-Jan-09	Pricon Microelectronics Inc.	26,222.27
	"XXX-258	28-Jan-09	Pricon Microelectronics Inc.	28,168.47
	"XXX-283	31-Jan-09	Pricon Microelectronics Inc.	14,741.90
	"XXX-284	31-Jan-09	Pricon Microelectronics Inc.	15,256.14
	"XXX-285	31-Jan-09	Pricon Microelectronics Inc.	16,889.60
	"XXX-2278	31-Jan-09	PSI Technologies	1,666,664.11
	"XXX-2285	31-Jan-09	PSI Technologies	310,911.56
	"XXX-2286	31-Jan-09	PSI Technologies	16,947.36
	"XXX-2287	31-Jan-09	PSI Technologies	228,789.36
	"XXX-10	05-Jan-09	Samsung Electro-Mechanics Philippine Corp.	4,000.00
	"XXX-13	05-Jan-09	Samsung Electro-Mechanics Philippine Corp.	14,500.00
	"XXX-16	06-Jan-09	Samsung Electro-Mechanics Philippine Corp.	14,500.00
	"XXX-27	06-Jan-09	Samsung Electro-Mechanics Philippine Corp.	39,914.77
	"XXX-44	07-Jan-09	Samsung Electro-Mechanics Philippine Corp.	28,469.07
	"XXX-53	08-Jan-09	Samsung Electro-Mechanics Philippine Corp.	14,500.00
	"XXX-61	09-Jan-09	Samsung Electro-Mechanics Philippine Corp.	14,500.00
	"XXX-90	12-Jan-09	Samsung Electro-Mechanics Philippine Corp.	39,195.91
	"XXX-96	13-Jan-09	Samsung Electro-Mechanics Philippine Corp.	14,630.00
	"XXX-97	13-Jan-09	Samsung Electro-Mechanics Philippine Corp.	4,000.00
	"XXX-98	13-Jan-09	Samsung Electro-Mechanics Philippine Corp.	14,500.00
	"XXX-94	13-Jan-09	Sanritsu Great International Corp.	15,000.00
	"XXX-164	22-Jan-09	Sanritsu Great International Corp.	2,850.00
	"XXX-166	22-Jan-09	Sanritsu Great International Corp.	1,250.00
	"XXX-186	23-Jan-09	Sanritsu Great International Corp.	15,000.00
	"XXX-32	07-Jan-09	Showa Aluminum Manufacturing Phils.	20,800.00
	"XXX-106	14-Jan-09	Showa Aluminum Manufacturing Phils.	16,000.00
	"XXX-137	16-Jan-09	Showa Aluminum Manufacturing Phils.	10,400.00
	"XXX-138	16-Jan-09	Showa Aluminum Manufacturing Phils.	75,000.00
	"XXX-3	05-Jan-09	YKY Parts Corporation	31,000.00
	"XXX-47	08-Jan-09	YKY Parts Corporation	31,000.00
	"XXX-156	20-Jan-09	YKY Parts Corporation	31,000.00
	"XXX-18	06-Jan-09	Yutaka Manufacturing (Phils) Inc.	1,342.00
	"XXX-19	06-Jan-09	Yutaka Manufacturing (Phils) Inc.	7,501.20
	"XXX-85	12-Jan-09	Yutaka Manufacturing (Phils) Inc.	224,024.30
	"XXX-95	13-Jan-09	Yutaka Manufacturing (Phils) Inc.	18,753.00
	"XXX-136	16-Jan-09	Yutaka Manufacturing (Phils) Inc.	235,225.60
	February			
	"XXX-671	28-Feb-09	Cam Mechatronic (Phils) Inc.	450.00
	"XXX-346	02-Feb-09	Cirtek Electronics Corporation	25,000.00

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	"XXX-419	06-Feb-09	Cirtek Electronics Corporation	23,800.00
	"XXX-502	16-Feb-09	Cirtek Electronics Corporation	23,800.00
	"XXX-415	06-Feb-09	Continental Temic Electronics (Phils) Inc.	15,000.00
	"XXX-416	06-Feb-09	Ju-Young Electronics (Phils) Inc.	18,000.00
	"XXX-594	24-Feb-09	Ju-Young Electronics (Phils) Inc.	18,000.00
	"XXX-676	28-Feb-09	Ju-Young Electronics (Phils) Inc.	200.00
	"XXX-395	05-Feb-09	Kuy Corporation	3,150.00
	"XXX-424	09-Feb-09	Kuy Corporation	3,150.00
	"XXX-445	11-Feb-09	Kuy Corporation	16,000.00
	"XXX-2293	02-Feb-09	Luzon Electronics Technology, Inc.	35,505.00
	"XXX-406	05-Feb-09	Luzon Electronics Tehnology Inc,	39,614.20
	"XXX-684	28-Feb-09	Nidec Subic Philippines Corporation	3,500.00
	"XXX-2297	02-Feb-09	Nidec Subic Philippines Corporation	18,936.00
	"XXX-348	02-Feb-09	Orient Semiconductor Electronics Philippines	24,000.00
	"XXX-379	04-Feb-09	Orient Semiconductor Electronics Philippines	11,000.00
	"XXX-427	09-Feb-09	Orient Semiconductor Electronics Philippines	11,000.00
	"XXX-349	02-Feb-09	Philippine Toei Chemical Corporation	18,000.00
	"XXX-403	05-Feb-09	Philippine Toei Chemical Corporation	48,126.00
	"XXX-631	27-Feb-09	Philippine Toei Chemical Corporation	44,818.10
	"XXX-2296	02-Feb-09	Pricon Microelectronics , Inc.	28,404.00
	"XXX-350	02-Feb-09	PSI Technologies Inc,	9,000.00
	"XXX-351	02-Feb-09	PSI Technologies Inc,	8,100.00
	"XXX-362	02-Feb-09	Tokyo Steel Philippines Corporation	25,500.00
	"XXX-363	02-Feb-09	Tokyo Steel Philippines Corporation	6,300.00
	"XXX-385	04-Feb-09	YKY Parts Corporation	15,500.00
	"XXX-394	05-Feb-09	YKY Parts Corporation	15,500.00
	March			
	"XXX-701	02-Mar-09	Philippine Toei Chemical Corporation	18,000.00
	"XXX-714	02-Mar-09	Tokyo Steel Philippines Corporation	25,500.00
	"XXX-715	02-Mar-09	Tokyo Steel Philippines Corporation	6,300.00
	"XXX-730	04-Mar-09	Nidec Subic Philippines Corporation	27,655.20
	"XXX-731	04-Mar-09	Nidec Subic Philippines Corporation	41,375.00
	"XXX-762	06-Mar-09	Nidec Subic Philippines Corporation	33,100.00
	"XXX-763	06-Mar-09	Nidec Subic Philippines Corporation	13,827.60
	"XXX-790	09-Mar-09	Ju-Young Electronics (Phils) Inc.	18,000.00
	"XXX-792	10-Mar-09	Nidec Subic Philippines Corporation	2,200.00
	"XXX-793	10-Mar-09	Nidec Subic Philippines Corporation	1,100.00
	"XXX-794	10-Mar-09	Nidec Subic Philippines Corporation	1,100.00
	"XXX-795	10-Mar-09	Nidec Subic Philippines Corporation	2,200.00
	"XXX-796	10-Mar-09	Nidec Subic Philippines Corporation	1,100.00
	"XXX-797	10-Mar-09	Nidec Subic Philippines Corporation	2,200.00
	"XXX-811	11-Mar-09	Philippine Toei Chemical Corporation	54,627.00
	"XXX-1081	31-Mar-09	Nidec Subic Philippines Corporation	3,500.00
	"XXX-2324	02-Mar-09	Nidec Subic Philippines Corporation	19,464.80
	Subtotal			**9,014,165.90**
	Second Quarter of 2009			
	April			
	"XXX-1118	01-Apr-09	Tokyo Steel Philippines Corporation	25,500.00
	"XXX-1119	01-Apr-09	Tokyo Steel Philippines Corporation	6,300.00
	"XXX-1450	30-Apr-09	Nidec Subic Philippines Corporation	3,500.00
	"XXX-2356	01-Apr-09	Nidec Subic Philippines Corporation	19,368.80
	May			
	"XXX-1865	31-May-09	Nidec Subic Philippines Corporation	3,500.00
	"XXX-2391	01-May-09	Nidec Subic Philippines Corporation	19,481.60
	June			
	"XXX-1928	03-Jun-09	Nidec Subic Philippines Corporation	51,685.51
	"XXX-2253	30-Jun-09	Nidec Subic Philippines Corporation	3,500.00
	"XXX-2429	01-Jun-09	Nidec Subic Philippines Corporation	18,976.40

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	Subtotal			**151,812.31**
	Total			**9,165,978.21**
2)	**Sales of goods to entities with cancelled PEZA registration**			
	First Quarter of 2009			
	January			
	"XXX-214	23-Jan-09	AMI Semiconductor Philippines Inc.	110,220.00
	"XXX-318	31-Jan-09	AMI Semiconductor Philippines Inc.	400.00
	"XXX-298	31-Jan-09	Amkor Anam Advanced Packaging Inc.	120,000.00
	February			
	"XXX-527	17-Feb-09	Amkor Anam Advanced Packaging Inc.	30,000.00
	Subtotal			**260,620.00**
	Second Quarter of 2009			
	April			
	"XXX-1176	07-Apr-09	Amkor Anam Advanced Packaging Inc.	60,000.00
	"XXX-1177	07-Apr-09	Amkor Anam Advanced Packaging Inc.	60,000.00
	May			
	"XXX-1683	19-May-09	Amkor Anam Advanced Packaging Inc.	7,500.00
	"XXX-1684	19-May-09	Amkor Anam Advanced Packaging Inc.	30,000.00
	"XXX-1685	19-May-09	Amkor Anam Advanced Packaging Inc.	45,000.00
	"XXX-1757	26-May-09	Amkor Anam Advanced Packaging Inc.	24,500.00
	"XXX-1775	27-May-09	Amkor Anam Advanced Packaging Inc.	45,000.00
	"XXX-1827	31-May-09	Amkor Anam Advanced Packaging Inc.	37,500.00
	June			
	"XXX-2201	30-Jun-09	Amkor Anam Advanced Packaging Inc.	82,500.00
	"XXX-2202	30-Jun-09	Amkor Anam Advanced Packaging Inc.	120,000.00
	"XXX-2203	30-Jun-09	Amkor Anam Advanced Packaging Inc.	1,822,500.00
	"XXX-2266	30-Jun-09	Amkor Anam Advanced Packaging Inc.	(2,025,000.00)
	Subtotal			**309,500.00**
	Total			**570,120.00**
3)	**Sales of goods to entities without VAT zero-rating certification from PEZA**			
	First Quarter of 2009			
	January			
	"XXX-307	31-Jan-09	Bell Electronics Corporation	52,423.15
	"XXX-320	31-Jan-09	Bell Electronics Corporation	480.00
	"XXX-84	12-Jan-09	Fujielastomers Manila Corp.	34,523.96
	"XXX-205	23-Jan-09	Fujielastomers Manila Corp.	40,990.20
	"XXX-41	07-Jan-09	MME Technologies Inc.	17,787.64
	"XXX-43	07-Jan-09	MME Technologies Inc.	16,647.41
	"XXX-86	12-Jan-09	MME Technologies Inc.	23,615.41
	"XXX-87	12-Jan-09	MME Technologies Inc.	21,944.39
	"XXX-126	16-Jan-09	MME Technologies Inc.	15,446.60
	"XXX-127	16-Jan-09	MME Technologies Inc.	21,221.85
	"XXX-182	22-Jan-09	MME Technologies Inc.	19,623.63
	"XXX-200	23-Jan-09	MME Technologies Inc.	9,304.88
	"XXX-227	26-Jan-09	MME Technologies Inc.	26,533.52
	"XXX-228	26-Jan-09	MME Technologies Inc.	31,330.13
	"XXX-256	28-Jan-09	MME Technologies Inc.	17,053.66
	"XXX-287	31-Jan-09	MME Technologies Inc.	16,965.91
	"XXX-290	31-Jan-09	MME Technologies Inc.	18,214.69
	"XXX-328	31-Jan-09	MME Technologies Inc.	300.00

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	February			
	"XXX-345	02-Feb-09	Bell Electronics Corporation	20,000.00
	"XXX-639	28-Feb-09	Bell Electronics Corporation	26,400.00
	"XXX-657	28-Feb-09	Bell Electronics Corporation	25,601.40
	"XXX-670	28-Feb-09	Bell Electronics Corporation	480.00
	"XXX-494	16-Feb-09	Fujielastomers Manila Corp.	26,120.53
	"XXX-401	05-Feb-09	MME Technologies Inc.	25,492.61
	"XXX-431	09-Feb-09	MME Technologies Inc.	35,621.82
	"XXX-436	09-Feb-09	MME Technologies Inc.	13,697.84
	"XXX-458	11-Feb-09	MME Technologies Inc.	10,048.61
	"XXX-501	16-Feb-09	MME Technologies Inc.	12,712.44
	"XXX-509	16-Feb-09	MME Technologies Inc.	14,396.97
	"XXX-523	17-Feb-09	MME Technologies Inc.	5,173.61
	"XXX-542	20-Feb-09	MME Technologies Inc.	30,069.91
	"XXX-571	23-Feb-09	MME Technologies Inc.	18,122.91
	"XXX-641	28-Feb-09	MME Technologies Inc.	21,985.47
	"XXX-642	28-Feb-09	MME Technologies Inc.	13,605.28
	"XXX-679	28-Feb-09	MME Technologies Inc.	300.00
	"XXX-2294	02-Feb-09	MME Technologies, Inc.	23,670.00
	March			
	"XXX-697	02-Mar-09	Bell Electronics Corporation	20,000.00
	"XXX-1055	31-Mar-09	Bell Electronics Corporation	74,357.60
	"XXX-1067	31-Mar-09	Bell Electronics Corporation	480.00
	"XXX-781	09-Mar-09	Fujielastomers Manila Corp.	63,099.34
	"XXX-885	18-Mar-09	Fujielastomers Manila Corp.	30,000.00
	"XXX-886	18-Mar-09	Fujielastomers Manila Corp.	900.00
	"XXX-896	19-Mar-09	Fujielastomers Manila Corp.	59,448.74
	"XXX-1040	31-Mar-09	Fujielastomers Manila Corp.	78,654.92
	"XXX-751	05-Mar-09	MME Technologies Inc.	27,041.17
	"XXX-774	09-Mar-09	MME Technologies Inc.	11,042.85
	"XXX-805	10-Mar-09	MME Technologies Inc.	16,815.37
	"XXX-824	12-Mar-09	MME Technologies Inc.	16,293.42
	"XXX-898	19-Mar-09	MME Technologies Inc.	11,563.24
	"XXX-932	23-Mar-09	MME Technologies Inc.	13,577.59
	"XXX-1022	30-Mar-09	MME Technologies Inc.	24,150.75
	"XXX-1032	31-Mar-09	MME Technologies Inc.	20,768.02
	"XXX-1076	31-Mar-09	MME Technologies Inc.	300.00
	"XXX-2321	02-Mar-09	MME Technologies, Inc.	24,331.00
	Subtotal			**1,200,730.44**
	Second Quarter of 2009			
	April			
	"XXX-1101	01-Apr-09	Bell Electronics Corporation	20,000.00
	"XXX-1421	30-Apr-09	Bell Electronics Corporation	24,488.08
	"XXX-1435	30-Apr-09	Bell Electronics Corporation	480.00
	"XXX-1242	15-Apr-09	Fujielastomers Manila Corp.	76,389.96
	"XXX-1320	23-Apr-09	Fujielastomers Manila Corp.	19,808.63
	"XXX-1394	29-Apr-09	Fujielastomers Manila Corp.	26,510.24
	"XXX-1265	17-Apr-09	MME Technologies Inc,	31,886.53
	"XXX-1278	20-Apr-09	MME Technologies Inc,	18,325.19
	"XXX-1302	21-Apr-09	MME Technologies Inc,	22,694.10
	"XXX-1157	03-Apr-09	MME Technologies Inc.	12,914.98
	"XXX-1187	07-Apr-09	MME Technologies Inc.	31,739.24
	"XXX-1232	14-Apr-09	MME Technologies Inc.	16,623.62
	"XXX-1325	23-Apr-09	MME Technologies Inc.	19,419.92
	"XXX-1365	27-Apr-09	MME Technologies Inc.	24,667.11
	"XXX-1382	28-Apr-09	MME Technologies Inc.	19,103.11
	"XXX-1402	30-Apr-09	MME Technologies Inc.	20,404.93
	"XXX-2353	01-Apr-09	MME Technologies, Inc.	24,211.00

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	Invoice Date	Customer's Name	Amount of Sales (in PhP)
	May			
	"XXX-1468	01-May-09	Bell Electronics Corporation	20,000.00
	"XXX-1837	31-May-09	Bell Electronics Corporation	33,241.43
	"XXX-1852	31-May-09	Bell Electronics Corporation	480.00
	"XXX-1614	13-May-09	Fujielastomers Manila Corp.	79,372.41
	"XXX-1776	27-May-09	Fujielastomers Manila Corp.	82,214.11
	"XXX-1536	06-May-09	MME Technologies Inc.	33,379.06
	"XXX-1591	11-May-09	MME Technologies Inc.	25,307.10
	"XXX-1613	13-May-09	MME Technologies Inc.	18,141.76
	"XXX-1626	14-May-09	MME Technologies Inc.	15,043.08
	"XXX-1659	18-May-09	MME Technologies Inc.	17,275.83
	"XXX-1712	21-May-09	MME Technologies Inc.	28,929.16
	"XXX-1731	25-May-09	MME Technologies Inc.	20,838.09
	"XXX-1761	26-May-09	MME Technologies Inc.	8,522.28
	"XXX-1799	29-May-09	MME Technologies Inc.	20,765.55
	"XXX-1820	31-May-09	MME Technologies Inc.	17,755.53
	"XXX-2388	01-May-09	MME Technologies, Inc.	24,352.00
	June			
	"XXX-1878	01-Jun-09	Bell Electronics Corporation	20,000.00
	"XXX-2225	30-Jun-09	Bell Electronics Corporation	33,881.34
	"XXX-2238	30-Jun-09	Bell Electronics Corporation	480.00
	"XXX-2024	11-Jun-09	Fujielastomers Manila Corp.	66,274.78
	"XXX-2133	23-Jun-09	Fujielastomers Manila Corp.	72,168.48
	"XXX-2207	30-Jun-09	Fujielastomers Manila Corp.	71,199.94
	"XXX-1926	03-Jun-09	MME Technologies Inc.	10,235.55
	"XXX-1945	04-Jun-09	MME Technologies Inc.	21,161.66
	"XXX-1979	09-Jun-09	MME Technologies Inc.	20,089.68
	"XXX-1998	10-Jun-09	MME Technologies Inc.	11,825.32
	"XXX-2026	11-Jun-09	MME Technologies Inc.	22,180.73
	"XXX-2050	15-Jun-09	MME Technologies Inc.	22,778.86
	"XXX-2063	16-Jun-09	MME Technologies Inc.	10,809.11
	"XXX-2104	19-Jun-09	MME Technologies Inc.	31,556.59
	"XXX-2162	26-Jun-09	MME Technologies Inc.	31,543.98
	"XXX-2187	29-Jun-09	MME Technologies Inc.	16,173.95
	"XXX-2193	29-Jun-09	MME Technologies Inc.	1,200.00
	"XXX-2208	30-Jun-09	MME Technologies Inc.	18,910.06
	"XXX-2247	30-Jun-09	MME Technologies Inc.	300.00
	"XXX-2426	01-Jun-09	MME Technologies, Inc.	23,720.50
	Subtotal			**1,361,774.56**
	Total			**2,562,505.00**
4)	**Sales of goods to entities not registered with PEZA/SBMA**			
	First Quarter of 2009			
	January			
	"XXX-93	13-Jan-09	Team Pacific Corporation	12,000.00
	"XXX-217	26-Jan-09	Team Pacific Corporation	24,000.00
	"XXX-281	31-Jan-09	Team Pacific Corporation	245,424.00
	"XXX-282	31-Jan-09	Team Pacific Corporation	263,370.87
	"XXX-317	31-Jan-09	TST Inc.	290,745.65
	"XXX-338	31-Jan-09	TST Inc.	69,000.00
	"XXX-2276	31-Jan-09	Team Pacific Corp.	12,398,447.08
	"XXX-2279	31-Jan-09	Team Pacific Corp.	184,917.35
	"XXX-2280	31-Jan-09	Team Pacific Corp.	145,976.08
	"XXX-2291	31-Jan-09	Team Pacific Corp.	(12,398,447.08)
	February			
	"XXX-358	02-Feb-09	Team Pacific Corporation	8,150.00

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	"XXX-359	02-Feb-09	Team Pacific Corporation	18,000.00
	"XXX-393	05-Feb-09	Eurowood Products and Technique Mfg Corporation	11,454.50
	"XXX-584	24-Feb-09	Team Pacific Corporation	24,000.00
	"XXX-634	28-Feb-09	Team Pacific Corporation	187,579.14
	"XXX-635	28-Feb-09	Team Pacific Corporation	176,752.68
	"XXX-668	28-Feb-09	TST Inc.	375,704.71
	"XXX-689	28-Feb-09	TST Inc.	69,000.00
	"XXX-691	28-Feb-09	TST Inc.	(313.02)
	"XXX-2308	28-Feb-09	Team Pacific Corporation	144,846.44
	"XXX-2309	28-Feb-09	Team Pacific Corporation	100,381.04
	"XXX-2298	02-Feb-09	TST, Inc.	28,404.00
	March			
	"XXX-710	02-Mar-09	Team Pacific Corporation	8,150.00
	"XXX-711	02-Mar-09	Team Pacific Corporation	18,000.00
	"XXX-814	12-Mar-09	Team Pacific Corporation	12,000.00
	"XXX-1037	31-Mar-09	Team Pacific Corporation	234,603.18
	"XXX-1038	31-Mar-09	Team Pacific Corporation	263,058.31
	"XXX-1065	31-Mar-09	TST Inc.	431,806.95
	"XXX-1087	31-Mar-09	TST Inc.	57,000.00
	"XXX-2342	31-Mar-09	Team Pacific Corporation	181,812.86
	"XXX-2343	31-Mar-09	Team Pacific Corporation	149,962.36
	"XXX-2325	02-Mar-09	TST, Inc.	29,197.20
	Subtotal			**3,764,984.30**
	Second Quarter of 2009			
	April			
	"XXX-1114	01-Apr-09	Team Pacific Corporation	8,150.00
	"XXX-1115	01-Apr-09	Team Pacific Corporation	18,000.00
	"XXX-1406	30-Apr-09	Team Pacific Corporation	204,784.58
	"XXX-1407	30-Apr-09	Team Pacific Corporation	233,887.87
	"XXX-1432	30-Apr-09	TST Inc.	424,350.75
	"XXX-1456	30-Apr-09	TST Inc.	57,000.00
	"XXX-2376	30-Apr-09	Team Pacific Corporation	159,666.77
	"XXX-2377	30-Apr-09	Team Pacific Corporation	134,120.40
	"XXX-2357	01-Apr-09	TST, Inc.	29,053.20
	"XXX-2385	29-Apr-09	Ansul Incorporated	(2,884.48)
	May			
	"XXX-1483	01-May-09	Team Pacific Corporation	8,150.00
	"XXX-1484	01-May-09	Team Pacific Corporation	18,000.00
	"XXX-1634	15-May-09	Pilipinas Shell Petroleum Corp.	90,650.00
	"XXX-1638	18-May-09	Team Pacific Corporation	24,000.00
	"XXX-1802	31-May-09	Team Pacific Corporation	161,928.69
	"XXX-1803	31-May-09	Team Pacific Corporation	177,768.50
	"XXX-1850	31-May-09	TST Inc.	536,909.75
	"XXX-1871	31-May-09	TST Inc.	57,000.00
	"XXX-2414	31-May-09	Team Pacific Corporation	123,273.42
	"XXX-2415	31-May-09	Team Pacific Corporation	99,517.96
	"XXX-2392	01-May-09	TST, Inc.	29,222.40
	"XXX-2423	27-May-09	Ansul Incorporated	(349,933.87)
	June			
	"XXX-1891	01-Jun-09	Team Pacific Corporation	8,150.00
	"XXX-1892	01-Jun-09	Team Pacific Corporation	18,000.00
	"XXX-2210	30-Jun-09	Team Pacific Corporation	176,569.26
	"XXX-2211	30-Jun-09	Team Pacific Corporation	173,666.15
	"XXX-2237	30-Jun-09	TST Inc.	575,676.58
	"XXX-2259	30-Jun-09	TST Inc.	66,000.00
	"XXX-2452	30-Jun-09	Team Pacific Corporation	136,556.09
	"XXX-2453	30-Jun-09	Team Pacific Corporation	98,775.37
	"XXX-2430	01-Jun-09	TST, Inc.	28,464.60

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	Subtotal			**3,524,473.99**
	Total			**7,289,458.29**
5)	**Declared zero-rated rental income was not supported by VAT zero-rated official receipts (Ors) in violation of Section 113(A)(2) of the NIRC of 1997, as amended**			
	First Quarter of 2009			
	January			
	"XXX-326	31-Jan-09	Kyocera Kinseki Philippines Inc.	1,200.00
	"XXX-327	31-Jan-09	Littlefuse Philippines Inc.	3,900.00
	"XXX-329	31-Jan-09	MSM Manila Inc.	2,500.00
	"XXX-331	31-Jan-09	PASAR	7,400.00
	"XXX-332	31-Jan-09	Samsung Electro-Mechanic Philippines	36,000.00
	"XXX-334	31-Jan-09	On Semiconductor Phils. Inc.	100.00
	"XXX-335	31-Jan-09	Ibiden Philippines Inc.	5,200.00
	"XXX-336	31-Jan-09	Tann Philippines	200.00
	"XXX-337	31-Jan-09	Temic Automotive Philippines	69,000.00
	"XXX-2288	31-Jan-09	Air Water Philippines, Inc.	4,236.84
	February			
	"XXX-352	02-Feb-09	Fujitsu Ten Corp. of the Philippines	3,000.00
	"XXX-672	28-Feb-09	Cirtek Electronics Corporation	1,920.00
	"XXX-673	28-Feb-09	Continental Temic Electronics Phils.	5,500.00
	"XXX-674	28-Feb-09	Continental Temic Electronics Phils.	5,000.00
	"XXX-675	28-Feb-09	Heraeus Electronic Materials Phils. Inc.	5,000.00
	"XXX-677	28-Feb-09	Kyocera Kinseki Philippines Inc.	1,200.00
	"XXX-678	28-Feb-09	Littlefuse Philippines Inc.	3,900.00
	"XXX-680	28-Feb-09	MSM Manila Inc.	2,140.00
	"XXX-681	28-Feb-09	Orient Semiconductor Electronics	2,670.00
	"XXX-682	28-Feb-09	PASAR	4,400.00
	"XXX-683	28-Feb-09	Samsung Electro-Mechanic Philippines	38,500.00
	"XXX-685	28-Feb-09	On Semiconductor Phils. Inc.	100.00
	"XXX-686	28-Feb-09	Ibiden Philippines Inc.	5,200.00
	"XXX-687	28-Feb-09	Tann Philippines	200.00
	"XXX-688	28-Feb-09	Temic Automotive Philippines	2,500.00
	"XXX-690	28-Feb-09	On Semiconductor Phils. Inc.	400.00
	"XXX-2318	28-Feb-09	Air Water Philippines, Inc.	4,341.24
	March			
	"XXX-704	02-Mar-09	PSI Technologies Inc.	3,000.00
	"XXX-706	02-Mar-09	Samsung Electro-Mechanic Philippines	4,500.00
	"XXX-875	18-Mar-09	MSM Manila Inc.	2,140.00
	"XXX-884	18-Mar-09	Nidec Philippines Corporation	8,000.00
	"XXX-1066	31-Mar-09	Austria Microsystems Phils. Inc.	2,500.00
	"XXX-1068	31-Mar-09	Cam Mechatronics (Phils) Inc.	450.00
	"XXX-1069	31-Mar-09	Cirtek Electronics Corporation	2,020.00
	"XXX-1070	31-Mar-09	Continental Temic Electronics Phils.	5,500.00
	"XXX-1071	31-Mar-09	Continental Temic Electronics Phils.	5,000.00
	"XXX-1072	31-Mar-09	Heraeus Electronic Materials Phils. Inc.	5,000.00
	"XXX-1073	31-Mar-09	Ju-Young Electronics Phils. Inc.	200.00
	"XXX-1074	31-Mar-09	Kyocera Kinseki Philippines Inc.	1,650.00
	"XXX-1075	31-Mar-09	Littlefuse Philippines Inc.	3,600.00
	"XXX-1077	31-Mar-09	MSM Manila Inc.	2,140.00
	"XXX-1078	31-Mar-09	Orient Semiconductor Electronics	2,670.00
	"XXX-1079	31-Mar-09	PASAR	7,800.00
	"XXX-1080	31-Mar-09	Samsung Electro-Mechanic Philippines	38,500.00
	"XXX-1082	31-Mar-09	On Semiconductor Phils. Inc.	100.00

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	"XXX-1083	31-Mar-09	Shinetsu Magnetic Phils. Inc.	1,000.00
	"XXX-1084	31-Mar-09	Ibiden Philippines Inc.	7,800.00
	"XXX-1085	31-Mar-09	Tann Philippines	200.00
	"XXX-1086	31-Mar-09	Temic Automotive Philippines	2,500.00
	"XXX-1088	31-Mar-09	On Semiconductor Phils. Inc.	400.00
	"XXX-1092	18-Mar-09	MSM Manila Inc.	(2,500.00)
	"XXX-1093	18-Mar-09	Analog Devices Gen. Trias	(2,520.00)
	"XXX-1098	25-Mar-09	Honda Parts Manufacturing Corp.	(216.00)
	"XXX-1099	31-Mar-09	Honda Parts Manufacturing Corp.	(27,500.00)
	"XXX-2350	31-Mar-09	Air Water Philippines, Inc.	4,357.71
	Subtotal			**293,999.79**
	Second Quarter of 2009			
	April			
	"XXX-1108	01-Apr-09	PSI Technologies Inc.	3,000.00
	"XXX-1433	30-Apr-09	CPL Packaging Inc.	600.00
	"XXX-1434	30-Apr-09	Austria Microsystems Phils. Inc.	15,000.00
	"XXX-1436	30-Apr-09	Cam Mechatronics (Phils) Inc.	450.00
	"XXX-1437	30-Apr-09	Cirtek Electronics Corporation	2,020.00
	"XXX-1438	30-Apr-09	Continental Temic Electronics Phils.	5,700.00
	"XXX-1439	30-Apr-09	Continental Temic Electronics Phils.	5,000.00
	"XXX-1440	30-Apr-09	Fastech Electronique Inc.	150.00
	"XXX-1441	30-Apr-09	Heraeus Electronic Materials Phils. Inc.	5,000.00
	"XXX-1442	30-Apr-09	Honda Parts Manufacturing Corp.	900.00
	"XXX-1443	30-Apr-09	Kyocera Kinseki Philippines Inc.	1,650.00
	"XXX-1444	30-Apr-09	Littlefuse Philippines Inc.	2,100.00
	"XXX-1445	30-Apr-09	MSM Manila Inc.	2,140.00
	"XXX-1446	30-Apr-09	Orient Semiconductor Electronics	2,670.00
	"XXX-1447	30-Apr-09	PASAR	7,800.00
	"XXX-1448	30-Apr-09	AGC Flat Glass Phils. Inc.	450.00
	"XXX-1449	30-Apr-09	Samsung Electro-Mechanic Philippines	38,500.00
	"XXX-1451	30-Apr-09	On Semiconductor Phils. Inc.	100.00
	"XXX-1452	30-Apr-09	Shinetsu Magnetic Phils. Inc.	1,000.00
	"XXX-1453	30-Apr-09	Ibiden Philippines Inc.	7,800.00
	"XXX-1454	30-Apr-09	Tann Philippines	200.00
	"XXX-1455	30-Apr-09	Temic Automotive Philippines	2,500.00
	"XXX-1463	29-Apr-09	Ibiden Philippines Inc.	(2,600.00)
	"XXX-2384	30-Apr-09	Air Water Philippines, Inc.	4,383.72
	May			
	"XXX-1476	01-May-09	PSI Technologies Inc.	3,000.00
	"XXX-1487	01-May-09	Tokyo Steel Philippines Corp.	12,750.00
	"XXX-1488	01-May-09	Tokyo Steel Philippines Corp.	6,300.00
	"XXX-1808	31-May-09	Ibiden Philippines Inc.	5,200.00
	"XXX-1851	31-May-09	Austria Microsystems Phils. Inc.	15,000.00
	"XXX-1853	31-May-09	Cam Mechatronics (Phils) Inc.	450.00
	"XXX-1854	31-May-09	Cirtek Electronics Corporation	2,260.00
	"XXX-1855	31-May-09	Continental Temic Electronics Phils.	4,900.00
	"XXX-1856	31-May-09	Continental Temic Electronics Phils.	5,000.00
	"XXX-1857	31-May-09	Heraeus Electronic Materials Phils. Inc.	5,000.00
	"XXX-1858	31-May-09	Ionics EMS Inc.	15,000.00
	"XXX-1859	31-May-09	Kyocera Kinseki Philippines Inc.	1,650.00
	"XXX-1860	31-May-09	Littlefuse Philippines Inc.	2,100.00
	"XXX-1861	31-May-09	MSM Manila Inc.	2,140.00
	"XXX-1862	31-May-09	On Semiconductor Phils. Inc.	5,600.00
	"XXX-1863	31-May-09	Orient Semiconductor Electronics	2,670.00
	"XXX-1864	31-May-09	PASAR	7,800.00
	"XXX-1866	31-May-09	On Semiconductor Phils. Inc.	100.00
	"XXX-1867	31-May-09	Shinetsu Magnetic Phils. Inc.	1,000.00
	"XXX-1868	31-May-09	Ibiden Philippines Inc.	5,200.00

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8259 & 8296				
DISALLOWED ZERO-RATED SALES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**Invoice Date**	**Customer's Name**	**Amount of Sales (in PhP)**
	"XXX-1869	31-May-09	Tann Philippines	200.00
	"XXX-1870	31-May-09	Temic Automotive Philippines	2,500.00
	"XXX-1872	31-May-09	On Semiconductor Phils. Inc.	400.00
	"XXX-1873	31-May-09	Samsung Electro-Mechanic Philippines	38,500.00
	"XXX-1875	31-May-09	Ibiden Philippines Inc.	(7,800.00)
	"XXX-1876	31-May-09	Austria Microsystems Phils. Inc.	(5,000.00)
	"XXX-2422	31-May-09	Air Water Philippines, Inc.	4,279.32
	June			
	"XXX-1885	01-Jun-09	PSI Technologies Inc.	3,000.00
	"XXX-1895	01-Jun-09	Tokyo Steel Philippines Corp.	12,750.00
	"XXX-1896	01-Jun-09	Tokyo Steel Philippines Corp.	6,300.00
	"XXX-2239	30-Jun-09	Cam Mechatronics (Phils) Inc.	450.00
	"XXX-2240	30-Jun-09	Cirtek Electronics Corporation	2,260.00
	"XXX-2241	30-Jun-09	Continental Temic Electronics Phils.	5,500.00
	"XXX-2242	30-Jun-09	Continental Temic Electronics Phils.	5,000.00
	"XXX-2243	30-Jun-09	Heraeus Electronic Materials Phils. Inc.	5,000.00
	"XXX-2244	30-Jun-09	Ionics EMS Inc.	15,000.00
	"XXX-2245	30-Jun-09	Kyocera Kinseki Philippines Inc.	1,650.00
	"XXX-2246	30-Jun-09	Littlefuse Philippines Inc.	2,100.00
	"XXX-2248	30-Jun-09	MSM Manila Inc.	2,140.00
	"XXX-2249	30-Jun-09	On Semiconductor Phils. Inc.	28,000.00
	"XXX-2250	30-Jun-09	Orient Semiconductor Electronics	2,670.00
	"XXX-2251	30-Jun-09	PASAR	7,800.00
	"XXX-2252	30-Jun-09	Samsung Electro-Mechanic Philippines	38,500.00
	"XXX-2254	30-Jun-09	On Semiconductor Phils. Inc.	100.00
	"XXX-2255	30-Jun-09	Shinetsu Magnetic Phils. Inc.	1,000.00
	"XXX-2256	30-Jun-09	Ibiden Philippines Inc.	5,200.00
	"XXX-2257	30-Jun-09	Tann Philippines	200.00
	"XXX-2258	30-Jun-09	Temic Automotive Philippines	2,500.00
	"XXX-2260	30-Jun-09	Automotive Interiors Corporation	2,400.00
	"XXX-2262	30-Jun-09	On Semiconductor Phils. Inc.	400.00
	"XXX-2460	30-Jun-09	Air Water Philippines, Inc.	4,347.72
	Subtotal			**396,980.76**
	Total			**690,980.55**
	GRAND TOTAL - DISALLOWED ZERO-RATED SALES/RECEIPTS PER THIS COURT'S FURTHER VERIFICATION			**20,279,042.05**

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	OR/Invoice/IEIRD No.	Supplier	Input VAT (In PhP)
1)	Input VAT on domestic purchases of services supported by VAT official receipts (ORs) but the VAT was not separately indicated			
	First Quarter of 2009			
	January			
	"UUU-128	PKPOR000255941	Philippine Long Distance Telephone Co.	593.10
	"UUU-129	PKPOR000255941	Philippine Long Distance Telephone Co.	587.82
	"UUU-130	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-131	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-132	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-133	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-134	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-135	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-136	PKPOR000255941	Philippine Long Distance Telephone Co.	689.38
	"UUU-137	PKPOR000255941	Philippine Long Distance Telephone Co.	689.38
	"UUU-138	PKPOR000255941	Philippine Long Distance Telephone Co.	689.38
	"UUU-139	PKPOR000255941	Philippine Long Distance Telephone Co.	689.38
	"UUU-140	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-141	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-142	PKPOR000255941	Philippine Long Distance Telephone Co.	160.71
	"UUU-143	PKPOR000255941	Philippine Long Distance Telephone Co.	287.13
	"UUU-144	PKPOR000255941	Philippine Long Distance Telephone Co.	960.00
	"UUU-145	PKPOR000255941	Philippine Long Distance Telephone Co.	297.35
	"UUU-146	PKPOR000255941	Philippine Long Distance Telephone Co.	166.09
	"UUU-147	PKPOR000255941	Philippine Long Distance Telephone Co.	177.01
	"UUU-148	PKPOR000255941	Philippine Long Distance Telephone Co.	235.07
	"UUU-149	PKPOR000258922	Philippine Long Distance Telephone Co.	534.04
	"UUU-150	PKPOR000258922	Philippine Long Distance Telephone Co.	205.79
	"UUU-151	PKPOR000258922	Philippine Long Distance Telephone Co.	129.50
	"UUU-152	PKPOR000258922	Philippine Long Distance Telephone Co.	1,081.34
	"UUU-153	PKPOR000255906-934	Philippine Long Distance Telephone Co.	156.54
	"UUU-154	PKPOR000255906-934	Philippine Long Distance Telephone Co.	159.27
	"UUU-155	PKPOR000255906-934	Philippine Long Distance Telephone Co.	967.60
	"UUU-156	PKPOR000255906-934	Philippine Long Distance Telephone Co.	151.09
	"UUU-157	PKPOR000255906-934	Philippine Long Distance Telephone Co.	175.77
	"UUU-158	PKPOR000255906-934	Philippine Long Distance Telephone Co.	151.09
	"UUU-159	PKPOR000255906-934	Philippine Long Distance Telephone Co.	153.27
	"UUU-160	PKPOR000255906-934	Philippine Long Distance Telephone Co.	260.12
	"UUU-161	PKPOR000255906-934	Philippine Long Distance Telephone Co.	194.04
	"UUU-162	PKPOR000255906-934	Philippine Long Distance Telephone Co.	431.52
	"UUU-163	PKPOR000255906-934	Philippine Long Distance Telephone Co.	276.02
	"UUU-164	PKPOR000255906-934	Philippine Long Distance Telephone Co.	660.16
	"UUU-165	PKPOR000255906-934	Philippine Long Distance Telephone Co.	186.54
	"UUU-166	PKPOR000255906-934	Philippine Long Distance Telephone Co.	151.09
	"UUU-167	PKPOR000255906-934	Philippine Long Distance Telephone Co.	206.19
	"UUU-168	PKPOR000255906-934	Philippine Long Distance Telephone Co.	329.40
	"UUU-169	PKPOR000255906-934	Philippine Long Distance Telephone Co.	157.63
	"UUU-170	PKPOR000255906-934	Philippine Long Distance Telephone Co.	207.84
	"UUU-171	PKPOR000255906-934	Philippine Long Distance Telephone Co.	185.99
	"UUU-172	PKPOR000255906-934	Philippine Long Distance Telephone Co.	151.09
	"UUU-173	PKPOR000255906-934	Philippine Long Distance Telephone Co.	151.09
	"UUU-174	PKPOR000255906-934	Philippine Long Distance Telephone Co.	358.28
	"UUU-175	PKPOR000255906-934	Philippine Long Distance Telephone Co.	1,075.22
	"UUU-176	PKPOR000255906-934	Philippine Long Distance Telephone Co.	565.17
	"UUU-177	PKPOR000255906-934	Philippine Long Distance Telephone Co.	3,542.13
	"UUU-178	PKPOR000255906-934	Philippine Long Distance Telephone Co.	151.09
	"UUU-179	PKPOR000255906-934	Philippine Long Distance Telephone Co.	152.59
	"UUU-180	PKPOR000255906-934	Philippine Long Distance Telephone Co.	157.63
	"UUU-181	PKPOR000255906-934	Philippine Long Distance Telephone Co.	3,000.00
	"UUU-182	29832	Philippine Forklift Center Inc.	3,336.04
	"UUU-183	29845	Philippine Forklift Center Inc.	266.79
	"UUU-184	29845	Philippine Forklift Center Inc.	1,723.14

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
	"UUU-255	39141	Toyota Makati Inc.	1,794.34
	"UUU-256	093128	Toyota Pasong Tamo	595.23
	"UUU-257	313314	Toyota Shaw Ortigas	876.37
	"UUU-258	313314	Toyota Shaw Ortigas	175.36
	"UUU-259	313314	Toyota Shaw Ortigas	2,093.62
	"UUU-287	3819	Comfac Corporation	15,475.50
	"UUU-297	1930	Fairchild Process Controls	14,382.00
	"UUU-320	AF#B37438/1248549	Int'l Container Terminal Services Inc.	1,042.68
	"UUU-325	AF#B36113/1253525	Teresita Malic Customs Broker	636.00
	"UUU-326	AF#B37438/1248549	Teresita Malic Customs Broker	2,441.58
	"UUU-327	AF#B40238/1260168	Teresita Malic Customs Broker	636.00
	February			
	"UUU-329"	12783	Access Frontier Technologies Inc.	427.20
	"UUU-332"	0951	Asiamark Const. & Sales Corp.	1,154.37
	"UUU-404"	395	Filipinas Inspection Inc.	732.60
	"UUU-406"	GTWRBD07032567	Globe Telecom	29,548.43
	"UUU-435"	0104572	Manila Water Company	21,528.44
	"UUU-442"	11721	Mirof Resources Inc.	195.78
	"UUU-443"	11721	Mirof Resources Inc.	362.21
	"UUU-444"	11721	Mirof Resources Inc.	723.99
	"UUU-445"	11721	Mirof Resources Inc.	2,493.09
	"UUU-446"	11721	Mirof Resources Inc.	1,019.21
	"UUU-447"	11721	Mirof Resources Inc.	796.86
	"UUU-448"	11721	Mirof Resources Inc.	1,746.22
	"UUU-449"	11721	Mirof Resources Inc.	236.06
	"UUU-459	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-460	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-461	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-462	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-463	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-464	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-465	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-466	PKPOR000267769	Philippine Long Distance Telephone Co.	689.38
	"UUU-467	PKPOR000267769	Philippine Long Distance Telephone Co.	689.38
	"UUU-468	PKPOR000267769	Philippine Long Distance Telephone Co.	689.38
	"UUU-469	PKPOR000267769	Philippine Long Distance Telephone Co.	689.38
	"UUU-470	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-471	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-472	PKPOR000267769	Philippine Long Distance Telephone Co.	160.71
	"UUU-473	PKPOR000267769	Philippine Long Distance Telephone Co.	960.00
	"UUU-474	PKPOR000263831	Philippine Long Distance Telephone Co.	156.54
	"UUU-475	PKPOR000263836	Philippine Long Distance Telephone Co.	174.01
	"UUU-476	PKPOR000263838	Philippine Long Distance Telephone Co.	555.99
	"UUU-477	PKPOR000263817	Philippine Long Distance Telephone Co.	151.09
	"UUU-478	PKPOR000263826	Philippine Long Distance Telephone Co.	153.27
	"UUU-479	PKPOR000263828	Philippine Long Distance Telephone Co.	153.27
	"UUU-480	PKPOR000263827	Philippine Long Distance Telephone Co.	221.40
	"UUU-481	PKPOR000263829	Philippine Long Distance Telephone Co.	521.73
	"UUU-482	PKPOR000263830	Philippine Long Distance Telephone Co.	183.00
	"UUU-483	PKPOR000263823	Philippine Long Distance Telephone Co.	151.09
	"UUU-484	PKPOR000263825	Philippine Long Distance Telephone Co.	151.00
	"UUU-485	PKPOR000263818	Philippine Long Distance Telephone Co.	153.27
	"UUU-486	PKPOR000263824	Philippine Long Distance Telephone Co.	997.69
	"UUU-487	PKPOR000263822	Philippine Long Distance Telephone Co.	394.71
	"UUU-488	PKPOR000263820	Philippine Long Distance Telephone Co.	3,163.71
	"UUU-489	PKPOR000263837	Philippine Long Distance Telephone Co.	151.09
	"UUU-490	PKPOR000263819	Philippine Long Distance Telephone Co.	270.13
	"UUU-491	PKPOR000263835	Philippine Long Distance Telephone Co.	163.09
	"UUU-492	PKPOR000263821	Philippine Long Distance Telephone Co.	3,000.00
	"UUU-493	PKPOR000263833	Philippine Long Distance Telephone Co.	298.28
	"UUU-494	PKPOR000263832	Philippine Long Distance Telephone Co.	187.09
	"UUU-495	PKPOR000263839	Philippine Long Distance Telephone Co.	204.79

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
	"UUU-496	PKPOR000263834	Philippine Long Distance Telephone Co.	10.50
	"UUU-552	3751	Veolia Water Solutions & Technologies (Phils) Ir	964.29
	"UUU-553	3912	Veolia Water Solutions & Technologies (Phils) Ir	1,285.71
	"UUU-558	8703	Yokogawa Phils. Inc.	8,139.21
	"UUU-599	PKPOR000263862	Philippine Long Distance Telephone Co.	334.59
	"UUU-600	PKPOR000263862	Philippine Long Distance Telephone Co.	188.33
	"UUU-601	PKPOR000263862	Philippine Long Distance Telephone Co.	122.06
	"UUU-602	PKPOR000263862	Philippine Long Distance Telephone Co.	1,085.66
	"UUU-603	PKPOR000263851	Philippine Long Distance Telephone Co.	151.09
	"UUU-604	PKPOR000263856	Philippine Long Distance Telephone Co.	180.69
	"UUU-605	PKPOR000263857	Philippine Long Distance Telephone Co.	369.84
	"UUU-606	PKPOR000263858	Philippine Long Distance Telephone Co.	160.53
	"UUU-607	PKPOR000263849	Philippine Long Distance Telephone Co.	188.04
	"UUU-608	PKPOR000263852	Philippine Long Distance Telephone Co.	151.09
	"UUU-609	PKPOR000263854	Philippine Long Distance Telephone Co.	234.68
	"UUU-610	PKPOR000263853	Philippine Long Distance Telephone Co.	157.63
	"UUU-611	PKPOR000263850	Philippine Long Distance Telephone Co.	175.09
	"UUU-612	PKPOR000263855	Philippine Long Distance Telephone Co.	213.69
	"UUU-613	PKPOR000263859	Philippine Long Distance Telephone Co.	227.65
	"UUU-614	PKPOR000263860	Philippine Long Distance Telephone Co.	190.43
	"UUU-623	AF#B40239/1270768	Cargohaus Inc.	417.02
	"UUU-624	AF#B40239/1270768	Cargohaus Inc.	417.57
	"UUU-625	AF#B40237/1261857	Cargohaus Inc.	761.87
	"UUU-629	AF#B40237/1261857	Teresita Malic Customs Broker	645.87
	"UUU-630	AF#B40239/1270768	Teresita Malic Customs Broker	650.49
	"UUU-631	AF#B40239/1270768	Teresita Malic Customs Broker	650.55
	"UUU-632	AF#B41927/1269463	Teresita Malic Customs Broker	754.23
	"UUU-633	AF#B41985/1261859	Fritz Logistics Phils. Inc.	120.00
	March			
	"UUU-643	5190	Carry-All International Forwarders Inc.	16,800.00
	"UUU-644	5190	Carry-All International Forwarders Inc.	14,280.00
	"UUU-645	5190	Carry-All International Forwarders Inc.	1,368.00
	"UUU-646	5190	Carry-All International Forwarders Inc.	1,140.00
	"UUU-647	5190	Carry-All International Forwarders Inc.	1,482.00
	"UUU-648	5190	Carry-All International Forwarders Inc.	1,482.00
	"UUU-656	5187	Carry-All International Forwarders Inc.	5,586.00
	"UUU-704	1287	Dumalaog Construction Inc.	27,000.00
	"UUU-705	17983	F.F. Cruz & Company	14,400.00
	"UUU-710	66727	General Electric Phils. Inc.	4,416.00
	"UUU-715	5916	J-10 Incorporated	144.00
	"UUU-716	3028	JSS Integrated Services Inc.	2,871.00
	"UUU-728	0104862	Manila Water Company	15,992.40
	"UUU-734	12323	Marco Inc.	696.43
	"UUU-735	2678	MH Poly-Electromechs Inc.	2,520.00
	"UUU-736	2670	MH Poly-Electromechs Inc.	6,000.00
	"UUU-737	10923	Mirof Resources Inc.	1,530.91
	"UUU-738	19024	Mirof Resources Inc.	796.83
	"UUU-739	19024	Mirof Resources Inc.	1,787.52
	"UUU-740	11128	Mirof Resources Inc.	5,929.22
	"UUU-741	11128	Mirof Resources Inc.	1,946.30
	"UUU-742	11128	Mirof Resources Inc.	1,992.02
	"UUU-744	40757	Nalco Philippines Inc.	11,507.36
	"UUU-745	40757	Nalco Philippines Inc.	11,507.36
	"UUU-746	5332	Newton Electrical Equipment Co. Inc.	2,639.04
	"UUU-747	5332	Newton Electrical Equipment Co. Inc.	6,333.60
	"UUU-752	PKPOR000274740	Philippine Long Distance Telephone Co.	160.71
	"UUU-753	PKPOR000274741	Philippine Long Distance Telephone Co.	160.71
	"UUU-754	PKPOR000274742	Philippine Long Distance Telephone Co.	160.71
	"UUU-755	PKPOR000274743	Philippine Long Distance Telephone Co.	160.71
	"UUU-756	PKPOR000274744	Philippine Long Distance Telephone Co.	160.71
	"UUU-757	PKPOR000274745	Philippine Long Distance Telephone Co.	160.71
	"UUU-758	PKPOR000274746	Philippine Long Distance Telephone Co.	160.71

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	OR/Invoice/IEIRD No.	Supplier	Input VAT (In PhP)
	"UUU-759	PKPOR000274749	Philippine Long Distance Telephone Co.	689.38
	"UUU-760	PKPOR000274750	Philippine Long Distance Telephone Co.	689.38
	"UUU-761	PKPOR000274751	Philippine Long Distance Telephone Co.	689.38
	"UUU-762	PKPOR000274752	Philippine Long Distance Telephone Co.	689.38
	"UUU-763	PKPOR000274747	Philippine Long Distance Telephone Co.	160.71
	"UUU-764	PKPOR000274713	Philippine Long Distance Telephone Co.	354.03
	"UUU-765	PKPOR000274714	Philippine Long Distance Telephone Co.	206.33
	"UUU-766	PKPOR000274715	Philippine Long Distance Telephone Co.	117.98
	"UUU-767	PKPOR000274716	Philippine Long Distance Telephone Co.	1,077.98
	"UUU-768	PKPOR000274748	Philippine Long Distance Telephone Co.	160.71
	"UUU-769	PKPOR000274753	Philippine Long Distance Telephone Co.	160.71
	"UUU-770	PKPOR000274731	Philippine Long Distance Telephone Co.	156.54
	"UUU-771	PKPOR000274732	Philippine Long Distance Telephone Co.	166.93
	"UUU-772	PKPOR000274735	Philippine Long Distance Telephone Co.	691.67
	"UUU-773	PKPOR000274733	Philippine Long Distance Telephone Co.	154.93
	"UUU-774	PKPOR000274730	Philippine Long Distance Telephone Co.	153.27
	"UUU-775	PKPOR000274703	Philippine Long Distance Telephone Co.	151.09
	"UUU-776	PKPOR000274736	Philippine Long Distance Telephone Co.	153.27
	"UUU-777	PKPOR000274735	Philippine Long Distance Telephone Co.	231.76
	"UUU-778	PKPOR000274708	Philippine Long Distance Telephone Co.	193.63
	"UUU-779	PKPOR000274709	Philippine Long Distance Telephone Co.	1,998.29
	"UUU-780	PKPOR000274710	Philippine Long Distance Telephone Co.	538.35
	"UUU-781	PKPOR000274727	Philippine Long Distance Telephone Co.	684.58
	"UUU-782	PKPOR000274701	Philippine Long Distance Telephone Co.	174.54
	"UUU-783	PKPOR000274704	Philippine Long Distance Telephone Co.	151.09
	"UUU-784	PKPOR000274728	Philippine Long Distance Telephone Co.	172.68
	"UUU-785	PKPOR000274707	Philippine Long Distance Telephone Co.	353.82
	"UUU-786	PKPOR000274705	Philippine Long Distance Telephone Co.	156.54
	"UUU-787	PKPOR000274702	Philippine Long Distance Telephone Co.	346.40
	"UUU-788	PKPOR000274706	Philippine Long Distance Telephone Co.	179.05
	"UUU-789	PKPOR000274717	Philippine Long Distance Telephone Co.	151.09
	"UUU-790	PKPOR000274729	Philippine Long Distance Telephone Co.	151.09
	"UUU-791	PKPOR000274718	Philippine Long Distance Telephone Co.	286.84
	"UUU-792	PKPOR000274719	Philippine Long Distance Telephone Co.	1,062.11
	"UUU-793	PKPOR000274720	Philippine Long Distance Telephone Co.	493.83
	"UUU-794	PKPOR000274724	Philippine Long Distance Telephone Co.	4,023.47
	"UUU-795	PKPOR000274726	Philippine Long Distance Telephone Co.	151.09
	"UUU-796	PKPOR000274721	Philippine Long Distance Telephone Co.	203.47
	"UUU-797	PKPOR000274722	Philippine Long Distance Telephone Co.	163.08
	"UUU-798	PKPOR000274725	Philippine Long Distance Telephone Co.	3,000.00
	"UUU-799	PKPOR000274739	Philippine Long Distance Telephone Co.	246.47
	"UUU-800	PKPOR000274738	Philippine Long Distance Telephone Co.	176.59
	"UUU-801	PKPOR000274737	Philippine Long Distance Telephone Co.	255.79
	"UUU-802	PKPOR000274712	Philippine Long Distance Telephone Co.	241.34
	"UUU-803	PKPOR000274711	Philippine Long Distance Telephone Co.	175.23
	"UUU-804	PKPOR000278701	Philippine Long Distance Telephone Co.	960.00
	"UUU-818	0417	Prime Mover Business Solutions Inc.	1,356.61
	"UUU-819	0417	Prime Mover Business Solutions Inc.	2,292.47
	"UUU-820	0417	Prime Mover Business Solutions Inc.	2,347.78
	"UUU-821	0417	Prime Mover Business Solutions Inc.	2,156.68
	"UUU-822	0417	Prime Mover Business Solutions Inc.	1,407.64
	"UUU-823	0436	Prime Mover Business Solutions Inc.	2,293.25
	"UUU-824	0436	Prime Mover Business Solutions Inc.	1,479.40
	"UUU-825	0064	R&F Electrical Services	2,142.86
	"UUU-826	3352	R.C. Aviles Engineering & Motor Works	4,392.86
	"UUU-827	3352	R.C. Aviles Engineering & Motor Works	1,285.71
	"UUU-828	3352	R.C. Aviles Engineering & Motor Works	2,125.61
	"UUU-829	3353	R.C. Aviles Engineering & Motor Works	803.57
	"UUU-830	3353	R.C. Aviles Engineering & Motor Works	5,329.18
	"UUU-831	3301	R.C. Aviles Engineering & Motor Works	3,575.08
	"UUU-832	3301	R.C. Aviles Engineering & Motor Works	589.29
	"UUU-833	3301	R.C. Aviles Engineering & Motor Works	2,650.18

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
	"UUU-834	1084	Ropen Engineering & Supplies	166.28
	"UUU-835	1084	Ropen Engineering & Supplies	938.52
	"UUU-836	1092	Ropen Engineering & Supplies	166.29
	"UUU-837	1092	Ropen Engineering & Supplies	673.01
	"UUU-838	1092	Ropen Engineering & Supplies	214.29
	"UUU-839	1092	Ropen Engineering & Supplies	850.50
	"UUU-840	1092	Ropen Engineering & Supplies	662.44
	"UUU-841	1092	Ropen Engineering & Supplies	257.14
	"UUU-842	1092	Ropen Engineering & Supplies	300.00
	"UUU-843	1092	Ropen Engineering & Supplies	83.14
	"UUU-844	1092	Ropen Engineering & Supplies	213.83
	"UUU-865	1281967	Airfreight 2100 Inc.	1,170.60
	"UUU-866	1281967	Airfreight 2100 Inc.	1,918.00
	"UUU-867	1270661	Airfreight 2100 Inc.	20,412.67
	"UUU-868	1281970	Airfreight 2100 Inc.	72.00
	"UUU-869	0342	Claveria Construction Co.	17,678.57
	"UUU-870	0366	Claveria Construction Co.	26,250.67
	"UUU-871	1687	Fairchild Process Controls	5,880.00
	"UUU-876	616	Leadsteel Fabricators	9,720.00
	"UUU-877	620	Leadsteel Fabricators	16,210.00
	"UUU-879	3440	R.C. Aviles Engineering & Motor Works	1,594.82
	"UUU-880	3434	R.C. Aviles Engineering & Motor Works	6,428.57
	"UUU-881	3302	R.C. Aviles Engineering & Motor Works	1,820.36
	"UUU-882	3362	R.C. Aviles Engineering & Motor Works	21,428.57
	"UUU-883	3362	R.C. Aviles Engineering & Motor Works	(6,428.57)
	"UUU-884	3438	R.C. Aviles Engineering & Motor Works	6,495.84
	"UUU-885	1090	Ropen Engineering & Supplies	1,853.62
	"UUU-886	2338	Tork Philippines Inc.	32,764.10
	"UUU-887	27296	U-Ocean Inc.	12,779.26
	"UUU-891	512	Amther Cooling System Co. Inc.	6,669.59
	"UUU-893	0244	BP Industrial Supplies and Services Inc.	660.00
	"UUU-894	0244	BP Industrial Supplies and Services Inc.	1,071.43
	"UUU-895	1281778	Airfreight 2100 Inc.	282.60
	"UUU-896	51133	C.B. Barangay Enterprises	16,560.00
	"UUU-904	0357	Claveria Construction Co.	3,337.50
	"UUU-905	0337	Claveria Construction Co.	149,296.63
	"UUU-906	0359	Claveria Construction Co.	3,908.57
	"UUU-907	0359	Claveria Construction Co.	1,604.57
	"UUU-908	0358	Claveria Construction Co.	3,337.50
	"UUU-909	1666	Fairchild Process Controls	27,264.00
	"UUU-910	1098	Ropen Engineering & Supplies	11,286.00
	"UUU-911	52789	SKF Philippines Inc.	3,234.00
	"UUU-932	AF#B50390/1281969	Teresita Malic Customs Broker	636.00
	"UUU-933	AF#B49511/1281968	Teresita Malic Customs Broker	1,461.71
	Subtotal			**802,423.62**
	Second Quarter of 2009			
	April			
	"UUU-1019	781129401-b	Manila Electric Company	1,608,790.26
	"UUU-1033	PKPOR000285227	Philippine Long Distance Telephone Co.	2.18
	"UUU-1034	PKPOR000285245	Philippine Long Distance Telephone Co.	160.71
	"UUU-1035	PKPOR000285246	Philippine Long Distance Telephone Co.	160.71
	"UUU-1036	PKPOR000285247	Philippine Long Distance Telephone Co.	160.71
	"UUU-1037	PKPOR000285248	Philippine Long Distance Telephone Co.	160.71
	"UUU-1038	PKPOR000285249	Philippine Long Distance Telephone Co.	160.71
	"UUU-1039	PKPOR000285250	Philippine Long Distance Telephone Co.	160.71
	"UUU-1040	PKPOR000285251	Philippine Long Distance Telephone Co.	160.71
	"UUU-1041	PKPOR000285257	Philippine Long Distance Telephone Co.	689.38
	"UUU-1042	PKPOR000285254	Philippine Long Distance Telephone Co.	689.38
	"UUU-1043	PKPOR000285255	Philippine Long Distance Telephone Co.	689.38
	"UUU-1044	PKPOR000285256	Philippine Long Distance Telephone Co.	689.38
	"UUU-1045	PKPOR000285252	Philippine Long Distance Telephone Co.	160.71

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
	"UUU-1046	PKPOR000285217	Philippine Long Distance Telephone Co.	412.71
	"UUU-1047	PKPOR000285218	Philippine Long Distance Telephone Co.	181.91
	"UUU-1048	PKPOR000285219	Philippine Long Distance Telephone Co.	112.70
	"UUU-1049	PKPOR000285220	Philippine Long Distance Telephone Co.	1,072.37
	"UUU-1050	PKPOR000285253	Philippine Long Distance Telephone Co.	160.71
	"UUU-1051	PKPOR000285258	Philippine Long Distance Telephone Co.	160.71
	"UUU-1052	PKPOR000285209	Philippine Long Distance Telephone Co.	156.54
	"UUU-1053	PKPOR000285236	Philippine Long Distance Telephone Co.	166.38
	"UUU-1054	PKPOR000285238	Philippine Long Distance Telephone Co.	736.76
	"UUU-1055	PKPOR000285237	Philippine Long Distance Telephone Co.	151.09
	"UUU-1056	PKPOR000285234	Philippine Long Distance Telephone Co.	153.27
	"UUU-1057	PKPOR000285208	Philippine Long Distance Telephone Co.	151.09
	"UUU-1058	PKPOR000285240	Philippine Long Distance Telephone Co.	153.27
	"UUU-1059	PKPOR000285239	Philippine Long Distance Telephone Co.	173.71
	"UUU-1060	PKPOR000285212	Philippine Long Distance Telephone Co.	309.17
	"UUU-1061	PKPOR000285205	Philippine Long Distance Telephone Co.	174.54
	"UUU-1062	PKPOR000285214	Philippine Long Distance Telephone Co.	332.07
	"UUU-1063	PKPOR000285231	Philippine Long Distance Telephone Co.	675.72
	"UUU-1064	PKPOR000285213	Philippine Long Distance Telephone Co.	174.54
	"UUU-1065	PKPOR000285207	Philippine Long Distance Telephone Co.	151.69
	"UUU-1066	PKPOR000285232	Philippine Long Distance Telephone Co.	179.85
	"UUU-1067	PKPOR000285211	Philippine Long Distance Telephone Co.	316.91
	"UUU-1068	PKPOR000285235	Philippine Long Distance Telephone Co.	156.54
	"UUU-1069	PKPOR000285206	Philippine Long Distance Telephone Co.	231.02
	"UUU-1070	PKPOR000285210	Philippine Long Distance Telephone Co.	206.71
	"UUU-1071	PKPOR000285221	Philippine Long Distance Telephone Co.	151.09
	"UUU-1072	PKPOR000285230	Philippine Long Distance Telephone Co.	151.09
	"UUU-1073	PKPOR000285222	Philippine Long Distance Telephone Co.	236.32
	"UUU-1074	PKPOR000285223	Philippine Long Distance Telephone Co.	944.04
	"UUU-1075	PKPOR000285224	Philippine Long Distance Telephone Co.	574.62
	"UUU-1076	PKPOR000285228	Philippine Long Distance Telephone Co.	3,625.34
	"UUU-1077	PKPOR000285233	Philippine Long Distance Telephone Co.	151.09
	"UUU-1078	PKPOR000285225	Philippine Long Distance Telephone Co.	154.09
	"UUU-1079	PKPOR000285226	Philippine Long Distance Telephone Co.	167.85
	"UUU-1080	PKPOR000285229	Philippine Long Distance Telephone Co.	3,000.00
	"UUU-1081	PKPOR000285215	Philippine Long Distance Telephone Co.	237.34
	"UUU-1082	PKPOR000285241	Philippine Long Distance Telephone Co.	960.00
	"UUU-1083	PKPOR000285244	Philippine Long Distance Telephone Co.	235.60
	"UUU-1084	PKPOR000285243	Philippine Long Distance Telephone Co.	158.59
	"UUU-1085	PKPOR000285242	Philippine Long Distance Telephone Co.	279.19
	"UUU-1086	PKPOR000285216	Philippine Long Distance Telephone Co.	175.51
	"UUU-1109	sbrchr000017891	Smart Communications Inc.	216.64
	"UUU-1110	sbrchr000017892	Smart Communications Inc.	177.18
	"UUU-1111	sbrchr000017892	Smart Communications Inc.	147.77
	"UUU-1112	sbrchr000017892	Smart Communications Inc.	431.20
	"UUU-1113	sbrchr000017892	Smart Communications Inc.	88.37
	"UUU-1114	sbrchr000017892	Smart Communications Inc.	207.12
	"UUU-1115	sbrchr000017892	Smart Communications Inc.	377.57
	"UUU-1116	sbrchr000017892	Smart Communications Inc.	85.71
	"UUU-1117	sbrchr000017892	Smart Communications Inc.	85.71
	"UUU-1118	sbrchr000017892	Smart Communications Inc.	78.40
	"UUU-1119	sbrchr000017893	Smart Communications Inc.	192.86
	"UUU-1120	sbrchr000017893	Smart Communications Inc.	459.05
	"UUU-1121	sbrchr000017893	Smart Communications Inc.	85.71
	"UUU-1122	sbrchr000017893	Smart Communications Inc.	111.18
	"UUU-1123	sbrchr000017893	Smart Communications Inc.	85.71
	"UUU-1124	sbrchr000017893	Smart Communications Inc.	195.37
	"UUU-1125	sbrchr000017893	Smart Communications Inc.	120.20
	"UUU-1126	sbrchr000017893	Smart Communications Inc.	85.71
	"UUU-1127	sbrchr000017893	Smart Communications Inc.	354.90
	"UUU-1128	sbrchr000017893	Smart Communications Inc.	138.98
	"UUU-1129	sbrchr000017893	Smart Communications Inc.	133.99

AIR LIQUIDE PHILIPPINES, INC.
-versus- COMMISSIONER OF INTERNAL REVENUE
CTA CASE NOS. 8529 & 8296
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION
FOR THE FIRST AND SECOND QUARTERS OF 2009

	Exhibit	OR/Invoice/IEIRD No.	Supplier	Input VAT (In PhP)
	"UUU-1130	sbrchr000017893	Smart Communications Inc.	101.98
	"UUU-1131	sbrchr000017893	Smart Communications Inc.	53.57
	"UUU-1179	0009	Smart Broadband Inc.	212.14
	"UUU-1180	0009	Smart Broadband Inc.	212.14
	May			
	"UUU-1235	1372548	DHL Express (Phils) Corp.	34.80
	"UUU-1237	1309836	DHL Express (Phils) Corp.	2,996.97
	"UUU-1241	1372549	DHL Express (Phils) Corp.	34.80
	"UUU-1242	1372549	DHL Express (Phils) Corp.	3,065.77
	"UUU-1243	1372549	DHL Express (Phils) Corp.	1,700.21
	"UUU-1244	1372549	DHL Express (Phils) Corp.	1,624.87
	"UUU-1248	5399	E.M.I.S. Corporation	589.29
	"UUU-1249	5399	E.M.I.S. Corporation	1,550.88
	"UUU-1250	5399	E.M.I.S. Corporation	3,252.89
	"UUU-1251	10387	Eco Triangle Microsystems Co. Inc.	2,425.42
	"UUU-1263	10333	Instrumentation & Control Specialist Inc.	5,280.00
	"UUU-1271	0105709	Manila Water Company	22,899.02
	"UUU-1289	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1290	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1291	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1292	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1293	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1294	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1295	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1296	PKPOR000298111	Philippine Long Distance Telephone Co.	689.38
	"UUU-1297	PKPOR000298111	Philippine Long Distance Telephone Co.	689.38
	"UUU-1298	PKPOR000298111	Philippine Long Distance Telephone Co.	689.38
	"UUU-1299	PKPOR000298111	Philippine Long Distance Telephone Co.	689.38
	"UUU-1300	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1301	PKPOR000298111	Philippine Long Distance Telephone Co.	270.05
	"UUU-1302	PKPOR000298111	Philippine Long Distance Telephone Co.	155.30
	"UUU-1303	PKPOR000298111	Philippine Long Distance Telephone Co.	112.37
	"UUU-1304	PKPOR000298111	Philippine Long Distance Telephone Co.	1,072.37
	"UUU-1305	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1306	PKPOR000298111	Philippine Long Distance Telephone Co.	160.71
	"UUU-1307	PKPOR000292517	Philippine Long Distance Telephone Co.	169.22
	"UUU-1308	PKPOR000292518	Philippine Long Distance Telephone Co.	168.88
	"UUU-1309	PKPOR000292520	Philippine Long Distance Telephone Co.	897.23
	"UUU-1310	PKPOR000292519	Philippine Long Distance Telephone Co.	151.09
	"UUU-1311	PKPOR000292522	Philippine Long Distance Telephone Co.	153.27
	"UUU-1312	PKPOR000292493	Philippine Long Distance Telephone Co.	151.09
	"UUU-1313	PKPOR000292516	Philippine Long Distance Telephone Co.	153.27
	"UUU-1314	PKPOR000292521	Philippine Long Distance Telephone Co.	212.42
	"UUU-1315	PKPOR000292598	Philippine Long Distance Telephone Co.	231.68
	"UUU-1316	PKPOR000292599	Philippine Long Distance Telephone Co.	174.54
	"UUU-1317	PKPOR000292500	Philippine Long Distance Telephone Co.	260.13
	"UUU-1318	PKPOR000292513	Philippine Long Distance Telephone Co.	523.27
	"UUU-1319	PKPOR000292591	Philippine Long Distance Telephone Co.	174.54
	"UUU-1320	PKPOR000292594	Philippine Long Distance Telephone Co.	151.09
	"UUU-1321	PKPOR000292514	Philippine Long Distance Telephone Co.	173.85
	"UUU-1322	PKPOR000292597	Philippine Long Distance Telephone Co.	404.96
	"UUU-1323	PKPOR000292595	Philippine Long Distance Telephone Co.	156.54
	"UUU-1324	PKPOR000292592	Philippine Long Distance Telephone Co.	230.07
	"UUU-1325	PKPOR000292596	Philippine Long Distance Telephone Co.	182.03
	"UUU-1326	PKPOR000292503	Philippine Long Distance Telephone Co.	151.09
	"UUU-1327	PKPOR000292512	Philippine Long Distance Telephone Co.	151.09
	"UUU-1328	PKPOR000292504	Philippine Long Distance Telephone Co.	181.91
	"UUU-1329	PKPOR000292505	Philippine Long Distance Telephone Co.	1,229.75
	"UUU-1330	PKPOR000292506	Philippine Long Distance Telephone Co.	637.08
	"UUU-1331	PKPOR000292510	Philippine Long Distance Telephone Co.	4,055.64
	"UUU-1332	PKPOR000292515	Philippine Long Distance Telephone Co.	151.09
	"UUU-1333	PKPOR000292507	Philippine Long Distance Telephone Co.	169.09

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
	"UUU-1334	PKPOR000292508	Philippine Long Distance Telephone Co.	161.99
	"UUU-1335	PKPOR000292511	Philippine Long Distance Telephone Co.	3,000.00
	"UUU-1336	PKPOR000292501	Philippine Long Distance Telephone Co.	326.92
	"UUU-1337	PKPOR000292524	Philippine Long Distance Telephone Co.	157.09
	"UUU-1338	PKPOR000292523	Philippine Long Distance Telephone Co.	231.83
	"UUU-1339	PKPOR000292502	Philippine Long Distance Telephone Co.	266.86
	"UUU-1366	23756	Top Rigid Industrial Safety Supply Inc.	215.89
	"UUU-1367	23757	Top Rigid Industrial Safety Supply Inc.	150.00
	June			
	"UUU-1461	0105876	Manila Water Company	38,619.41
	"UUU-1466	PKPOR000307341	Philippine Long Distance Telephone Co.	1.50
	"UUU-1467	PKPOR000307331	Philippine Long Distance Telephone Co.	620.89
	"UUU-1468	PKPOR000307332	Philippine Long Distance Telephone Co.	148.37
	"UUU-1469	PKPOR000307333	Philippine Long Distance Telephone Co.	112.37
	"UUU-1470	PKPOR000307334	Philippine Long Distance Telephone Co.	1,072.37
	"UUU-1471	PKPOR000307349	Philippine Long Distance Telephone Co.	223.61
	"UUU-1472	PKPOR000307350	Philippine Long Distance Telephone Co.	163.09
	"UUU-1473	PKPOR000307352	Philippine Long Distance Telephone Co.	716.74
	"UUU-1474	PKPOR000307351	Philippine Long Distance Telephone Co.	151.09
	"UUU-1475	PKPOR000307346	Philippine Long Distance Telephone Co.	153.27
	"UUU-1476	PKPOR000307335	Philippine Long Distance Telephone Co.	151.09
	"UUU-1477	PKPOR000307354	Philippine Long Distance Telephone Co.	153.27
	"UUU-1478	PKPOR000307353	Philippine Long Distance Telephone Co.	234.90
	"UUU-1479	PKPOR000307326	Philippine Long Distance Telephone Co.	174.54
	"UUU-1480	PKPOR000307327	Philippine Long Distance Telephone Co.	176.04
	"UUU-1481	PKPOR000307328	Philippine Long Distance Telephone Co.	299.25
	"UUU-1482	PKPOR000307345	Philippine Long Distance Telephone Co.	262.55
	"UUU-1483	PKPOR000307346	Philippine Long Distance Telephone Co.	194.04
	"UUU-1484	PKPOR000307322	Philippine Long Distance Telephone Co.	151.09
	"UUU-1485	PKPOR000307348	Philippine Long Distance Telephone Co.	153.27
	"UUU-1486	PKPOR000307325	Philippine Long Distance Telephone Co.	252.10
	"UUU-1487	PKPOR000307323	Philippine Long Distance Telephone Co.	156.54
	"UUU-1488	PKPOR0003073	Philippine Long Distance Telephone Co.	249.06
	"UUU-1489	PKPOR0003073	Philippine Long Distance Telephone Co.	173.99
	"UUU-1490	PKPOR0003073	Philippine Long Distance Telephone Co.	151.09
	"UUU-1491	PKPOR0003073	Philippine Long Distance Telephone Co.	151.09
	"UUU-1492	PKPOR0003073	Philippine Long Distance Telephone Co.	156.27
	"UUU-1493	PKPOR0003073	Philippine Long Distance Telephone Co.	1,114.28
	"UUU-1494	PKPOR0003073	Philippine Long Distance Telephone Co.	443.77
	"UUU-1495	PKPOR0003073	Philippine Long Distance Telephone Co.	5,014.61
	"UUU-1496	PKPOR0003073	Philippine Long Distance Telephone Co.	151.09
	"UUU-1497	PKPOR0003073	Philippine Long Distance Telephone Co.	208.09
	"UUU-1498	PKPOR0003073	Philippine Long Distance Telephone Co.	167.33
	"UUU-1499	PKPOR0003073	Philippine Long Distance Telephone Co.	3,000.00
	"UUU-1500	PKPOR0003073	Philippine Long Distance Telephone Co.	309.71
	"UUU-1501	PKPOR0003073	Philippine Long Distance Telephone Co.	240.19
	"UUU-1502	PKPOR0003073	Philippine Long Distance Telephone Co.	194.73
	"UUU-1503	PKPOR0003073	Philippine Long Distance Telephone Co.	305.59
	"UUU-1504	PKPOR0003073	Philippine Long Distance Telephone Co.	158.41
	"UUU-1506	43414	Philippine International Insurance Broker Inc.	53.76
	"UUU-1507	43414	Philippine International Insurance Broker Inc.	53.76
	"UUU-1508	43414	Philippine International Insurance Broker Inc.	53.76
	"UUU-1509	43414	Philippine International Insurance Broker Inc.	60.00
	"UUU-1536	1372876	DHL Express (Phils) Corp.	1,338.11
	"UUU-1538	43413	Philippine International Insurance Broker Inc.	225.94
	"UUU-1544	6455	Smart Broadband Inc.	212.14
	"UUU-1546	AF#4000001044/1306987	Teresita Malic Customs Broker	636.48
	"UUU-1547	AF#4000003548/1306985	Teresita Malic Customs Broker	564.00
	Subtotal			**1,762,443.30**
	Total			**2,564,866.92**

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
2)	**Input VAT on domestic purchases of goods other than capital goods supported by VAT invoices but the VAT was not separately indicated**			
	First Quarter of 2009			
	January			
	"UUU-1563"	6215	R.C. Aviles Engineering & Motor Works	3,890.57
	"UUU-1565"	3679	Realsan Enterprises Mf4 & Gen. Mdse.	150.00
	February			
	"UUU-1592"	17079	Handog Industrial Gases Distributors Inc.	231.43
	Subtotal			**4,272.00**
	Second Quarter of 2009			
	May			
	"UUU-1847"	1053	Resources Consolidated Int'l Trading Inc.	9,312.42
	Subtotal			**9,312.42**
	Total			**13,584.42**
3)	**Input VAT on domestic purchases of services supported by documents other than VAT official receipts (ORs)**			
	First Quarter of 2009			
	January			
	"UUU-120"	3119013515516	Manila Electric Company	1,545,398.77
	"UUU-231"	52743	Smart Broadband Inc.	212.14
	February			
	"UUU-537"	060395	TNT Express Worldwide (Phils) Inc.	1,638.27
	March			
	"UUU-845	BBECHR000000689	Smart Broadband Inc.	212.14
	"UUU-846	SBECHR000012882	Smart Communications Inc.	192.95
	"UUU-847	SBECHR000012882	Smart Communications Inc.	85.71
	"UUU-848	SBECHR000012882	Smart Communications Inc.	57.63
	"UUU-849	SBECHR000012881	Smart Communications Inc.	256.36
	"UUU-850	SBECHR000012881	Smart Communications Inc.	85.71
	"UUU-851	SBECHR000012881	Smart Communications Inc.	160.21
	"UUU-852	SBECHR000012881	Smart Communications Inc.	144.65
	"UUU-853	SBECHR000012881	Smart Communications Inc.	135.72
	"UUU-854	SBECHR000012881	Smart Communications Inc.	146.12
	"UUU-855	SBECHR000012881	Smart Communications Inc.	244.40
	"UUU-856	SBECHR000012881	Smart Communications Inc.	270.33
	"UUU-857	SBECHR000012881	Smart Communications Inc.	192.86
	"UUU-858	SBECHR000012881	Smart Communications Inc.	100.32
	"UUU-859	SBECHR000012881	Smart Communications Inc.	129.98
	"UUU-860	SBECHR000012881	Smart Communications Inc.	220.99
	"UUU-861	SBECHR000012881	Smart Communications Inc.	173.87
	"UUU-862	060394	TNT Express Worldwide (Phils) Inc.	685.08
	"UUU-863	060394	TNT Express Worldwide (Phils) Inc.	55.66
	"UUU-864	060394	TNT Express Worldwide (Phils) Inc.	87.96
	"UUU-912	060396	TNT Express Worldwide (Phils) Inc.	1,349.87
	"UUU-913	060396	TNT Express Worldwide (Phils) Inc.	45.96
	"UUU-914	060396	TNT Express Worldwide (Phils) Inc.	595.59
	"UUU-915	060396	TNT Express Worldwide (Phils) Inc.	1,873.38
	"UUU-916	060396	TNT Express Worldwide (Phils) Inc.	(15.69)
	Subtotal			**1,554,736.94**
	Second Quarter of 2009			
	May			
	"UUU-1272	237DMCE3	Mary Jane B. Nebres	847.06
	"UUU-1273	237DMCE3	Mary Jane B. Nebres	847.06
	"UUU-1415	SBECHR000021497	Smart Communications Inc.	267.68

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
	"UUU-1416	SBECHR000021497	Smart Communications Inc.	85.71
	"UUU-1417	SBECHR000021497	Smart Communications Inc.	199.00
	"UUU-1418	SBECHR000021497	Smart Communications Inc.	192.86
	"UUU-1419	SBECHR000021497	Smart Communications Inc.	102.90
	"UUU-1420	SBECHR000021497	Smart Communications Inc.	85.71
	"UUU-1421	SBECHR000021497	Smart Communications Inc.	604.42
	"UUU-1422	SBECHR000021497	Smart Communications Inc.	253.68
	"UUU-1423	SBECHR000021497	Smart Communications Inc.	671.74
	"UUU-1424	SBECHR000021497	Smart Communications Inc.	163.33
	"UUU-1425	SBECHR000021497	Smart Communications Inc.	117.90
	"UUU-1426	SBECHR003024477	Smart Communications Inc.	540.58
	"UUU-1427	SBECHR003024477	Smart Communications Inc.	85.71
	"UUU-1428	SBECHR003024477	Smart Communications Inc.	127.74
	"UUU-1429	SBECHR003024477	Smart Communications Inc.	85.71
	"UUU-1430	SBECHR003024477	Smart Communications Inc.	86.25
	"UUU-1431	SBECHR003024477	Smart Communications Inc.	192.86
	"UUU-1432	SBECHR003024477	Smart Communications Inc.	224.77
	"UUU-1433	SBECHR003024477	Smart Communications Inc.	449.06
	"UUU-1434	SBECHR003024477	Smart Communications Inc.	220.08
	"UUU-1435	SBECHR003024477	Smart Communications Inc.	102.11
	"UUU-1436	SBECHR003024477	Smart Communications Inc.	127.68
	June			
	"UUU-1459	0039378	Manila Electric Company	1,759,501.72
	Subtotal			**1,766,183.32**
	Total			**3,320,920.26**
4)	**Input VAT on domestic purchases of goods supported by documents other than VAT invoices**			
	Second Quarter of 2009			
	May			
	"UUU-1954"	6438	R.C. Aviles Engineering & Motor Works	4,650.11
	"UUU-1955"	6441	R.C. Aviles Engineering & Motor Works	1,530.00
	"UUU-1956"	6453	R.C. Aviles Engineering & Motor Works	3,856.89
	Total			**10,037.00**
5)	**Input VAT on domestic purchases of capital goods exceeding P1Million supported by documents other than VAT invoices**			
	First Quarter of 2009			
	January			
	"UUU-1984"	1922	Fairchiled Process Controls	25,800.00
	"UUU-1985"	7919	Officelux Interior	2,508.78
	Total			**28,308.78**
6)	**Input VAT on domestic purchase of services supported by undated official receipt**			
	First Quarter of 2009			
	January			
	"UUU-296"	1905	Fairchild Process Controls	**8,676.00**
7)	**Input VAT on domestic purchases of goods other than capital goods supported by invoices not dated within the period of claim**			
	First Quarter of 2009			
	January			
	"UUU-1549"	120720	Adecs International Corp.	543.21

AIR LIQUIDE PHILIPPINES, INC.				
-versus- COMMISSIONER OF INTERNAL REVENUE				
CTA CASE NOS. 8529 & 8296				
ADDITIONAL INPUT VAT DISALLOWANCES PER THIS COURT'S FURTHER VERIFICATION				
FOR THE FIRST AND SECOND QUARTERS OF 2009				
	Exhibit	**OR/Invoice/IEIRD No.**	**Supplier**	**Input VAT (In PhP)**
	"UUU-1550"	120721	Adecs International Corp.	2,286.98
	"UUU-1551"	121603	Adecs International Corp.	261.00
	"UUU-1556"	13742	Akkad Corporation	964.29
	"UUU-1557"	13743	Akkad Corporation	803.57
	"UUU-1560"	29463	Atom Chemical Company	19,821.60
	February			
	"UUU-1579"	806181	Atlas Copco (Philippines) Inc.	520.08
	Total			**25,200.73**
8)	**Input VAT on importation of goods other than capital goods supported only by BOC IEIRDs which do not reflect an entry date and/or machine validation for the amount of customs duties and taxes paid**			
	First Quarter of 2009			
	January			
	"VVV-59"	94951954	Bureau of Customs	82,211.00
	"VVV-60"	93138412	Bureau of Customs	88,453.00
	"VVV-61"	94957601	Bureau of Customs	693,425.00
	February			
	"VVV-62"	94357787	Bureau of Customs	25,060.00
	"VVV-63"	94281336	Bureau of Customs	48,822.00
	"VVV-64"	94289632	Bureau of Customs	64,379.00
	"VVV-65"	94951875	Bureau of Customs	74,447.00
	"VVV-66"	95331923	Bureau of Customs	549,165.00
	"VVV-67"	94736713	Bureau of Customs	26,022.00
	"VVV-68"	94736591	Bureau of Customs	16,544.00
	March			
	"VVV-69"	94951875	CA Logistics Corporation	21,427.00
	"VVV-72"	94951893	Bureau of Customs	73,131.00
	"VVV-73"	94951902	Bureau of Customs	74,170.00
	"VVV-74"	94951927	Bureau of Customs	85,931.00
	"VVV-75"	96040971	Bureau of Customs	58,421.00
	Subtotal			**1,981,608.00**
	Second Quarter of 2009			
	April			
	"VVV-76"	96537201	Bureau of Customs	22,336.00
	"VVV-77"	96358017	Bureau of Customs	79,101.00
	"VVV-78"	96358044	Bureau of Customs	91,698.00
	May			
	"VVV-80"	97511802	Bureau of Customs	53,494.00
	"VVV-81"	96357965	Bureau of Customs	70,809.00
	"VVV-82"	96357956	Bureau of Customs	95,524.00
	"VVV-83"	96358001	Bureau of Customs	106,379.00
	June			
	"VVV-85"	98255604	Bureau of Customs	45,606.00
	"VVV-86"	98255595	Bureau of Customs	67,169.10
	"VVV-87"	98255674	Bureau of Customs	76,706.00
	"VVV-88"	98255656	Bureau of Customs	90,506.00
	"VVV-89"	97513412	Bureau of Customs	199,019.00
	Subtotal			**998,347.10**
	Total			**2,979,955.10**
	Grand Total - Additional Input VAT Disallowances Per This Court's Further Verificat			**8,951,549.21**