

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

SPECIAL THIRD DIVISION

PHILIPPINE ELECTRIC CORP.,

Petitioner,

- versus -

CTA CASE NO. 9226

**COMMISSIONER OF INTERNAL
REVENUE,**

Respondent.

x-----x

ORDER

In today's hearing, Atty. Jose Antonio S. Reyes appeared for the petitioner while Atty. Ayesha Hania Guiling-Matanog appeared as lead counsel for the respondent together with Atty. Clarissa Virtudes-Babaran.

Today's hearing is to clarify petitioner's Motion to Approve Compromise and Declare the Case Closed and Terminated filed on June 20, 2019. In view of counsel for respondent's Manifestation filed on August 13, 2019, stating therein that she lacked personal knowledge as to the circumstances surrounding the compromise agreement since it was not coursed through the Litigation Division and thus cannot file any comment on petitioner's motion.

After hearing the explanation of respondent's counsel, counsel for petitioner agreed to change his motion from "Motion to Approve Compromise and Declare the Case Closed and Terminated" to "Motion to Withdraw Petition and to Declare the Case Closed and Terminated" for the reason that the NEB had already approved the compromise availment of petitioner.

Prior to the hearing of this case or on July 23, 2019, petitioner submitted Certified True Copies (CTCs) of the Certificate of Availment signed by Assistant Commissioner Alfredo V. Misajon and the proof of

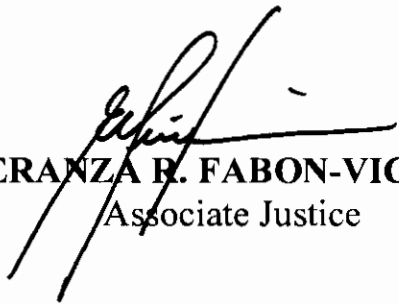
approval of the compromise settlement by the majority of the members of the National Evaluation Board (NEB) of the BIR as well as the concurrence thereon by the CIR.

Counsel for respondent admitted the genuineness of the CTCs and interposed no objection for the withdrawal of this case and for this case to be considered closed and terminated.

Finding merit therein, petitioner's Motion to Withdraw Petition for Review is **GRANTED**. Consequently, this case is declared as **CLOSED AND TERMINATED**.

SO ORDERED.

Quezon City, Philippines, September 4, 2019.



ESPERANZA R. FABON-VICTORINO
Associate Justice



MA. BELEN M. RINGPIS-LIBAN
Associate Justice