



SECURITIES AND EXCHANGE COMMISSION

SEC FORM 17-C  
CURRENT REPORT UNDER SECTION 17  
OF THE SECURITIES REGULATION CODE  
AND SRC RULE 17.2(c) THEREUNDER

1. November 19, 2019  
Date of Report
2. SEC Identification No.: 91447
3. BIR Tax Identification No.: 000-190-324-000
4. **SEMIRARA MINING AND POWER CORPORATION**  
Exact name of issuer as specified in its charter
5. Philippines  
Province, country or other jurisdiction of incorporation
6.  (SEC Use Only)  
Industry Classification Code:
7. 2/F DMCI Plaza, 2281 Chino Roces Avenue, Makati City  
Address of principal office
- Postal Code: 1231
8. (2) 888-3555 Fax No. (2) 888-3955  
Issuer's telephone number, including area code
9. ....  
Former name or former address, if changed since last report
10. Securities registered pursuant to Sections 8 and 12 of the SRC or Sections 4 and 8 of the RSA  

<u>Title of Each Class</u>	<u>Number of Shares of Common Stock</u>
<b>Common Shares</b>	<b>4,250,547,620</b>
11. Indicate the item numbers reported herein: **Item 9.**

This has reference to the Department of Energy (DOE) Order dated June 4, 2019 and its subsequent letter dated July 4, 2019 docketed as "In Re: Violation of Department Circular No. DC2012-05-0006 or Guidelines on the Accreditation of Coal Traders and Registration of Coal End-Users, Semirara Mining and Power Corporation (SMPC), Respondent, DOE-ERDB Case No. 2019-06-0010."

Recall that in our July 10, 2019 disclosure, we stated that SMPC supplied 4,768.73 metric tons (MT) of Semirara coal to a buyer (Gold Anchorage) on May 23, 2019, as trial shipment. The buyer issued assurances to SMPC that it has accordingly submitted and applied for a Coal Accreditation Certificate with the DOE on April 5, 2019.

Under Section 6.1.b of the aforementioned guidelines, DOE will issue the Certificate of Accreditation and/or Registration or reject the application within fifteen (15) working days from receipt thereof. Unfortunately, on shipment date, the buyer was unable to submit the said accreditation as it was still pending with the DOE. Thereafter, SMPC discontinued its supply and any trading with the said buyer.

On July 5, 2019, SMPC submitted its verified answer to the DOE with a prayer for the immediate lifting of the cease and desist order/suspension and for the non-imposition of any administrative fine.

On July 12, 2019, the DOE granted SMPC's request to hold in abeyance the implementation of its June 4, 2019 cease and desist order and suspension of Coal Trader Accreditation No. CT-208-12-0351(R), subject to certain conditions.

On July 16, 2019, SMPC further submitted a rejoinder to the DOE with a prayer to amend the conditions, which limit SMPC's compliance to the Work Program approved by DOE.

On August 5, 2019, DOE granted SMPC's request and reconsidered the conditions earlier imposed in its July 12, 2019 letter. The DOE stated that after it had reviewed and evaluated SMPC's request, the conditions in its July 12, 2019 letter are modified, as follows:

- a. the cease and desist order dated June 4, 2019 is held in abeyance pending final resolution of DOE-ERDB CASE NO. 2019-06-0010; and
- b. SMPC shall faithfully comply with all its commitments and obligations under Coal Trader Accreditation No. CT-208-12-0351(R).

Today, we received a DOE Resolution dated October 15, 2019 finding SMPC in violation of the afore-stated Circular and imposing penalties as follows:

- a. Suspension for a period of one (1) month for violating Section 7.2 of the Circular due to coal trading or transaction with Gold Anchorage, the latter being an unaccredited coal trader, except deliveries of SMPC-owned power plants and other local power plants with existing coal supply agreements; and
- b. A fine of Php1,735,000.00 for violating Section 3 of the Circular due to unabated and continuous coal trading despite suspension of its accreditation.

The Corporation shall file its motion to the DOE seeking reconsideration of the said resolution. Moreover, considering that the said resolution is not yet final and executory, being subject to a Motion for Reconsideration, the Company shall continue its coal trading activities to serve its existing customers.

We shall advise the Commission and the Exchange on further developments of this matter.

### SIGNATURES

Pursuant to the requirements of the Securities Regulation Code, the issuer has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

Issuer : Semirara Mining and Power Corporation

Signature and Title :   
**John R. Sadullo**  
VP Legal & Corporate Secretary

Date : November 19, 2019