



May 12, 2010

SECURITIES AND EXCHANGE COMMISSION  
SEC Building, EDSA, Greenhills  
Mandaluyong City

Attention : ATTY. JUSTINA F. CALLANGAN  
Director, Corporation Finance Department

PHILIPPINE STOCK EXCHANGE  
4<sup>TH</sup> Floor, PSE Center, Exchange Road  
Ortigas Center, Pasig City

Attention : MS. JANET A. ENCARNACION  
Head, Disclosure Department

Gentlemen:

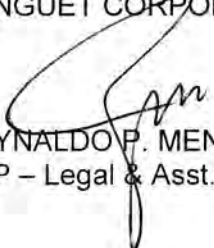
BENGUET CORPORATION (BC) respectfully advises the Commission and the Exchange that it received today, May 12, 2010, a letter from the DENR dated April 29, 2010, denying due course to its Request for Reconsideration of the January 15, 2010 Order directing Nationwide Development Corporation (NADECOR) to implement the two-year extension of the exploration work program of the Kingking Project. BC is preparing its appeal. The DENR letter dated April 29, 2010 is attached herein.

We hope that this complies with your disclosure requirements, so that the investing public may be guided accordingly.

Very truly yours,

BENGUET CORPORATION

By:

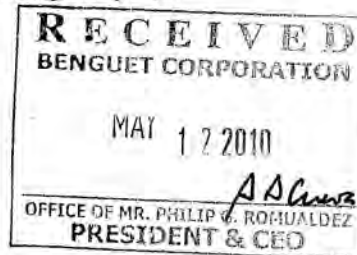
  
REYNALDO P. MENDOZA  
SVP – Legal & Asst. Corporate Secretary



Republic of the Philippines  
**Department of Environment and Natural Resources**  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. 929-6626 to 29; 929-6633 to 35  
926-7041 to 43; 929-6252; 929-1669  
Website: <http://www.denr.gov.ph> / E-mail: [web@denrgov.ph](mailto:web@denrgov.ph)

APR 29 2010

**MR. BENJAMIN PHILIP G. ROMUALDEZ**  
President  
Benguet Corporation  
3/F Universal Re-Building  
106 Paseo de Roxas, 1226 Makati City



Dear Mr. B. P. G. Romualdez:

This has reference to your Letter dated February 1, 2010 in re: Request for Reconsideration of the DENR Letter dated January 15, 2010 of the Department of Environment and Natural Resources (DENR) relating to the Kingking Project under the Mineral Production Sharing Agreement (MPSA) No. 009-92-XI granted to Nationwide Development Corporation (Nadecor) and Benguet Corporation (BC).

In your Letter, you specifically request that "the DENR Letter of January 15, 2010 be reconsidered and set aside with regard only to the questioned parts, the order in the DENR Letter dated November 23, 2009 be reinstated and confirmed, and that the terms of MPSA and the Operating Agreement be respected."

After due deliberation, this Office has determined that the decision of former DENR Acting Secretary Eleazar P. Quinto in the Letter dated January 15, 2010, which finds meritorious the Letter-Request for Partial Reconsideration dated December 10, 2010 of Nadecor and, therefore, modifies the decision contained in the DENR Letter dated November 23, 2010, **may no longer be disturbed.**

We invite your attention to the pertinent provisions of Executive Order No. 292, or the Administrative Code of 1987, Section 15 (Finality of Order), Chapter 3 (Adjudication), Book VII (Administrative Procedure) thereof expressly provides that:

"The decision of the agency shall become final and executor fifteen (15) days after the receipt of a copy thereof by the party adversely affected unless within that period an administrative appeal or judicial review, if proper, has perfected. One motion for reconsideration may be filed, which shall suspend the running of the said period." (underscoring supplied)

With respect to your subsequent Letter dated March 3, 2010 requesting the DENR to set aside the findings and recommendations of the Mines and Geosciences Bureau (MGB) Regional Office (RO) No. XI "for lack of bases, for being violative of due process, for manifest bias against Benguet Corporation, and gross error and inequity in its findings and recommendation," we have asked for the comments of MGB RO No. XI, thru the Memorandum dated March 22, 2010 of the MGB Central Office.

In response, MGB RO No. XI sent the Memorandum dated April 8, 2010 **iterating its findings and recommendations.** It appears from the records that

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DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES

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BC was provided with a copy of this Memorandum dated April 8, 2010 thru the Letter dated April 19, 2010 of MGB Central Office.

In view of the foregoing, please be informed that this Office deems it inadvisable and inappropriate to give due course to the subject request for reconsideration of the DENR's decision contained in the Letter dated January 15, 2010.

We trust that our position on the matter is made sufficiently clear.

Very truly yours,

  
**HORACIO C. RAMOS**  
Secretary  
*RdF*

Encl.: as stated

c.c: **The Director**  
Mines and Geosciences Bureau  
North Avenue, Diliman  
Quezon City

**The President**  
Nationwide Development Corporation  
Suite 203, Jollibee Centre Building  
ADB Avenue, Ortigas Center  
Pasig City

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