A RESOLUTION SETTING THE INSTALLED GENERATING CAPACITY PER GRID, NATIONAL GRID AND THE MARKET SHARE LIMITATIONS PER GRID AND THE NATIONAL GRID FOR 2007 PURSUANT TO THE "GUIDELIN...

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WHEREAS, pursuant to Section 45 (a) of Republic Act No. 9136 (EPIRA) and Rule 11, Section 4(a) of its Implementing Rules and Regulations (IRR), the Energy Regulatory Commission (ERC) formulated and adopted the Guidelines for the Determination of Installed Generating Capacity in a Grid and the National Installed Generating Capacity and Enforcement of the Limits of Concentration of Ownership, Operation or Control of Installed Generating Capacity;

WHEREAS, the subject Guidelines took effect on 22 February 2006;

WHEREAS, under Article II, Section 3 of the said Guidelines, ERC initially set the installed generating capacity per Grid, National Grid and the market share limitations per Grid and the National Grid as per Resolution No. 53, series of 2006 dated November 29, 2006, as follows:

Grid

Installed Generating Capacity (kW)

% Market Share
Limitation as per RA 9136
(kW)

Installed Generating
Capacity Limit

Luzon

11,768,458.00

30%

3,530,537.40

Visayas

1,579,006.00

30%

473,701.80

Mindanao

1,868,130.00

30%

560,439.00

National

15,215,594.00

25%

3,803,898.50

WHEREAS, the foregoing installed generating capacity per Grid and National Grid and market share limitations determination shall be adjusted by the ERC on or before the 15th day of March of the succeeding years and/or as often as may be necessary.

WHEREAS, there is a need to publish the adjusted installed generating capacity per Grid and National Grid and market share limitations per Grid and National Grid set by the ERC for 2007;

WHEREAS, as part of its monitoring activities, the ERC finds that no generation company nor any other entity has violated the market share limitations per Grid and National Grid for the year 2007;

NOW, THEREFORE, pursuant to its mandate to promote free and fair competition in the generation and supply of electricity to achieve greater operational and economic efficiency and to ensure consumer protection and enhance the competitive operation of the markets for generation and supply of electricity, the ERC RESOLVED, as it hereby RESOLVES to set the 2007 installed generating capacity per Grid and National Grid and market share limitations per Grid and National Grid. The same shall remain and shall be strictly enforced and implemented until the next adjustment thereto which may be on or before the 15th day of March 2008 and every year thereafter and/or as the need arises, as follows:

Grid

Installed Generating
Capacit y(kW)

% Market Share
Limitation as per
RA 9136

Installed Generating
Capacity Limit (kW)

Luzon

10,867,220.00

30%

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3,260,166.00

Visayas 1,506,540.00 30% 451,962.00

Mindanao 1,867,250.00 30% 560,175.00

National 14,241,010.00 25% 3,560,252.50

This Resolution and the Appendix “A” [*] hereto attached and made as an integral part of this Resolution shall take effect immediately following their publication in a newspaper of general circulation in the Philippines.

SO ORDERED.

Adopted: 11 July 2007

(SGD.) RODOLFO B. ALBANO, JR.
Chairman

(On Official Business)
(SGD.) RAUF A. TAN
Commissioner

(SGD.) ALEJANDRO Z. BARIN
Commissioner

(SGD.) MARIA TERESA R. CASTANEDA
Commissioner

(On Official Business)
(SGD.) JOSE C. REYES
Commissioner

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[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City

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