

A RESOLUTION INITIALLY SETTING THE INSTALLED GENERATING CAPACITY PER GRID, NATIONAL GRID AND THE MARKET SHARE LIMITATIONS PER GRID AND THE NATIONAL GRID FOR 2006 PURSUANT TO RES...

ERC RESOLUTION NO. 53, S. 2006, January 10, 2007

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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, Article II, Section 3 of the said Guidelines allowed the ERC to initially set the installed generating capacity per Grid, national Grid and the market share limitations per Grid and the national Grid to 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, the determination is based on the maximum capacity of the power plants as submitted by generation companies and other entities that are required to submit reports under oath;

WHEREAS, under Article III, Section 1 of the Guidelines, the ERC, issued Resolution No. 14, series of 2006, requiring generation companies and other entities to submit a statement under oath containing a list of information required thereunder.

WHEREAS, there is a need to publish the installed generating capacity per Grid and national Grid and market share limitations per Grid and national Grid set by the ERC for 2006;

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 2006;

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 2006 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 of 2007 and every year thereafter and/or as the need arises, as follows:

Grid

Installed Generating Capacity
(kW)

% Market Share Limitation
as per RA 9136

Installed
Generating

Capacity Limit

(kW)

Luzon

1 1,768,458.00

30%

3,530,537.40

V isayas

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

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

SO ORDERED.

Adopted: 29 Nov. 2006

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

RAUF A. TAN
Commissioner

(SGD.) ALEJANDRO Z. BARIN
Commissioner

(SGD.) MARIA TERESA R. CASTAÑEDA
Commissioner

(SGD.) JOSE C. REYES
Commissioner

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

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