

STRENGTHENING AND RECONSTITUTING THE POWER DEVELOPMENT COUNCIL, DEFINING ITS RELATIONSHIPS WITH THE ENERGY DEVELOPMENT BOARD AND OTHER GOVERNMENT AGENCIES, PROVIDING FUNDS THERE...

PRESIDENTIAL DECREE NO. 948, June 17, 1976

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WHEREAS, in the light of the continuing energy crisis, new thrust in energy resources development, the restructuring of the power industry, and the recent reorganization in government, it has become necessary to strengthen and reconstitute the Power Development Council in order to adapt and make it more responsive to these developments;

WHEREAS, there is an increasing need for multi-sectoral policy coordination in the power industry, considering its effects on the development program, the growth of industries, and capital resources of the economy;

WHEREAS, it has become imperative for the Power Development Council, as the body which provides policy directions in the electrification and power development programs of the country, to have coordinate powers on the development of primary energy sources for electric power generation;

WHEREAS, to achieve the desire goals of electrification and power development, the roles and the inter-relationships of the Power Development Council with other agencies or entities involved in energy exploration and development should be clearly defined;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me under the Constitution, do hereby decree and order the following to be part of the law of the land:

SECTION 1. Reconstitution.—The Power Development Council is hereby reconstituted as follows:

1. Secretary —Chairman

Department of Public Works, Transportation and Communications

2. Chairman —Vice Chairman

Energy Development Board or his duly-designated representative

3. Deputy Director-General for Planning & Policy —Member

National Economic and Development Authority

4. Undersecretary —Member

Department of Industry

5. Undersecretary —Member

Department of Finance

6. General Manager —Member

National Power Corporation

7. Administrator —Member

National Electrification Administration

The Chairman of the Board of Power and Waterworks is hereby enjoined to participate in the meetings and deliberations of the Council and render such necessary assistance in matters involving the jurisdiction and responsibilities of the Board.

SEC. 2. Powers and Functions.—The Council shall have the principal responsibility over primary energy sources for generation of electric power. It shall have the following powers and functions:

- To coordinate the activities and operations of all sectors involved in electrification and power development;
- To formulate and approve policies and programs for the power industry;
- To provide the policy framework for allocation of service areas and the regulation of electric power rates;
- To assist agencies involved in power development to avail of financial and/or technical assistance for the implementation of their programs;
- To monitor and review projects and attendant contracts and transactions of power agencies with the objectives of analyzing their resource impact on government finances and foreign ex change budget, assuring power supply for priority industries and assuring complementation with the overall development program.
- To initiate or undertake such measures as may be necessary for the efficient and effective functioning or operations of power agencies; and
- To exercise all such other powers and functions as may be delegated or assigned by the President.

SEC. 3. Relationships with Other Agencies.—All acts and decisions of the Council in the exercise of its powers and functions under this Decree shall be final and conclusive, unless otherwise specifically directed by the President. The Council shall have supervisory powers on policy matters over other government agencies concerned with electric power. It shall coordinate with the proper agencies with regard to financial matters, infrastructure and other sectoral requirements of the overall development program.

The Energy Development Board shall coordinate, review and approve plans and programs of the Council in accordance with Presidential Decree No. 910.

SEC. 4. Officials and Employees of the Council.—The Council shall be assisted by an Executive Secretary appointed by the Council. Any provision of law to the contrary notwithstanding, the Council shall appoint the officers and employees of the Council, fix their compensation, allowances and benefits, their work hours and such other conditions of employment as it may deem proper, grant them leaves of absence under such regulations as it may promulgate, discipline and/or remove them for cause, and establish and maintain a recruitment and merit system.

SEC. 5. Government Assistance.—In the performance of its functions, the Council is empowered to directly call upon any government agency, office or instrumentality for such assistance in personnel or resources, as may be necessary to attain the objectives of this Decree.

SEC. 6. Appropriations.—The sum of Five Hundred Thousand Pesos (P500,000.00) out of any available funds

from the National Treasury is hereby appropriated and authorized to be released for the organization of the Council and its initial operation during the period ending December 31, 1976. Henceforth, funds sufficient to fully carry out the functions and objectives of the Council shall be appropriated every fiscal year and included as an item in the appropriations for the Energy Development Board as provided in Section 8 of P.D. No. 910.

SEC. 7. Repealing Clause.—All previous orders and laws inconsistent with this Decree are hereby repealed or modified accordingly.

Done in the City of Manila, this 17th day of June, in the year of Our Lord, Nineteen Hundred and Seventy-Six.

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

JACOBO C. CLAVE

Presidential Executive Assistant

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