

A RESOLUTION ADOPTING THE GUIDELINES ON THE COLLECTION OF THE FEED-IN TARIFF ALLOWANCE (FIT-ALL) AND THE DISBURSEMENT OF THE FIT-ALL FUND

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WHEREAS, it is the policy of the state to accelerate the exploration and development of renewable energy resources, increase its utilization and establish the necessary infrastructure and mechanisms;

WHEREAS, in order to accelerate the development of emerging RE resources, the Energy Regulatory Commission (ERC) is mandated under Republic Act No. 9513 or the Renewable Energy Law (RE Law) to formulate and promulgate the feed-in tariff system, in consultation with the National Renewable Energy Board (NREB);

WHEREAS, pursuant to the said mandate, on 12 July 2010, the ERC promulgated Resolution No. 16, Series of 2010 adopting the Feed-in Tariff Rules (FIT Rules), which was amended through Resolution No. 15, Series of 2012 on 19 November 2012;

WHEREAS, Section 2.5 of the FIT Rules provides that consumers who are supplied with electricity through the distribution or transmission network shall share in the cost of the FITs in part through a uniform charge to be referred to as the Feed-in Tariff Allowance or the FIT-All;

WHEREAS, Section 2.6 of the FIT Rules further provides that proceeds from the imposition of the FIT-All shall be remitted based on the more detailed guidelines to be established by the NREB and approved by the ERC;

WHEREAS, on 16 April 2012, the NREB submitted its proposed Guidelines on the Collection of the Feed-in Tariff Allowance (FIT-All) and the Disbursement of the FIT-All Fund (“Guidelines”) for the approval of the ERC where the latter subjected the same to public consultation;

WHEREAS, in a Decision dated 27 July 2012, the ERC approved the initial FITs for electricity generated from biomass, run-of-river hydropower, solar and wind energy resources;

WHEREAS, after several revisions and a series of public consultations, the NREB resubmitted its revised draft Guidelines on 19 December 2012;

WHEREAS, after consideration of the comments submitted by interested parties, the ERC deems it appropriate to adopt and implement the Guidelines on the Collection of the Feed-in Tariff Allowance (FIT-All) and the Disbursement of the FIT-All Fund;

NOW THEREFORE, the ERC, after thorough and due deliberation, hereby RESOLVES, as it is hereby RESOLVED, to APPROVE and ADOPT, the “Guidelines on the Collection of the Feed-in Tariff Allowance (FIT-All) and the Disbursement of the FIT-All Fund”, hereto attached as Annex “A”[*] and made an integral part hereof.

This Resolution shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the country.

Let copies of this Resolution be furnished the University of the Philippines Law Center - Office of the National Administrative Register (UPLC-ONAR) and all parties concerned.

Pasig City, 16 December 2016.

(SGD) ZENAIDA G. CRUZ-DUCUT
Chairperson

(SGD) ALFREDO J. NON
Commissioner

(SGD) GLORIA VICTORIA C. YAP-TARUC
Commisioner

(SGD) JOSEFINA PATRICIA A. MAGPALE-ASIRIT
Commissioner

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

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