NATIONAL ADMINISTRATIVE REGISTER · APRIL 17, 2015

DIRECTING ALL GENERATION COMPANIES, DISTRIBUTION UTILITIES AND INDEPENDENT POWER PRODUCER ADMINISTRATORS TO SUBMIT TO THE DEPARTMENT OF ENERGY REPORTORIAL REQUIREMENTS AND OTHER...

DOE Department Circular No. DC2015-04-0002, April 17, 2015

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Adopted: 17 April 2015
Date Filed: 13 May 2015
WHEREAS, Republic Act No. 9136, otherwise known as the “Electric Power Industry Reform Act of 2001” (EPIRA) declares as policy of the State, among others, to ensure quality, reliability, security and affordability of the supply of electric power;

WHEREAS, pursuant to Section 37 of the EPIRA, the Department of Energy (DOE) is mandated to supervise the restructuring of the electric power industry as well as among other things, to:

(a)

Formulates policies for the planning and implementation of comprehensive program for the efficient supply and economical use of energy consistent with the approved national economic plan;

(b)

Ensure the reliability, quality, and security of supply of electric power;

(c)

Develop policies and procedures to enable and encourage electric power industry participants to provide adequate capacity to meet demand including reserve requirements;

(d)

Prepare and update annually a Power Development Program (PDP), and integrate the same into the Philippine Energy Plan (PEP). The PDP shall consider and integrate the individual or joint development plans of the transmission, generation and distribution sectors of the electric power industry which are submitted to the DOE; and

(e)

Exercise such powers, formulates rules and regulations as may be necessary to implement and attain the objectives of the EPIRA.

WHEREAS, the DOE continuously aims to provide reliable and accurate demand forecast reflective of the actual demand consumption brought about by economic activities in the country and the developments in the power industry such as the implementation of Retail Competition and Open Access (RCOA), Interim Mindanao Electricity Market (IMEM) and Renewable Portfolio Standard (RPS), Demand Aggregation and Supply

Auctioning Policy (DASAP), among others;

WHEREAS, there is a need for a prompt and timely submission of the Generation Companies including Embedded Generators, Independent Power Producer Administrators and Distribution Utilities of the necessary data relative to their operations for the annual updating of the power statistics and the PDP;

WHEREAS, there is a need to collect, process and analyze regularly the power- related data and monitor closely the operations of the Generation Companies including Embedded Generators, Independent Power Producer Administrators and Distribution Utilities;

NOW, THEREFORE, from the foregoing premises and pursuant to the mandate of the DOE, under the EPIRA, this Circular is hereby promulgated:

SECTION 1. Scope and Application. This Circular shall apply to the following: (a) Generation Companies, (b) Distribution Utilities, (c) Independent Power Producer Administrators (IPPA);

SECTION 2. Additional Reportorial Obligations of Generation Companies and Independent Power Producer Administrators. All Generation Companies including Embedded Generators and Independent Power Producer Administrators shall submit to DOE any information as it may deemed require with respect to the preparation of the PDP provided that the DOE shall ensure the confidentiality of proprietary or commercial sensitive information. For this purpose, Generation Companies including Embedded Generators and Independent Power Producer Administrators shall have the following responsibilities:

2.1

Submit to the DOE through the Electric Power Industry Management Bureau (EPIMB) a Monthly Operations Report by accomplishing the EPIMB_PPDD Form 04-002 (Please refer to Annex A.1 for Coal/Natural Gas/Biomass Power Plants, Annex A.2 for Geothermal Power Plants, Annex A. 3 for Hydro Power Plants, Annex 4 for Solar Power Plants and Annex 5 for Wind Power Plants), fifteen (15) days after the reference period.

2.2

However, in the case of unexpected shutdown or derating, incident should be immediately reported to the DOE indicating a description of the causes of the unexpected shutdown and estimated resumption as prescribed in Department Circular No. 2010-03-0003 dated February 26, 2010.

SECTION 3. Additional Reportorial Obligations of Distribution Utilities.

3.1

Distribution Utilities including Private Investor Owned Utilities, Electric Cooperatives and Local Government Owned Utilities shall submit to the DOE through EPIMB the following reports, fifteen (15) days after the reference period in review:

3.1.1

Monthly Operation Report by accomplishing EPIMB_PPDD Form 04-001 (Please refer to Annex B).

3.1.2

Monthly Financial and Statistical Report (MFSR). (Please refer to Annex C).

SECTION 4. Confidentiality. The data to be provided to DOE shall be used strictly for planning and policy purposes and shall not in any way be used for commercial purposes or legally against or to the disadvantage of the

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Generation Companies including Embedded Generators, Independent Power Producer Administrators, Distribution Utilities and their customers.

SECTION 5. Enforcement and Compliance. The DOE, through the EPIMB, in consultation with the Energy Regulatory Commission, shall formulate and implement enforcement and penalty mechanisms in cases of non-compliance to this Circular by the Generation Companies including Embedded Generators, Independent Power Producer Administrators and Distribution Utilities.

SECTION 6. Separability Clause. If for any reason, any section or provision of this Circular is declared unconstitutional or invalid, such parts not affected shall remain in full force and in effect.

SECTION 7. Effectivity. This Circular shall effect immediately and will remain in effect until otherwise revoked by the DOE.

Done this April 17, 2015 at Energy Center, Bonifacio Global City, Taguig City.

(SGD) CARLOS JERICHO L. PETILLA
Secretary

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