

A RESOLUTION ADOPTING THE REVISED RULES FOR THE ISSUANCE OF LICENSES TO RETAIL ELECTRICITY SUPPLIERS (RES)

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WHEREAS, pursuant to Section 29 of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA), and its Implementing Rules and Regulations (IRR), the Energy Regulatory Commission (ERC) is mandated to promulgate rules and regulations, and perform regulatory functions appropriate and necessary in order to ensure the successful restructuring and modernization of the electric power industry;

WHEREAS, to foster free and fair competition, promote accountability of electric power industry participants and to ensure consumer protection, the ERC promulgated on February 1, 2006 the “Guidelines for the Issuance of Licenses to Retail Electricity Suppliers (RES);

WHEREAS, the Guidelines for the Issuance of Licenses to Retail Electricity Suppliers (RES), establishes the standards and requirements for entities seeking to be authorized by the ERC to sell, broker, market or aggregate electricity to the End-users;

WHEREAS, to ensure consistency with the industry-related policies, laws, rules and regulations and to clarify the documentary requirements needed to facilitate evaluation of applications for RES, the ERC finds the need to revise the aforementioned rules;

WHEREAS, from May 25 to June 25, 2010 and September 20 to September 30, 2010, the ERC posted on its website the first and second drafts, respectively, of the proposed Revised Rules for the Issuance of Licenses to Retail Electricity Suppliers (RES);

WHEREAS, after a careful consideration of the various views and comments submitted by interested parties, the ERC deems it appropriate to adopt the Revised Rules for the Issuance of Licenses to Retail Electricity Suppliers (RES);

NOW, THEREFORE, the Commission, after thorough and due deliberation, hereby RESOLVES, as it is hereby RESOLVED, to APPROVE and ADOPT, the “Revised Rules for the Issuance of Licenses to Retail Electricity Suppliers (RES)” herein attached as ANNEX “A[*]” and made an integral part of this Resolution.

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

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

Adopted: 17 January 2011

(SGD.) ZENaida G. CRUZ-DUCUT

Chairperson

(SGD.) RAUF A. TAN

(SGD.) ALEJANDRO Z. BARIN

Commissioner

Commissioner

(SGD.) MARIA TERESA A.R. CASTANEDA

(SGD.) JOSE C. REYES

Commissioner

Commissioner

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

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