

RESOLUTION ADOPTING THE POSITION PAPER OF DISTRIBUTION UTILITIES (DUS) ENTERING PERFORMANCE-BASED REGULATION (PBR) FOR THE REGULATORY RESET PERIOD JULY 1, 2010 – JUNE 30, 2014 (...)

ERC RESOLUTION NO. 19, S. 2008, December 08, 2008

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/83ae0b14f01a/>

WHEREAS, Section 43(f) of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA) and 5(a), Rule 15 of its Implementing Rules and Regulations (IRR), authorize the Commission to adopt alternative forms of internationally accepted rate-setting methodology;

WHEREAS, on December 10, 2005, the Commission adopted a performance-based rate setting methodology for setting distribution wheeling rates of private distribution utilities embodied in a document denominated as the “Distribution Wheeling Rates Guidelines” (DWRG);

WHEREAS, under Section 7.1.2 of the DWRG, the Commission must issue a Regulatory Reset Issues Paper embodying its initial views on the issues raised by the pending Regulatory Reset Process, specifying the information required to be delivered and indicating the procedure to be undertaken by Regulated Entities for purposes of the Regulatory Reset Process;

WHEREAS, on September 5, 2008, the Commission posted in its official website at www.erc.gov.ph the Issues Paper of the following distribution utilities (DUs) entering performance based regulation (PBR) for the regulatory reset period July 1, 2010 – June 30, 2014: Cabanatuan Electric Corporation (CELCOR), Davao Light and Power Company, Incorporated (DLPC), Ibaan Electric and Engineering Corporation (IEEC), La Union Electric Company Incorporated (LUECO), Tarlac Electric, Incorporated (TEI) and Visayan Electric Company, Incorporated (VECO);

WHEREAS, on September 10, 2008, the Commission issued a Notice of Public Consultation informing the public where they can secure a copy or access said issues paper and set the same for public consultation on October 23, 2008;

WHEREAS, in the same Notice, interested parties were directed to file their written comments/inputs on the said issues paper not later than October 3, 2008;

WHEREAS, on October 9, 2008, the Commission issued an Order resetting the public consultation to October 27, 2008;

WHEREAS, on various dates, CELCOR, DLPC, LUECO, TEI and VECO submitted their respective written comments/inputs on the said issues paper;

WHEREAS, during said public consultation, various stakeholders [private DUs, National Transmission Corporation (TRANSCO) and Philippine Chamber of Commerce and Industry (PCCI)] were present and given opportunity to manifest their respective positions on the matters or issues presented in the Issues Paper;

WHEREAS, the foregoing public consultations were held in preparation for issuance of the Position Paper which shall describe the position of the Commission with regard to the regulatory reset for the Second Regulatory Period following its consideration of the submissions received and issues raised during the consultation process. Said Position Paper shall embody the ratemaking policies and principles that will govern the disposition of rate applications to be filed by the entrant DUs for the Second Regulatory Period;

NOW, THEREFORE, be it RESOLVED, as the Commission hereby RESOLVES to APPROVE and ADOPT the Position Paper on Regulatory Reset process for the Second Regulatory Period hereto attached and made an integral part of this Resolution as Annex "A"[*].

This Resolution shall take effect immediately 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), all DUs, National Transmission Corporation (TRANSCO) and National Power Corporation (NPC).

Adopted: 08 Dec. 2008

(SGD.) ZENAIDA G. CRUZ-DUCUT
Chairperson

(SGD.) RAUF A. TAN
Commissioner

(SGD.) ALEJANDRO Z. BARIN
Commissioner

(SGD.) MARIA TERESA A.R. CASTANEDA
Commissioner

(SGD.) JOSE C. REYES
Commissioner

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

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.