A RESOLUTION ADOPTING THE RULES FOR RECOVERY OF COSTS ASSOCIATED WITH THE "SALE FOR RESALE AGREEMENTS" BY, BETWEEN OR AMONG DISTRIBUTION UTILITIES

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WHEREAS, pursuant to Section 43 (t) of Republic Act No. 9136, the Energy Regulatory Commission (ERC) is mandated to promulgate rules and regulations and perform such other regulatory functions as are appropriate and necessary in order to ensure the successful restructuring and modernization of the electric power industry;

WHEREAS, there is a need to come out with the appropriate Rules to ensure that only the reasonable costs associated with the "Sale for Resale Agreements" entered into by the Distribution Utilities (DUs) are recovered through their rates and to prescribe the regulatory requirements for recovery of these costs;

WHEREAS, on May 25, 2008, the ERC conducted a public consultation for the adoption of proposed Rules for the Recovery of Costs Associated with the "Sale for Resale Agreements" By, Between or Among Distribution Utilities;

NOW THEREFORE, the ERC, after considering the various views and comments submitted by all interested parties, hereby RESOLVES, as it is hereby RESOLVED, to APPROVE and ADOPT, the Rules for the Recovery of Costs Associated with the "Sale for Resale Agreements" By, Between or Among Distribution Utilities 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 country.

Adopted: 26 Jan. 2009

(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

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

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