

A RESOLUTION SETTING THE INSTALLED GENERATING CAPACITY PER GRID, NATIONAL GRID AND THE MARKET SHARE LIMITATIONS PER GRID AND THE NATIONAL GRID FOR 2008 PURSUANT TO THE “GUIDELIN...

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WHEREAS, pursuant to Section 45(a) of Republic Act No. 9136 (EPSRA) and Rule 11, Section 4(a) of its Implementing Rules and Regulations (IRR), the Energy Regulatory Commission (ERC) formulated and adopted the Guidelines for the Determination of Installed Generating Capacity in a Grid and the National Installed Generating Capacity and Enforcement of the Limits of Concentration of Ownership. Operation or Control of Installed Generating Capacity;

WHEREAS, the subject Guidelines took effect on 22 February 2006;

WHEREAS, under Article II, Section 3 of the said Guidelines, ERC set the 2007 installed generating capacity per Grid, National Grid and the Market Share Limitations per Grid and the National Grid as per Resolution No. 20, series of 2007 dated July 11, 2007. as follows:

Grid

Installed Generating

% Market Share Limitation

Installed Generating

Capacity (kW)

as per RA 9136

Capacity Limit (kW)

Luzon

10,867,220.00

30%

3,260,166.00

Visayas

1,506,540.00

30%

451,962.00

Mindanao

1,867,250.00

30%

560,175.00

National

14,241,010.00

25%

3,560,252.50

WHEREAS, the foregoing installed generating capacity per Grid and National Grid and market share limitations determination shall be adjusted by the ERC on or before the 15th day of March of the succeeding years and/or as often as may be necessary.

WHEREAS, there is a need to publish the adjusted installed generating capacity per Grid and National Grid and market share limitations per Grid and National Grid set by the ERC for 2008;

WHEREAS, as part of its monitoring activities, the ERC finds that no generation company nor any other entity has violated the market share limitations per Grid and National Grid for the year 2008;

NOW, THEREFORE, pursuant to its mandate to promote free and fair competition in the generation and supply of electricity to achieve greater operational and economic efficiency and to ensure consumer protection and enhance the competitive operation of the markets for generation and supply of electricity, the ERC RESOLVED, as it hereby RESOLVES to set the 2008 installed generating capacity per Grid and National Grid and Market Share Limitations per Grid and National Grid. The same shall remain and shall be strictly enforced and implemented until the next adjustment thereto which may be on or before the 15th day of March of 2009 and every year thereafter and/or as the need arises, as follows:

Grid

Installed Generating

% Market Share Limitation

Installed Generating

Capacity (kW)

as per RA 9136

Capacity Limit (kW)

Luzon

10,060,904.00

30%

3,018,271.20

Visayas

1,637,270.40

30%

491,181.12

Mindanao

1,703,348.00

30%

511,004.40

National

13,401,522.40

25%

3,350,380.60

This Resolution and the Appendix "A"[*] hereto attached and made as an integral part of this Resolution shall take effect immediately following their publication in a newspaper of general circulation in the Philippines.

SO ORDERED.

Adopted: 12 March 2008

(SGD.) RODOLFO B. ALBANO, JR

Chairman

(on Official Travel)

(SGD.) RAUF A. TAN

(SGD.) ALEJANDRO Z. BARIN

Commissioner

Commissioner

(on Official Travel)

(SGD.) MARIA TERESA A.R. CASTAÑEDA

(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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