





### Amendment Information

**Proposed Amendments to the** (please tick the box):

WESM Rules  Retail Rules

- Market Manual:
1. Retail Manual on Market Transactions Procedures (in reference to the RCC and PEM-Board approved version under RCC Resolution No. 2022-07 that is still pending with the Department of Energy as of the date of the submission of the rules change request)
  2. Retail Manual on Green Energy Option Program Procedures (in reference to the RCC and PEM-Board approved version under RCC Resolution No. 2022-07 that is still pending with the Department of Energy as of the date of the submission of the rules change request)

Topic: Proposed General Amendments to the Retail Rules and Manuals on Switching Requirement related to the Certification of No Outstanding Balance

**Proposed Classification of Amendments** (please tick the box):

General  Minor  Urgent

If Urgent, reason for urgency:

N/A



## SUMMARY OF THE PROPOSED RULES CHANGE

The proposed amendments to the Retail Rules and various Market Manuals aim to provide a mechanism for Suppliers (collective term for Retail Electricity Suppliers and Renewable Energy Suppliers) and Retail Customers (collective term for Contestable Customers and GEOP End-Users) to comply with the switching requirement for Retail Customers to have no outstanding balance with a Network Service Provider or an incumbent Supplier.

## BACKGROUND

One of the conditions for switching of Retail Customers that is required under various DOE and ERC issuances is that the Retail Customers shall have no outstanding balance with its Network Service Provider, in case of an initial switch, or its incumbent Supplier, in case of a regular switch. Summarized below are the list of issuances stating this requirement and the prescribed documentation for compliance.

Relevant Provision stating that an End-User should not have outstanding balance prior to Switching		Prescribed Documentation to prove there is no outstanding balance
RCOA	1. Retail Rules Clause 3.2.2.1 2. Retail Manual on Market Transaction Procedures Clause II.3.1.1	Attestation signed by incumbent Supplier or DU
	1. ERC Resolution 09, Series of 2018 Section 1.a	Not specified
GEOP	ERC Resolution No. 08, Series of 2021-Rules for the Green Energy Option Program (GEOP) Section 4.4	Not specified

For switching of Contestable Customers under RCOA, IEMOP currently requires Retail Electricity Suppliers (RES) to submit a notarized attestation signed by the Network Service Provider or incumbent Supplier confirming the absence of outstanding obligation of the Contestable Customer. Meanwhile, for switching of GEOP End-Users under the GEOP, IEMOP has incorporated into the GEOP switch request form a portion for the Network Service Provider or incumbent Supplier to sign off its confirmation.

Several prospective Suppliers have raised to the Central Registration Body (CRB) difficulties they have encountered while completing switch requirements due to non-issuance or delayed issuance of some Network Service Providers and incumbent Suppliers of the required documentation for no outstanding balance by the Retail Customer. It is worthy to note that prospective Suppliers are not parties to agreements between the Retail Customers and Network Service Providers/incumbent Suppliers. Thus, they have no control over the completion of such requirements. There is also no mechanism that is currently in place under the Market Rules and Manuals that enables Retail Customers and Network Service



Providers/incumbent Suppliers to coordinate the settlement of outstanding obligations. As a result, some Retail Customers are unable to timely switch to new Suppliers which pose risks to their right to access competitive electricity supply and prices.

## **THE PROPOSED RULES CHANGE**

The proposed amendments to the Retail Rules and various Market Manuals aim to provide a mechanism for Suppliers and Retail Customers to comply with the switching requirement for Retail Customers to have no outstanding balance with a Network Service Provider or an incumbent Supplier. In summary, the proposal seeks to:

- Introduce a pre-switching procedure allowing the Network Service Provider/incumbent Supplier and the Retail Customer to coordinate and settle any outstanding balance prior to the deadline of submission of complete requirements to the CRB
- Allow CRB to provisionally accept signed undertaking by the Retail Customer in lieu of signed certification/attestation by the Network Service Provider/incumbent Supplier subject to confirmation of the Network Service Provider/incumbent Supplier prior to the proposed effective switch date

With these rule change recommendations, we hope to mitigate unreasonable withholding of Retail Customers' ability to switch to new Suppliers by enabling prospective Suppliers to initiate switch requests while providing Network Service Providers/incumbent Suppliers the opportunity to contest switching of Customers with unpaid balances in a timely manner.

## **BACKGROUND AND DESCRIPTION OF THE PROPONENT**

The proponent is the Independent Electricity Market Operator of the Philippines, Inc. (IEMOP), the independent market operator of the WESM.

Top Officers:

Richard J. Nethercott – President and Chief Executive Officer

Robinson P. Descanzo – Chief Operating Officer

Isidro E. Cacho, Jr. – Head of Corporate Strategy and Communications

Salvador D. Subaran – Head of Information Systems and Technology

Arthur P. Pintado – Internal Audit Head

Sheryll M. Dy – Officer-in-Charge of Legal Department

## **CONCLUSIONS AND RECOMMENDATIONS**

The proposed amendments to the Retail Rules and various Market Manuals aim to provide a mechanism for Suppliers and Retail Customers to comply with the switching requirement for Retail Customers to have no outstanding balance with a Network Service Provider or an incumbent Supplier. It is recommended that the proposed amendments be adopted.

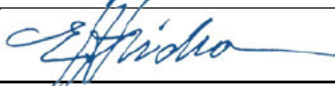
## **REFERENCES**



1. Retail Rules (in reference to the RCC and PEM-Board approved version under RCC Resolution No. 2022-07 that is still pending with the Department of Energy as of the date of the submission of the rules change request)
2. Retail Manual on Market Transactions Procedures (in reference to the RCC and PEM-Board approved version under RCC Resolution No. 2022-07 that is still pending with the Department of Energy as of the date of the submission of the rules change request)
3. Retail Manual on Green Energy Option Program Procedures (in reference to the RCC and PEM-Board approved version under RCC Resolution No. 2022-07 that is still pending with the Department of Energy as of the date of the submission of the rules change request)



**Proponent's Information (for the Party Submitting the Comments)**

Name	Atty. Elvin Hayes E. Nidea 
Designation	Chief Governance Officer and OIC - President
Company	Philippine Electricity Market Corporation (PEMC)
Company Address	18F Robinsons Equitable Tower, Ortigas Center, Pasig City
Telephone No.	
Fax. No.	
Email Address	eenidea@wesm.ph

PROPOSED AMENDMENTS TO RETAIL RULES AND VARIOUS RETAIL MANUALS ON REQUIRING FOR CERTIFICATION OF NO OUTSTANDING BALANCE AS SWITCHING REQUIREMENT FOR RETAIL CUSTOMERS

A. Retail Rules

Retail Rules								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment <u>(in bold red underlined font)</u>	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
Conditions for Customer Switching	3.2.1	(new)	<b><u>3.2.1.6 Relative to the condition for switch under Clause 3.2.1.3(c) of this Retail Rules, the Retail Customer may submit a request for certification of no outstanding balance from its Network Service Provider, for initial switch, or from its incumbent Supplier, for regular switch, at least fourteen (14) working days prior to the proposed effective switch</u></b>	The proposed amendments intend to introduce a pre-switching procedure that Retail Customers may follow to facilitate the timely compliance with the "no outstanding obligation" requirement pursuant to Clause 3.2.1.3(c)	For RCC to note that these are additional amendments of RCC Resolution 2022-07 (approved by PEM Board Resolution 2022-48-06), which is still with the DOE, for approval.			
					1. The proposed alternative documents in Clause 3.2.2.1, are sufficient to address the issues of delay in complying with the switching requirement under Clause 3.2.1.3 (c), i.e. for Retail Customers to have no outstanding balance with a Network Service			

Retail Rules								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment (in bold red underlined font)	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
			<p><b><u>date and furnish a copy of the request to the Central Registration Body and the prospective Supplier.</u></b></p> <p><b><u>3.2.1.7 The Network Service Provider or the Incumbent Supplier shall notify the Retail Customer of any unpaid balance within two (2) working days from receipt of the Retail Customer's request and furnish a copy of the notice to the Central Registration Body and the prospective Supplier.</u></b></p> <p><b><u>3.2.1.8 Within two (2) working days from receipt of the Network Service Provider or the Incumbent Supplier's notice, the Retail Customer shall:</u></b></p> <p><b><u>a) Settle the unpaid balance with the Network Service</u></b></p>	<p>Aside from outright payment of outstanding balance, we propose that execution of a valid settlement agreement be considered as fulfillment of switch condition under Clause 3.2.1.3(c) to mitigate unreasonable withholding of Retail Customers' ability to switch to a new Supplier.</p>	<p>Provider or an incumbent Supplier.</p> <p>In addition, these alternative documents will also address cases wherein the contract period between the NSP or RES and its customers has not yet ended.</p> <p>The proposed pre-switching procedures are already overreaching the responsibilities of CRB. These procedures should be addressed between the NSP or RES and its customers. Retail participants may incorporate the pre-switching</p>			

Retail Rules								
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			<p><u>Provider or the incumbent Supplier; or</u></p> <p><u>b) Initiate a settlement agreement with the Network Service Provider or the incumbent Supplier</u></p> <p><u>Provided that any action undertaken under this clause shall be without prejudice to filing of dispute of involved parties with the Energy Regulatory Commission.</u></p> <p><u>3.2.1.9 Within two (2) working days from the Retail Customer's action relative to clause 3.2.2.2, the Network Service Provider or the incumbent Supplier shall:</u></p> <p><u>a) Sign a certification of no outstanding balance and provide the same to the Retail Customer and new Supplier. or</u></p>		<p>procedures in their supply contracts, rather than in the rules or manuals.</p> <p>2. For clarification on the proposed pre-switching procedures, will the MO monitor the compliance on the proposed timelines and requirements?</p>			

Retail Rules								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment <u>(in bold red underlined font)</u>	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
Procedures for Switching	3.2.2.1	3.2.2.1 Once all the conditions set forth in Clause 3.2.1.3 are met, the new <i>Supplier</i> shall submit the switch request to the <i>Central Registration Body</i> not later than seven (7) working days prior to the proposed effective date.  The switch request shall <u>be electronically filled out and shall include an attestation duly signed by a confirmation from authorized representatives of the following:</u>  a) the <i>Supplier</i> and the <del>Contestable</del> <b>Retail</b> <i>Customer</i> of the existence of a retail/ <del>GEOP</del> supply	<u>b. Execute a valid settlement agreement with the <b>Retail Customer</b> and provide a copy to the new <b>Supplier</b>.</u>  3.2.2.1 Once all the conditions set forth in Clause 3.2.1.3 are met, the new <i>Supplier</i> shall submit the switch request to the <i>Central Registration Body</i> not later than seven (7) working days prior to the proposed effective date.  The switch request shall <del>be electronically filled out and shall include an attestation duly signed by a confirmation from authorized representatives of the following:</del>  a) the <i>Supplier</i> and the <del>Contestable</del> <b>Retail</b> <i>Customer</i> of the existence of a retail/ <del>GEOP</del> supply	The proposed amendments aim to provide other options for the new <i>Supplier</i> and the <i>Retail Customer</i> to fulfill the switch condition under Clause 3.2.1.3(c) aside from submission of a certification of no outstanding balance. Thus, the proposed amendments allow the CRB to provisionally accept a signed undertaking by the <i>Retail Customer</i> during the submission of the				

Retail Rules								
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		<p>of a retail/<del>GEOP</del> supply contract <u>or any thereof</u> between the two parties, and the term of the retail supply contract including the effectivity dates;</p> <p>the <del>Supplier</del> or the <del>Contestable Retail Customer</del>, as applicable, and the relevant Distribution Utility <del>or Network Service Provider</del> of the existence of a valid wheeling service agreement covering the Contestable Customer;</p> <p>the <del>Supplier</del> or the <del>Contestable Retail Customer</del>, as applicable, and the registered Retail Metering Services Provider of the existence of a <u>valid</u> metering services agreement covering the Retail Customer; and</p>	<p>contract <u>or any equivalent thereof</u> between the two parties, and the term of the retail supply contract including the effectivity dates;</p> <p>b) the <del>Supplier</del> or the <del>Contestable Retail Customer</del>, as applicable, and the relevant Distribution Utility <del>or Network Service Provider</del> of the existence of a valid wheeling service agreement covering the Contestable Customer; <u>and</u></p> <p>c) the <del>Supplier</del> or the <del>Contestable Retail Customer</del>, as applicable, and the registered Retail Metering Services Provider of the existence of a <u>valid</u> metering services agreement covering the Retail Customer; <u>and</u> <del>the incumbent Supplier or, if not served by a Supplier, the relevant</del></p>	<p>switch request which shall be subject to confirmation by the Network Service Provider or the incumbent Supplier prior to the proposed switch date. This way, the new Supplier and Retail Customer will not be unreasonably prevented from submitting a switch request while the Network Service Provider and incumbent Supplier still has the opportunity to contest switching of Customers with unpaid balances in a timely manner.</p>				

Retail Rules								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment (in bold red underlined font)	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
		<p>d) the incumbent Supplier or, if not served by a Supplier, the relevant Distribution Utility that the <u>Contestable Retail</u> Customer has no outstanding balance.</p> <p>The <u>Central Registration Body</u> may require appropriate documentation to ensure the <u>authorized representatives</u> have <u>authority to represent their respective organizations.</u></p> <p>The Supplier or the <u>Contestable Retail</u> Customer registering as a <u>Direct WESM Member</u> shall also submit the projected metering quantities and the percentage that will be purchased from the WESM by the <u>Contestable Retail</u> Customer, as applicable.</p>	<p><del>Distribution Utility that the Contestable Retail Customer has no outstanding balance.</del></p> <p><b>Relative to the condition for switch under Clause 3.2.1.3(c) of this Retail Rules, the new Supplier shall also submit either of the following seven (7) proposed effective date:</b></p> <p>a) <u>Certification that the Retail Customer has no outstanding balance signed by the Network Service Provider or incumbent Supplier;</u></p> <p>b) <u>Copy of valid settlement agreement signed by the Retail Customer and the Network Service Provider or</u></p>		<p>The additional alternative documents are sufficient to address the issues of delay in complying with the switching requirement under Clause 3.2.1.3 (c),</p>			

Retail Rules								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment ( <u>in bold red underlined font</u> )	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
		<p>The <i>Central Registration Body</i> shall immediately evaluate the completion of the abovementioned requirements, including verification of information of the <b><u>Contestable Retail Customer</u></b> as submitted by the <i>Distribution Utilities</i> under Clause 2.3.1.1, and shall notify the <i>Supplier</i> and the <b><u>Retail Contestable Customer</u></b>, as applicable, on the status and further requirements, if any, such as prudential requirement, for the approval of switch request within two (2) working days from the receipt of the switch request. All shortcomings by the <i>Supplier</i> and the <b><u>Contestable Retail Customer</u></b> shall be rectified within two (2) working days from the receipt of the <i>Central Registration Body's</i> notice.</p>	<p><b><u>incumbent Supplier, or c) Undertaking signed by the Retail Customer that it has no outstanding balance with the Network Service Provider or incumbent Supplier, provided that the Network Service Provider or incumbent Supplier shall provide confirmation of such undertaking to the Central Registration Body three (3) working days prior to the proposed switch date.</u></b></p> <p><b><u>The Central Registration Body may require of submission appropriate</u></b></p>					

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		<p><u>In view of the need for enhancements to the Central Registration and Settlement System (CRSS) to implement the electronic-based switching, it is understood that the electronic-based switching shall take effect no later than fifteen (15) days from the date of issuance of the audit software certificate of the system enhancements.</u></p>	<p><u>documentation to ensure the authorized representatives have authority to represent their respective organizations.</u></p> <p>The <u>Supplier</u> or the <u>Contestable Retail Customer</u> registering as a <u>Direct WESM Member</u> shall also submit the projected metering quantities and the percentage that will be purchased from the <u>WESM</u> by the <u>Contestable Retail Customer</u>, as applicable.</p> <p>The <u>Central Registration Body</u> shall immediately evaluate the completion of the abovementioned requirements, including verification of information of the <u>Contestable Retail Customer</u> as submitted by the <u>Distribution Utilities</u> under Clause 2.3.1.1, and shall notify the <u>Supplier</u> and</p>					

Retail Rules								
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			<p>the <del>Retail</del> <u>Contestable Customer</u>, as applicable, on the status and further requirements, if any, such as prudential requirement, for the approval of switch request within two (2) working days from the receipt of the switch request. All shortcomings by the Supplier and the <del>Contestable Retail</del> <u>Customer</u> shall be rectified within two (2) working days from the receipt of the <u>Central Registration</u> Body's notice.</p> <p><u>In view of the need for enhancements to the Central Registration and Settlement System (CRSS) to implement the electronic-based switching, it is understood that the electronic-based switching shall take effect no later than fifteen (15) days from the date of issuance of the audit</u></p>					

Retail Rules								
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			software certificate of the system enhancements.					

**B. Retail Manual on Market Transactions Procedures**

Retail Manual on Market Transactions Procedures								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment <u>(in bold red underlined font)</u>	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
Overview	II.2	(new)	<p><b><u>2-5 Relative to the condition for switch under Clause II.2.3.3 of this manual, the Contestable Customer may submit a request for certification of no outstanding balance from its Network Service Provider, for initial switch, or from its incumbent Supplier, for regular switch, at least fourteen (14) working days prior to the proposed effective switch date and furnish a copy of the request to the Central Registration Body and the prospective Supplier.</u></b></p> <p><b><u>2-6 The Network Service Provider or the incumbent Supplier shall notify the Contestable Customer of</u></b></p>	<p><i>Note: The Retail Manual on Market Transactions Procedures governs transactions between Retail Electricity Suppliers and Contestable Customers as defined in Chapter 1 of the manual.</i></p> <p>The proposed amendments intend to introduce a pre-switching procedure that Contestable Customers may follow to facilitate the timely compliance with</p>	<p>Same general comments as above.</p> <p>Same comments with Section 3.2.1 of Retail Rules</p>			

Retail Manual on Market Transactions Procedures								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment <u>(in bold red underlined font)</u>	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
			<p><u>any unpaid balance within two (2) working days from receipt of the Contestable Customer's request and furnish a copy of the notice to the Central Registration Body and the prospective Supplier.</u></p> <p><u>2.7 Within two (2) working days from receipt of the Network Service Provider or the incumbent Supplier's notice, the Contestable Customer shall:</u></p> <p><u>a) Settle the unpaid balance with the Network Service Provider or the incumbent Supplier; or</u></p> <p><u>b) Initiate a settlement agreement with the Network Service Provider or the incumbent Supplier.</u></p>	<p>the "no outstanding obligation" requirement pursuant to Clause II.2.3.3. Aside from outright payment of outstanding balance, we propose that execution of a valid settlement agreement be considered as fulfillment of switch condition under Clause II.2.3.3. to mitigate or avoid a situation where the Contestable Customer is unreasonably prevented from switching to a new Supplier due to inability to</p>				

Retail Manual on Market Transactions Procedures								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment <u>(in bold red underlined font)</u>	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
			<p><u>Provided that any action undertaken under this clause shall be without prejudice to filing of dispute of involved parties with the Energy Regulatory Commission.</u></p> <p><u>2.8 Within two (2) working days from the Contestable Customer's action relative to clause 2.7, the Network Service Provider or the incumbent Supplier shall:</u></p> <p><u>a) Sign the certification of no outstanding balance and provide the same to the Contestable Customer and the new Supplier. or</u></p> <p><u>b. Execute a valid settlement agreement with the Contestable Customer and provide</u></p>	provide the requirement.				

Retail Manual on Market Transactions Procedures								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment <u>(in bold red underlined font)</u>	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
Switching Procedures	II.3.1.1	3.1.1. Once all requirements are met, <del>an accomplished switch request form shall be submitted by the new Supplier shall</del> <b>submit the switch request</b> to the Central Registration Body not later than seven (7) working days before the proposed switch effective date. The switch request form shall <b>be electronically filled out</b> and <b>shall include an attestation duly signed by a confirmed by the authorized representatives of the following:</b> a) The Supplier and the Contestable Customer of the existence of a	<b>a copy to the new Supplier.</b> 3.1.1. Once all requirements are met, <del>an accomplished switch request form shall be submitted by the new Supplier shall</del> <b>submit the switch request</b> to the Central Registration Body not later than seven (7) working days before the proposed switch effective date. The switch request form shall <b>be electronically filled out</b> and <b>shall include an attestation duly signed by a confirmed by the authorized representatives of the following:</b> a) The Supplier and the Contestable Customer of the existence of a retail supply contract between the two parties, and the term of	Note: The Retail Manual on Market Transactions Procedures governs transactions between Retail Electricity Suppliers and Contestable Customers as defined in Chapter 1 of the manual. The proposed amendments aim to provide other options for the new Supplier and the Contestable Customer to fulfill the switch condition under Clause II.2.3.3. aside from submission of a certification of no				

Retail Manual on Market Transactions Procedures								
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		<p><i>retail supply contract</i> between the two parties, and the term of the <i>retail supply contract</i> including the effectivity dates;</p> <p>b) The <i>Supplier</i> or the <i>Contestable Customer</i>, as applicable, and the relevant <i>Distribution Utility or Network Service Provider</i> of the existence of a valid wheeling service agreement covering the <i>Contestable Customer</i>,</p> <p>c) The <i>Supplier</i> or the <i>Contestable Customer</i>, as applicable, and the registered <i>Retail Metering Services Provider</i> of the existence of a <u>valid</u> metering</p>	<p>the <i>retail supply contract</i> including the effectivity dates;</p> <p>The <i>Supplier</i> or the <i>Contestable Customer</i>, as applicable, and the relevant <i>Distribution Utility or Network Service Provider</i> of the existence of a valid wheeling service agreement covering the <i>Contestable Customer</i>, <del>and</del></p> <p>The <i>Supplier</i> or the <i>Contestable Customer</i>, as applicable, and the registered <i>Retail Metering Services Provider</i> of the existence of a <u>valid</u> metering services agreement covering the <i>Contestable Customer</i>; <del>and</del></p>	<p>outstanding balance. Thus, the proposed amendments allow the CRB to provisionally accept a signed undertaking by the <i>Contestable Customer</i> during the submission of the switch request which shall be subject to confirmation by the <i>Network Service Provider</i> or the incumbent <i>Supplier</i> prior to the proposed switch date. This way, the new <i>Supplier</i> and <i>Contestable Customer</i> will not be unreasonably prevented from submitting a</p>				

Retail Manual on Market Transactions Procedures								
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		<p>services agreement covering the Contestable Customer, and</p> <p>d) The incumbent Supplier or, if not served by a Supplier, the relevant Distribution Utility that the Contestable Customer has no outstanding balance.</p> <p><u>The Central Registration Body may require appropriate documentation to ensure the authorized representatives have authority to represent their respective organizations.</u></p> <p>The Supplier or Contestable Customer registering as a Direct</p>	<p><del>d) The incumbent Supplier or, if not served by a Supplier, the relevant Distribution Utility that the Contestable Customer has no outstanding balance.</del></p> <p><b>Relative to the condition for switch under Clause II.2.3.3 of this manual, the new Supplier shall also submit either of the following seven (7) working days prior to the proposed effective date:</b></p> <p>a) <u>Certification that the Contestable Customer has no outstanding balance signed by the Network Service Provider or incumbent Supplier.</u></p> <p>b) <u>Copy of valid settlement agreement signed by the Contestable</u></p>	<p>switch request while the Network Service Provider or incumbent Supplier still has the opportunity to contest switching of Customers with unpaid balances in a timely manner.</p>	<p>Same comments with Section 3.2.2.1 of Retail Rules</p>			

Retail Manual on Market Transactions Procedures								
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		<p>WESM Member shall also submit the projected metering quantities and the percentage that will be purchased from the WESM by the Contestable Customer, as applicable.</p> <p><u>In view of the need for enhancements to the Central Registration and Settlement System (CRSS) to implement the electronic-based switching process, it is understood that the electronic-based switching shall take effect no later than fifteen (15) days from the date of issuance of the audit software certificate of the system enhancements.</u></p>	<p><u>Customer and the Network Service Provider or incumbent Supplier, or c) Undertaking signed by the Contestable Customer that it has no outstanding balance with the Network Service Provider or incumbent Supplier, provided that the Network Service Provider or incumbent Supplier shall provide confirmation of such undertaking to the Central Registration Body three (3) working days prior to the proposed switch date.</u></p>					

Retail Manual on Market Transactions Procedures								
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			<p><u>The Central Registration Body may require submission of appropriate documentation to ensure the authorized representatives have authority to represent their respective organizations.</u></p> <p>The <i>Supplier</i> or <i>Contestable Customer</i> registering as a <i>Direct WESM Member</i> shall also submit the projected metering quantities and the percentage that will be purchased from the <i>WESM Customer</i>, as applicable.</p> <p><u>In view of the need for enhancements to the Central Registration and Settlement System (CRSS) to implement the electronic-based</u></p>					

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			<u>switching process, it is understood that the electronic-based switching shall take effect no later than fifteen (15) days from the date of issuance of the audit software certificate of the system enhancements.</u>					

C. Retail Manual on Green Energy Option Program Procedures

Retail Manual on Green Energy Option Program Procedures								
Title	Section	RCC & PEM Board-approved General Amendments (RCC Reso. No. 2022-07)	Proposed Amendment (in bold red underlined font)	Rationale	Comments	Proposed Re-wording based on Comments	Proponent's Response	RCC Agreement
CUSTOMER TRANSFER	3	<p><b><u>3.2 OVERVIEW</u></b></p> <p>3.2.1 The commercial transfer of the electricity supply of a GEOP End-User shall be facilitated by the prospective Renewable Energy Supplier through the submission of a switch request.</p> <p>3.2.2 In the case of a last resort event, the Central Registration Body shall facilitate the transfer of the GEOP End-User to the Supplier of Last Resort.</p>	<p><b><u>3.2 OVERVIEW</u></b></p> <p>3.2.1 The commercial transfer of the electricity supply of a GEOP End-User shall be facilitated by the prospective Renewable Energy Supplier through the submission of a switch request.</p> <p>3.2.2 In the case of a last resort event, the Central Registration Body shall facilitate the transfer of the GEOP End-User to the Supplier of Last Resort.</p> <p><b><u>3.2.3 A Renewable Energy Supplier may submit a switch request to the Central Registration Body if all of the following conditions are met:</u></b></p>	<p>Note: The Retail Manual on Green Energy Option Program Procedures governs transactions between Renewable Energy Suppliers and GEOP End-Users as defined in Section 1.2 of the manual.</p> <p>Transferred original clause 3.3.1 to clause 3.2.3 of Section 3.2 for consistency with the format used in the Retail Rules and Retail Manual on Market Transaction Procedures.</p>	<p>Same general comments as above.</p> <p>Same comments with Section 3.2.1 of Retail Rules</p>			

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			<p>a) <u>the end-user has settled its financial obligations with its Distribution Utility, if the end-user is switching from a Distribution Utility, or its incumbent Supplier.</u></p> <p>b) <u>the end-user has entered into a GEOP Supply Contract with a Renewable Energy Supplier.</u></p> <p>c) <u>the end-user has entered into a valid Metering Services Agreement with a registered Retail Metering Services Provider, and</u></p> <p>d) <u>if applicable, the Renewable Energy Supplier has entered into a valid Wheeling Services</u></p>	<p>The proposed amendments intend to introduce a pre-switching GEOP End-Users may follow to facilitate the timely compliance with the "no outstanding obligation" requirement pursuant to Clause 3.2.3.a Aside from outright payment of outstanding balance, we propose that execution of a valid settlement agreement be considered as fulfillment of switch condition under Clause 3.2.3.a to mitigate or avoid a situation where the GEOP End-User is unreasonably</p>				

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			<p><u>Agreement with the <i>Distribution Utility or Network Service Provider</i> covering the end-user, or in case the end-user enrolls in dual billing, the end-user has entered into a <i>Wheeling Services Agreement with the Distribution Utility.</i></u></p> <p><u>3.2.3.4 Relative to the condition for switch under Clause 3.2.3.a of this manual, the <i>GEOP End-User</i> may submit a request for certification of no outstanding balance from its <i>Network Service Provider</i> for initial switch, or from its incumbent <i>Supplier</i> for regular switch, at least fourteen (14) working days prior to the proposed effective switch date and furnish a copy of the request to the <i>Central Registration Body</i></u></p>	<p>prevented from switching to a new Renewable Energy Supplier due to inability to provide the requirement.</p>				

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			<p>and the prospective <u>Renewable Energy Supplier</u>.</p> <p><u>3.2.3.5 The Network Service Provider or the Incumbent Supplier shall notify the GEOP End-User of any unpaid balance within two (2) working days from receipt of the GEOP End-User's request and furnish a copy of the notice to the Central Registration Body and the prospective Renewable Energy Supplier.</u></p> <p><u>3.2.3.6 Within two (2) working days from receipt of the Network Service Provider or the Incumbent Supplier's notice, the GEOP End-User shall:</u></p> <p>a) <u>Settle the unpaid balance with the Network Service Provider or the Incumbent Supplier; or</u></p> <p>b) <u>Initiate a settlement agreement with the Network Service</u></p>					

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			<p><u>Provider or the incumbent Supplier</u></p> <p><u>Provided that any action undertaken under this clause shall be without prejudice to filing of dispute of involved parties with the Energy Regulatory Commission.</u></p> <p><u>3.2.3.7 Within two (2) working days from the GEOP End-User's action relative to clause 2.7, the Network Service Provider or the incumbent Supplier shall:</u></p> <p><u>a) Sign the certification of no outstanding balance and provide the same to the GEOP End-User and the new Supplier, or</u></p> <p><u>b) Execute a valid settlement agreement with the GEOP End-User and provide a copy to the new Supplier.</u></p>					

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CUSTOMER TRANSFER	3	<p><u>3.3.1 A Renewable Energy Supplier may submit a switch request to the Central Registration Body if all of the following conditions are met:</u></p> <p><u>the end-user has settled its financial obligations with its Distribution Utility, if the end-user is switching from a Distribution Utility, or its incumbent Supplier.</u></p> <p><u>the end-user has entered into a GEOP Supply Contract with a Renewable Energy Supplier.</u></p> <p><u>the end-user has entered into a valid Metering Services Agreement with a registered Retail Provider and</u></p>	<p><del>3.3.1 A Renewable Energy Supplier may submit a switch request to the Central Registration Body if all of the following conditions are met:</del></p> <p><del>the end-user has settled its financial obligations with its Distribution Utility, if the end-user is switching from a Distribution Utility, or its incumbent Supplier.</del></p> <p><del>the end-user has entered into a GEOP Supply Contract with a Renewable Energy Supplier.</del></p> <p><del>the end-user has entered into a valid Metering Services Agreement with a registered Retail Provider and</del></p>	Transferred original clause 3.3.1 to clause 3.2.3 of Section 3.2 for consistency with the format used in the Retail Rules and Retail Manual on Market Transaction Procedures.				

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		<p><u>Metering Services Agreement with a registered Retail Metering Services Provider, and</u></p> <p><u>if applicable, the Renewable Energy Supplier has entered into a valid Wheeling Services Agreement with the Distribution Utility or Network Service Provider covering the end-user, or in case the end-user enrolls in dual billing, the end-user has entered into a Wheeling Services Agreement with the Distribution Utility.</u></p>	<p><del>if applicable, the Renewable Energy Supplier has entered into a valid Wheeling Services Agreement with the Distribution Utility or Network Service Provider covering the end-user, or in case the end-user enrolls in dual billing, the end-user has entered into a Wheeling Services Agreement with the Distribution Utility.</del></p>					
		<p><u>3.3.2 Once all the conditions set forth in Clause 3.3.1 are met, the new Renewable Energy Supplier shall submit the switch</u></p>	<p><del>3.3.2 3.3.1 Once all the conditions set forth in Clause 3.3.1 3.2.3 are met, the new Renewable Energy Supplier shall submit the switch request</del></p>	Renumbering due to changes in previous clauses				

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CUSTOMER TRANSFER	3	request to the <u>Central Registration Body</u> , copy furnished its <u>Network Service Provider</u> , not later than <u>seven (7) working days prior to the proposed switch effective date</u> .	to <u>the Central Registration Body</u> , copy furnished its <u>Network Service Provider</u> , not later than <u>seven (7) working days prior to the proposed switch effective date</u> .	Note: The Retail Manual on Green Energy Option Program Procedures governs transactions between Renewable Energy Suppliers and GEOP End-Users as defined in Chapter 1.2 of the manual.  The proposed amendments aim to provide other options for the new Renewable Energy Supplier and the GEOP End-User to fulfill				
		<u>3.3.3 The switch request submitted under Section 3.3.2 shall be electronically filled out and shall include a confirmation by the authorized representatives of the following:</u>  the <u>end-user</u> has settled its financial obligations with the <u>Distribution Utility or incumbent Supplier</u>  the <u>Renewable Energy Supplier</u> and the <u>end-</u>	<u>3.3.3 3.3.2 The switch request submitted under Section 3.3.2 3.3.1 shall be electronically filled out and shall include a confirmation by the authorized representatives of the following:</u>  <del>3. the end-user has settled its financial obligations with the Distribution Utility or incumbent Supplier</del>					

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		<p><u>user on the existence of a GEOP Supply Contract between said parties, including the term and effectivity date of the GEOP Supply Contract:</u></p> <p><u>the Renewable Energy Supplier and the relevant Distribution Utility or Network Service Provider on the existence of a valid wheeling service agreement covering the end-user.</u></p> <p><u>d. the end-user and the registered Retail</u></p>	<p><del>a.</del> <u>the Renewable Energy Supplier and the end-user on the existence of a GEOP Supply Contract between said parties, including the term and effectivity date of the GEOP Supply Contract;</u></p> <p><del>b.</del> <u>the Renewable Energy Supplier and the relevant Distribution Utility or Network Service Provider on the existence of a</u></p>	<p>the switch condition under Clause 3.2.3.a aside from submission of a certification of no outstanding balance.</p> <p>Thus, the proposed amendments allow the CRB to provisionally accept a signed undertaking by the GEOP End-User during the submission of the switch request which shall be subject to confirmation by the Network Service Provider or the incumbent Supplier prior to the proposed switch date. This way, the new Renewable Energy Supplier and GEOP End-</p>					

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		<p><u>Metering Services Provider on the existence of a valid metering services agreement covering the end-user.</u></p> <p><u>The Central Registration Body may require submission of appropriate documentation to ensure the authorized representatives have authority to represent their respective organizations.</u></p> <p><u>In view of the need for enhancements to the Central Registration and Settlement System (CRSS) to implement electronic-based switching process, it is understood that the electronic-based switching shall take</u></p>	<p><u>valid wheeling service agreement covering the end-user.</u></p> <p><b><u>5. d. the end-user and the registered Retail Metering Services Provider on the existence of a valid metering services agreement covering the end-user.</u></b></p> <p><b><u>Relative to the condition for switch under Clause 3.2.3.a of this manual, the new Renewable Energy Supplier shall also submit either of the following seven (7) working days prior to the proposed effective date:</u></b></p>	<p>User will not be unreasonably prevented from submitting a switch request while the Network Service Provider or incumbent Supplier still has the opportunity to contest switching of Customers with unpaid balances in a timely manner.</p>	<p>Same comments with Section 3.2.2.1 of Retail Rules</p>			

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		effect no later than fifteen (15) days from the date of issuance of the audit software certificate of the system enhancements.	<p>a) <u>Certification that the <i>GEOP End-User</i> has no outstanding balance signed by the <i>Network Service Provider</i> or <i>Incumbent Supplier</i>;</u></p> <p>b) <u>Copy of valid settlement agreement signed by the <i>GEOP End-User</i> and the <i>Network Service Provider</i> or <i>Incumbent Supplier</i>; or</u></p> <p>c) <u>Undertaking signed by the <i>GEOP End-User</i> that it has no outstanding balance with the <i>Network Service Provider</i> or <i>Incumbent Supplier</i>, provided that the <i>Network Service Provider</i> or <i>Incumbent Supplier</i> shall provide confirmation of such undertaking to the <i>Central</i></u></p>					

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			<p><u>Registration Body</u> <b>three (3) working days prior to the proposed switch date.</b></p> <p><u>The Central Registration Body may require submission of appropriate documentation to ensure the authorized representatives have authority to represent their respective organizations.</u></p> <p><u>In view of the need for enhancements to the Central Registration and Settlement System (CRSS) to implement electronic-based switching process, it is understood that the electronic-based switching shall take effect no later than fifteen (15) days from the date of issuance of the audit software certificate of the system enhancements.</u></p>					

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CUSTOMER TRANSFER	3	<p><u>3.3.4 In addition to the attestations in Section 3.3.3, the Renewable Energy Supplier shall submit the following documentary requirements set in Section 16.2 under ERC Resolution No. 08, Series of 2021:</u></p> <p><u>Switch Request Form;</u></p> <p><u>Copy of Renewable Energy Supply Contract;</u></p> <p><u>Copy of valid Wheeling Service Agreement;</u></p> <p><u>Copy of valid Metering Services Agreement;</u></p> <p><u>Connection Agreement between a GEOP End-User and its Network Service Provider;</u></p> <p><u>Prudential Requirements; and</u></p>	<p><del>3.3.4</del> <b><u>3.3.3</u></b> <u>In addition to the attestations in Section 3.3.3, the Renewable Energy Supplier shall submit the following documentary requirements set in Section 16.2 under ERC Resolution No. 08, Series of 2021:</u></p> <p><u>Switch Request Form;</u></p> <p><u>Copy of Renewable Energy Supply Contract;</u></p> <p><u>Copy of valid Wheeling Service Agreement;</u></p> <p><u>Copy of valid Metering Services Agreement;</u></p> <p><u>Connection Agreement between a GEOP End-User and its Network Service Provider;</u></p> <p><u>Prudential Requirements; and</u></p>	Renumbering due to changes in previous clauses				

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CUSTOMER TRANSFER	3	A verification executed by the Renewable Energy Supplier stating that the above-enumerated documents are authentic, and the contents thereof are true and correct. <u>3.3.5 Upon receipt of a switch request, the Central Registration Body shall immediately evaluate the completeness of the requirements under Clause 3.3.3. The Central Registration Body shall notify the Renewable Energy Supplier and the GEOP End-User of any deficiencies, if any, within two (2) working days from its receipt of the switch request.</u>	A verification executed by the Renewable Energy Supplier stating that the above-enumerated documents are authentic, and the contents thereof are true and correct. <del>3.3.5</del> <u>3.3.4 Upon receipt of a switch request, the Central Registration Body shall immediately evaluate the completeness of the requirements under Clause 3.3.3. 3.3.2. The Central Registration Body shall notify the Renewable Energy Supplier and the GEOP End-User of any deficiencies, if any, within two (2) working days from its receipt of the switch request.</u>	Renumbering due to changes in previous clauses				
CUSTOMER TRANSFER	3	<u>3.3.6 All deficiencies, except those relating to metering requirements,</u>	<del>3.3.6</del> <u>3.3.5 All deficiencies, except those relating to metering</u>	Renumbering due to changes in previous clauses				

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		<p>in the switch request submission shall be completed by the Renewable Energy Supplier and the GEOP End-User within two (2) working days from the receipt of the Central Registration Body's notice. Thereafter, the Central Registration Body shall complete its evaluation no more than two (2) business days from receipt of the complete submissions. The aforementioned procedure shall likewise apply to one Renewable Energy Supplier to another.</p>	<p>requirements, in the switch request submission shall be completed by the Renewable Supplier and the GEOP End-User within two (2) working days from the receipt of the Central Registration Body's notice. Thereafter, the Central Registration Body shall complete its evaluation no more than two (2) business days from receipt of the complete submissions. The aforementioned procedure shall likewise apply to regular switching from one Renewable Energy Supplier to another.</p>					
CUSTOMER TRANSFER	3	<p>3.3.7 If the deficiency pertains to the metering requirements, the relevant Retail Metering Services</p>	<p><del>3.3.7.3.3.6</del> If the deficiency pertains to the metering requirements, the relevant Retail Metering Services Provider shall</p>	Renumbering due to changes in previous clauses				

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CUSTOMER TRANSFER	3	<p><u>Provider shall complete the requirements within fifteen (15) working days from its receipt of notice.</u></p> <p><u>For cases which requires scheduling of service interruption on the part of the GEOP End-User, the completion will be based on the agreed date of execution with the GEOP End-User.</u></p>	<p><b><u>complete the requirements within fifteen (15) working days from its receipt of notice.</u></b></p> <p><b><u>For cases which requires scheduling of service interruption on the part of the GEOP End-User, the completion will be based on the agreed date of execution with the GEOP End-User.</u></b></p>	Renumbering due to changes in previous clauses				
		<p><u>3.3.8 If the Central Registration Body determines that the GEOP End-User has incomplete customer information as required under Section 2.5.2 of this Manual, the Central Registration Body shall notify the relevant Network Service Provider to provide the necessary information within two (2) working days from the receipt of the notification.</u></p>	<p><b><u>3.3.8 3.3.7 If the Central Registration Body determines that the GEOP End-User has incomplete customer information as required under Section 2.5.2 of this Manual, the Central Registration Body shall notify the relevant Network Service Provider to provide the necessary information within two (2) working days from the receipt of the notification.</u></b></p>					

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CUSTOMER TRANSFER	3	necessary information within two (2) working days from the receipt of the notification. <u>3.3.9 If the deficiencies in the application or requirements are not rectified within the prescribed timeframes, the Central Registration Body shall notify the Renewable Energy Supplier, the incumbent Supplier and the Distribution Utility or Network Service Provider, within three (3) working days that the processing of the switch request shall not proceed. Such notification is without prejudice to refiling of a new request, provided all conditions will be met by the Renewable Energy Supplier and/or</u>	<b><u>3.3.9 3.3.8 If the deficiencies in the application requirements are not rectified within the prescribed timeframes, the Central Registration Body shall notify the Renewable Energy Supplier, the incumbent Supplier and the Distribution Utility or Network Service Provider, within three (3) working days that the processing of the switch request shall not proceed. Such notification is without prejudice to refiling of a new request, provided all conditions will be met by the Renewable Energy Supplier and/or party required to comply.</u></b>	Renumbering due to changes in previous clauses				

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CUSTOMER TRANSFER	3	<p>party <u>required</u> to <u>comply</u>.</p> <p><u>3.3.10 Within two (2) working days from its confirmation that the prudential requirements, metering requirements, and customer information requirements are satisfied, the Central Registration Body shall approve the switch request and shall notify the following of the confirmation of the switch request, including the effective date of the switch:</u></p> <p>a) <u>new Renewable Energy Supplier,</u>  b) <u>the incumbent Supplier or Distribution Utility, as applicable.</u></p>	<p><del>3.3.10</del> <u>3.3.9 Within two (2) working days from its confirmation that the prudential requirements, metering requirements, and customer information requirements are satisfied, the Central Registration Body shall approve the switch request and shall notify the following of the confirmation of the switch request, including the effective date of the switch:</u></p> <p>a) <u>new Renewable Energy Supplier,</u>  b) <u>the incumbent Supplier or Distribution Utility, as applicable;</u>  c) <u>the Retail Metering Services Provider.</u></p>	Renumbering due to changes in previous clauses				

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CUSTOMER TRANSFER	3	<p>c) the <u>Retail Metering Services Provider</u>.</p> <p>d) the relevant <u>Distribution Utility</u> or <u>Network Service Provider</u>, and</p> <p>e) <u>GEOP End-User</u>.</p>	<p>d) the relevant <u>Distribution Utility</u> or <u>Network Service Provider</u>, and</p> <p>e) <u>GEOP End-User</u>.</p>	Renumbering due to changes in previous clauses				
		<p>3.3.11 <u>If the approved switch request is for the supply of a Renewable Energy Supplier to an end-user from a Network Service Provider, the Central Registration Body shall register the end-user as a GEOP End-User.</u></p>	<p><del>3.3.44</del> <b>3.3.10</b> <u>If the approved switch request is for the supply of a Renewable Energy Supplier to an end-user from a Network Service Provider, the Central Registration Body shall register the end-user as a GEOP End-User.</u></p>					