Wholesale Electricity Spot Market

PUBLIC

WESM Manual

Registration, Suspension and De-Registration Criteria and Procedures
Issue 4. 2

Abstract	This manual presents the criteria, guidelines and procedures for the registration, suspension and de-registration of members and participants in the Wholesale Electricity Spot Market.

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I. INTRODUCTION AND GENERAL GUIDELINES

1.1. PURPOSE

This Manual presents the criteria, guidelines and procedures for the registration, suspension and de-registration by the *Market Operator* of *WESM Members.* It likewise includes the criteria, guidelines and procedures for the registration of the metering installations of *Trading Participants* registered in the WESM.

This Manual implements relevant provisions of Chapters 2 and 4 of the WESM Rules.

1.2. SCOPE OF APPLICATION

This covers all persons and entities that are eligible and are required by Republic Act No. 9136, the WESM Rules and other prevailing laws, rules and regulations to register in the Philippine *Wholesale Electricity Spot Market* (*"WESM").* It also applies to those entities intending to register in the *WESM.*

This Manual covers only the criteria, guidelines and procedures for registration, suspension and de-registration of WESM Members. It does not cover the criteria, guidelines and procedures for registration for and maintenance of membership in the Philippine Electricity Market Corporation ("*PEMC")*. The latter shall be governed by the Corporation Code of the Philippines (i.e., Batas Pambansa Blg. 68, as amended) and the Articles of Incorporation, By-Laws and relevant membership rules of PEMC.

1.3. DEFINITIONS, REFERENCES AND INTERPRETATION

1.3.1. Definitions

Unless otherwise defined or the context implies otherwise, the italicized terms used in this manual which are defined in the WESM Rules will bear the same meaning as defined in the WESM Rules. Italicized terms that are used in this Manual but are not defined in the WESM Rules are defined in Appendix A of this Manual.

1.3.2. Giving of Notices

The guidelines set forth in WESM Rules Section 9.6.1 shall govern the giving of notices required in this Manual.

1.3.3. References

This Manual should be read in association with the -

a) Republic Act No. 9136

b) Implementing Rules and Regulations of Republic Act No. 9136
c) WESM Rules
d) Philippine Grid Code
e) Philippine Distribution Code
f) Department of Energy Circular No. 2010-05-006
g) Department of Energy Circular No. 2010-08-0010
h) WESM Manual: Billing and Settlements
i) WESM Manual: Market Surveillance, Compliance and Enforcement
WESM Manual: Metering Standards
j) WESM Manual: Dispute Resolution

1.3.4. **Organization of the Manual/Interpretation**

1.3.4.1. This Manual is divided into five Chapters as follows -

a) Chapter I - Introduction and Generation Guidelines
b) Chapter II - Registration
c) Chapter III - Post Registration Transaction and Changes
d) Chapter IV - Suspension
e) Chapter V - Deregistration and Cessation of Registration

1.3.4.2. Any reference to a section or clause in any Chapter of this Manual shall refer to the particular section or clause of the same Chapter in which the reference is made, unless otherwise specified or the context provides otherwise.

1.4. GENERAL GUIDELINES

1.4.1. All generating companies, distribution utilities, suppliers, bulk consumers/end-users and other similar entities authorized by the *Energy Regulatory Commission* (the "*ERC*") are eligible to become members of the WESM subject to compliance with set membership criteria.[1] Pursuant to Republic Act No. 9136, the *ERC* is the agency mandated to authorize other persons or entities that can be eligible to become members of the WESM.[2]

1.4.2. Membership in the *WESM* is mandatory for all persons or entities withdrawing or injecting electricity from or to the grid. No person or entity shall be allowed to inject or withdraw electricity from the grid unless that person or entity is a registered member of the *WESM*.[3]

[1] Republic Act No. 9136, Section 30
[2] Republic Act No. 9136, Section 30
[3] WESM Rules clause 2.2.4.2

1.4.3. Given the mandatory nature of membership in the *WESM* for relevant persons or entities, the *Market Operator* shall endeavor to ensure that no unnecessary barriers to entry to the WESM are presented.

1.4.4. Considering its implications, suspension and deregistration from the *WESM* shall be carried out in strict compliance with the procedures in this Manual.

1.5. RESPONSIBILITIES

1.5.1. Compliance and implementation

1.5.1.1. **Applicants**. All persons or entities applying for registration in the *WESM* shall comply with the requirements and procedures set forth in this Manual and in the *WESM Rules*.

1.5.1.2. **Market Operator**. The *Market Operator* shall be responsible for implementing the guidelines and procedures set forth in this Manual.

1.5.1.3. **Service Providers**. The *System Operator* as well as the relevant *Metering Services Provider* and *Network Services Provider* shall provide the information or document required of them to enable the timely assessment and action on applications for registration.

1.5.2. Amendments

Any amendments to this Manual shall be approved by the DOE, following the procedures for changes to Market Manual set out in the WESM Rules and in the relevant Market Manual.

1.6. EFFECTIVITY AND PUBLICATION

This Market Manual, as it may be amended from time to time, shall be published in the market information website maintained by the Market Operator.

This Market Manual or any amendments thereto shall become effective upon approval of the DOE in accordance with the WESM Rules Clause 8.6.4. The date of effectivity shall be indicated in this document.

II. REGISTRATION

2.1. COVERAGE

This Section describes the categories of WESM membership and levels of participation and sets forth the requirements and procedures for the registration of any of the categories of *WESM members*, as well as for the registration of *Intending WESM members*.

2.2. CATEGORIES OF WESM MEMBERS

Pursuant to *WESM Rules* Chapter 2, the following are required to register with the *Market Operator* as *WESM members*, subject to the requirements set forth in said Chapter and this Manual –

a) Trading participants which may either be a generation company or a customer
b) Ancillary services providers
c) Network services provider
d) Metering services provider
e) System Operator

2.3. LEVEL OF PARTICIPATION/DIRECT & INDIRECT WESM MEMBERSHIP

2.3.1. A *Trading Participant* or an *Ancillary Services Provider* may be registered in the WESM as either a *Direct WESM Member* or *Indirect WESM Member* -

2.3.1.1. A person or entity that intends to undertake any activity or participate in relation to the *WESM* shall register as a *Direct WESM Member.*[4]

2.3.1.2. A person or entity that wishes to indirectly trade in the *WESM* shall register with the *Market Operator* as an *Indirect WESM Member*, provided, however, that an *Indirect WESM Member* can only transact through a *Direct WESM Member.*[5]

2.3.2. A *Generation Company* may be registered as *Indirect WESM Member* if the generating units it owns, controls or operates or from which it otherwise sources electricity is or will be transacted in the *WESM* by a person or entity that is already registered in or is qualified to be registered in the WESM as *Generation Company* and as *Direct WESM Member.* If not yet registered, that *Generation Company* must register and be approved to become a *Direct WESM Member* -

[4] WESM Rules clause 2.3.3.3
[5] WESM Rules clause 2.4

Generation Company, as a pre-requisite to approval of the *Applicant's* indirect WESM membership.

2.3.3. A *Customer* may be allowed to register as an *Indirect WESM Member* under another *Trading Participant* registered as a *Direct WESM Member.*

2.3.4. An *Indirect WESM member* can only have one *Direct WESM member* transacting on its behalf in the WESM. If a *Customer* intending to register as an *Indirect WESM member* sources or intends to source electricity from more than one *Direct WESM member*, it shall specify which entity will serve as its *Direct WESM member* counterparty for its transactions in the WESM.

2.3.5. The *Direct WESM member* must expressly agree to transact in the *WESM* on behalf of the *Indirect WESM member.* Such agreement shall include agreement to assume all obligations of the *Indirect WESM* member in respect to the spot market transactions of the latter, including but not limited to the prudential requirements, trading imbalances, energy trading amounts, reserve trading amounts and line rental trading amounts. The parties shall submit proof of such agreement to the *Market Operator*.

2.3.6. In order to maintain its registration as *Indirect WESM Member*, the *WESM member* shall at all times be represented by a duly registered and qualified *Direct WESM Member -Trading Participant.*

2.3.7. In the event of the cessation of registration, de-registration or suspension of the *Direct WESM Member*, the *Indirect WESM Member* may continue to transact in the WESM as such under another qualified *Direct WESM Member and Trading Participant.* In such an event, it must notify the *Market Operator* in writing of its new counterpart and submit proof of the agreement by the latter to transact in the WESM on its behalf. The *Indirect WESM member* may also choose to apply as *Direct WESM member and Trading Participant*. In either case, the notice or application shall have been submitted to and approved by the *Market Operator* prior to the cessation, de-registration or suspension of its original *Direct WESM member* counterpart from the WESM.

2.4. REGISTRATION IN MULTIPLE CATEGORIES

2.4.1. A person or entity that undertakes activities in two or more of the categories of *WESM* membership above shall register in each of the categories in which it is qualified.[6]

[6] WESM Rules clause 2.2.3

2.4.2. A *Trading Participant* that intends to register in more than one category may be registered as *Direct WESM Member* in one category and *Indirect WESM member* in another category.[7]

2.5. REGISTRATION OF DIRECT WESM MEMBERS AND TRADING PARTICIPANTS

2.5.1. Categories and Qualifications

Subject to compliance with the membership criteria, the following persons or entities may qualify to be registered as a *Generation Company* or C*ustomer*.

2.5.1.1. Generation Company

a) The persons or entities that may register as a *Generation Company* are those that own, control or operate or otherwise source electricity from generation unit/s connected to the *transmission system* or *distribution system*.[8]

b) Notwithstanding any definition to the contrary, the persons or entities that may qualify to register as Generation Company are those –

- ***Generation companies*** that own, operate or control generation facilities connected to the *transmission system* and which have been authorized by the *ERC* to operate such facilities.

- ***Embedded generators*** that own or operate generation units that are indirectly connected to the grid through the lines of *Distribution Utilities* or industrial generation facilities that are synchronized with the *Grid*, and which have been authorized by the ERC to operate such facilities.

- ***IPP Administrators*** appointed by the *Power Sector Assets and Liabilities Management Corporation* in respect to the transaction of the energy output of the generation facilities covered by their appointment as *IPPA*. The *IPPA* and/or the generation units whose energy output are being administered

[7] For example, an entity that engages in both energy and ancillary services transactions may register as Trading Participant (for its energy transactions) and as Ancillary Services Provider. It may register as Direct WESM member or Indirect WESM member in either category. Similarly, an entity may be registered as both Generation Company and Customer, and as such, it can be registered in either category as Direct or Indirect WESM member.
[8] WESM Rules clause 2.3.1.1 and clause 2.3.1.2

by such *IPPA* must have the requisite authorization by the *ERC*.

2.5.1.2. **Customers**

a) A person or entity that engages in the activity of purchasing electricity supplied through the *transmission system* or the *distribution system* to a connection point may register with the *Market Operator* as a *Customer.*[9]

b) The following are qualified to register as *Customer* –

- ***Distribution Utilities***, including private *distribution utilities*, *electric cooperatives* and local government utilities undertaking distribution of electricity.

- ***Retail Electricity Suppliers*** that have been authorized to engage in retail electricity supply by the *ERC*, *provided, however*, that the RES may only register in the *WESM* upon declaration of retail competition and open access by and shall transact in the *WESM* and subject to relevant rules, regulations and issuances of the *ERC*.

- ***Bulk Users*** *or* ***End Users*** that are withdrawing electricity from the *transmission system* or from the *distribution system* which are permitted to trade in the *WESM* pursuant to prevailing rules, regulations and issuances promulgated by the *ERC*. It is provided, however, that Bulk/End Users connected through a distribution system may only transact in the *WESM* upon declaration of retail competition and open access by and shall transact in the *WESM* and subject to relevant rules, regulations and issuances of the *ERC*. All references to the *Bulk* or *End Users* in this Manual are understood to be subject to the foregoing condition. In case of any conflict between this Manual and the provisions of relevant rules, regulations and other issuances of the *ERC*, the latter shall prevail.

2.5.2. **Membership Criteria**

2.5.2.1. A person or entity shall not be eligible to register as a *Trading Participant* unless that person or entity[10] –

[9] WESM Rules clause 2.3.2.1
[10] WESM Rules clause 2.3.3.4

a) is a resident in, or permanently established in, the Philippines;
b) is not under external administration as defined under relevant laws of the Philippines or under similar form of administration under any laws applicable to that person or entity in any jurisdiction;
c) is not immune from suit in respect of the obligations of a *WESM Member* under the *WESM Rules*;
d) is capable of being sued in its own name in a court of the Philippines; and
e) satisfies the *prudential requirements*, in applicable cases.

2.5.2.2. To establish compliance with the foregoing criteria, the *Market Operator* may require the *Applicant to* submit such documents as it may deem appropriate or applicable, consistent with relevant laws, rules and regulations. Compliance with prudential requirements shall be pursuant to relevant provisions of the *WESM Rules* and market manuals.

2.5.3. **Technical and Commercial Requirements**

The persons or entities that met the membership criteria and are qualified to be registered as *Trading Participants* must also comply with the following requirements before they can be authorized to participate and transact in the *WESM*.

2.5.3.1. **Authorization**. The *Applicant* must have a valid and unexpired license, certificate or franchise to undertake the activities for which it is applying for WESM membership.

2.5.3.2. **Facilities**. The *Applicant* must have the following facilities –

a) Remote Terminal Unit (RTU) devices compliant with the requirements of the relevant network service provider, and are capable of being monitored by the facilities of the *System Operator*.

b) Revenue metering facilities or installations compliant with the requirements set forth in Chapter 2 of the *WESM Rules* and relevant WESM manuals, and which metering installations are duly registered with a WESM-registered *Metering Services Provider*.

c) Communication links with the *Market Operator* and the *System Operator*, which are compliant with specifications set forth by the *Market Operator* and the *System Operator*.

2.5.3.3. **Services**. The *Applicant* is being provided the following services by service providers that are duly authorized to do so and are registered with the *Market Operator* -

a) The *Applicant* must have been permitted to connect to the transmission system or distribution system and is being or will be provided power delivery or wheeling services by a relevant *Network Service Provider*.

b) The metering requirements of the *Applicant* is provided by a *Metering Services Provider* duly authorized as such by the *ERC* and is currently registered as such by *Market Operator*.

2.5.3.4. **Prudential Requirements**. The *Applicant* is able to provide prudential requirement in the form and amount prescribed by the *Market Operator*, pursuant to Chapter 3 of the *WESM Rules*, this Manual and other relevant market manuals. The *Market Operator* may initially exempt the *Applicant* from said requirement under any of the following conditions -

a) The *Market Operator* believes that it is likely that the amount payable by the *Market Operator* to that *WESM Member* under the *WESM Rules* would consistently exceed the amount payable to the *Market Operator* by the *WESM Member.*[11]

b) The *Market Operator* believes that it is unlikely that the *WESM member* will be required to pay any amounts to the *Market Operator*.[12]

c) The *Applicant* is applying to become an *Indirect Member*, provided, however, that the obligation to comply with the prudential requirement shall rest with its *Direct WESM Member* counterparty.

After registration, the initial exemption granted may be varied or cancelled by the *Market Operator* at any time by giving notice of the variation or cancellation to the *WESM member.*[13]

[11] WESM Rules clause 3.15.2.2 (a)
[12] WESM Rules clause 3.15.2.2 (b)
[13] WESM Rules clause 3.15.2.3

2.5.4. **Other Considerations**

2.5.4.1. **Generation Unit Classification**

a) An *Applicant* wishing to register as *Generation Company* shall**,** upon application, classify each of the *generating unit* or group of *generating units* which form part of the generation system it owns or operates or controls or from which it otherwise sources electricity as either –

- *Scheduled generating unit/s* for unit/s that are connected to a common connection point with a nameplate rating or a combined nameplate rating of greater than or one tenth of one percent of the peak load in a particular reserve region.[14]

- *Non-scheduled generating unit/s* for unit/s that are connected at a common connection point with a nameplate rating and a combined nameplate rating of less than one tenth of one percent of the peak load in a particular reserve region, or less than ten percent (10%) of the size of the interconnection facilities whichever is lower. However, the *Generation Company* may also elect to have such unit/s classified as *scheduled generating unit/s*.

- A *must dispatch generating unit* for a generating unit or group of generating units connected at a common connection point that is intermittent renewable energy resource-based, whether or not under the *Feed-In Tariff system,* such as wind, solar, run-of-river hydro or ocean energy with the corresponding *DOE* certification. However, the *Generation Company* may also elect to have such unit/s classified as *scheduled generating unit/s* or *non-scheduled generating unit/s* subject to this Section.

- A *priority dispatch generating unit* for a generating unit or group of generating units connected at a common connection point that uses biomass as fuel, that is under the *Feed-In Tariff system,* with the corresponding *Feed-In Tariff Certificate of Compliance* issued by the *ERC*.

  However, the *Generation Company* may also elect to have such unit/s classified as *scheduled generating unit/s* or *non-scheduled generating unit/s* subject to this Section.

[14] WESM Rules clause 2.3.1.3

b) For the foregoing purposes, the reserve regions in the *WESM* correspond to the major grids of the *transmission system* and are Luzon, Visayas and Mindanao.[15]

c) The *Market Operator* shall approve the classification of a *generating unit/s* as either a *non-scheduled generating unit* or a *must dispatch generating unit* or a *priority dispatch generating unit*, subject to prevailing relevant rules, regulations and issuances. An *Applicant* may appeal the decision of the *Market Operator* to the *PEM Board*.

2.5.4.2. **Aggregation of Generating Units**

A *Generation Company* that owns multiple *generating units* located in a single generating station shall, upon application, inform the *Market Operator* if it wishes to have an aggregated representation for such *generating units* in the *market network model*. The *Applicant, the Network Services Provider, Metering Services Provider, System Operator,* and the *Market Operator* shall agree on the manner of aggregated representation in accordance with the procedures set forth in relevant *Market Manuals*.[16]

2.5.4.3. **Dispatch Tolerances**

Prior to application, a *Generation Company* may seek a ruling from the *System Operator* with respect to *dispatch tolerances* to be applied for the generating unit/s it intends to be classified as *scheduled generating unit/s*[17] or *priority dispatch generating unit/s*. The *System Operator* may also make a ruling upon endorsement by the *Market Operator* of the application.[18] The *System Operator* may, at any time, review any ruling it has made in the light of further information or experience.[19] A *Generation Company* may appeal the ruling issued by the *System Operator* to the *PEM Board*.

2.5.4.4. **Generation Registered Capacities**

A *Generation Company* shall include in its application the *maximum stable load (Pmax),* the *minimum stable load (Pmin)*, the *ramp up rate*, and the *ramp down rate* of each *generating unit* or aggregated *generating units* that are included in

[15] This is pursuant to the classification of reserve regions set forth in the *Pricing and Cost Recovery Mechanism for Reserves in the Philippine Wholesale Electricity Spot Market*.
[16] Please refer to WESM Manual: Market Network Model Development and Maintenance - Criteria and Procedures.
[17] WESM Rules clause 2.3.3.5
[18] WESM Rules clause 2.3.3.6
[19] WESM Rules clause 2.3.3.7

its application. The information provided to the *Market Operator* must be consistent with the information contained in the *Certificate of Compliance* issued by the *ERC* as well as submissions made to the *ERC* in relation to the issuance of its *Certificate of Compliance.* If the *generating unit* is a battery energy storage system[20], the *Generation Company* shall include the *generating unit's* energy storage efficiency and maximum storage capacity in its application. If the *generating unit* is a pumped-storage unit[21], the *Generation Company* shall include the *generating unit's* maximum pump load.

The *Generation Company* shall also provide information on the location of the real-time monitoring facility where the *Pmin, Pmax* and *ramp up/down rates* were certified against (i.e., gross generation or net of station use). Should the location represent the gross generation output of the *generating system*, the *Generation Company* shall comply with the procedures provided for under Section 2.5.4.5 of this *Market Manual.*

2.5.4.5. **Modelling of Station Use of Generating Units**

A *Generation Company* shall inform the *Network Service Provider* and the *Market Operator* of the provisions of its station use for registration and inclusion in the *market network model*.

2.5.4.6. **Modelling of Generating Units of Ancillary Service Providers**

A *Generation Company* with generating units providing ancillary services, in coordination with *Market Operator*, shall ensure that the generating units are represented in the *market network model* in accordance with the requirements of the *System Operator*.

2.5.5. **Assessment of Applications**

2.5.5.1. **Submission and Preliminary Assessment of Applications**

a) Applications for registration shall be submitted to the *Market Operator* together with documents and information required by the *Market Operator* to prove compliance with the membership criteria and requirements for registration.

[20] Battery Energy Storage System. A system with all related equipment essential to its functioning as a single entity which is capable of storing electrical energy through chemical reactions from which it is able to charge or discharge electrical energy to the power system. (Added per DOE DC No. 2018-08-0022 dated 06 August 2018)

[21] Pumped-Storage Unit. A facility or group of facilities that act as load while using energy to pump water to higher elevation reservoirs, and then act like generators by producing electric energy when water is release back to lower reservoir. (Added per DOE DC No. 2018-08-0022 dated 06 August 2018)

b) Within five (5) calendar days from receipt of application, the *Market Operator* shall advise the *Applicant* of any lacking requirement as well as additional information required to enable the proper assessment of the application. As provided for in *WESM Rules* Clause 2.5.3.2, if the *Market Operator* has not received the lacking requirement or additional information that it requires within the next fifteen (15) calendar days, it may immediately terminate the processing of the application and shall immediately notify the *Applicant* in writing of the termination.

c) The *Market Operator* shall assess the amount of security required to satisfy *prudential requirements*, if applicable, in accordance with the requirements and procedures set forth in the *WESM Rules*, the WESM Manual on Billing and Settlements and other relevant market manuals.

d) If the facilities being registered are not yet represented in the prevailing WESM *Market Network Model*, the *Market Operator* shall, in consultation with the *System Operator* and the *Applicant*, determine the appropriate representation for the said facility. It shall then update the *WESM Market Network Model* following the procedures set forth in relevant market manuals.

2.5.6. Approval of Applications

2.5.6.1. Basis

The application shall be approved if the *Market Operator*[22] -

a) Determines that all relevant prerequisites have been satisfied.
b) Determines that the applicant is eligible to be registered in the category or categories in which it is applying for registration.
c) Reasonably considers that the applicant will be able to comply and maintain compliance with the *WESM Rules*.

2.5.6.2. Notice of Approval

a) For approved applications, the *Market Operator* shall send a notice of approval to the *Applicant* within fifteen (15) calendar days from complete submission by the *Applicant* of the required application forms and supporting documents and information.

[22] WESM Rules clause 2.5.4

b) The registration of the *Applicant* shall take effect on the date specified in the notice of approval which shall be a date not more than seven (7) calendar days after the *Market Operator* sends the notice of approval or on the date when the *Applicant* complies with all the requirements provided under Section 2.5.6.3 of this Manual, whichever is later. Subject to concurrence by the *Market Operator*, the effective date may be set on another date requested by the *Applicant*.

2.5.6.3. **Other Requirements for Approved Applications**

The *Applicant* whose application has been approved shall also comply with the following as conditions to and before the effectivity of its membership in the *WESM* -

a) **Market Participation Agreement.** The *Applicant* shall execute a market participation agreement in the form prescribed by the *Market Operator*.

b) **Participant Interface Access**. The *Applicant* shall subscribe to and allow the *Market Operator* to apply and install a method employing encryption in its computers to provide secure access to the *Market Management System.*

c) **Registration Fees**. Subject to approval by the *ERC* of the amount to be recovered, the *Applicant* shall pay to the Market *Operator* a registration fee to cover cost incurred for the assessment of the application, training of the participants and installation and maintenance of digital certificates. If the *Market Operator* incurs additional costs as a result of requesting and assessing additional information, it may require the applicant to pay the actual amount incurred to cover those additional costs.[23]

2.5.7. **Non-Approval of Applications/Remedies**

a) If an application is not approved, the *Market Operator* shall send a written notice to the *Applicant,* advising that its application has been disapproved with the pertinent reason/s for disapproval, within fifteen (15) calendar days from completion of application requirements.

b) The *ERC* shall be given a copy of the written notice within five (5) *business days* after its issuance to the *Applicant.*

[23] WESM Rules clause 2.5.3.3

c) The *Applicant whose* application is disapproved may rectify the shortcomings in the application and re-submit the same. If it elects to re-submit the application, the re-submitted application shall be acted upon by the *Market Operator* following the same timetable set forth in this Manual as if it were a new application.

2.6. REGISTRATION OF ANCILLARY SERVICES PROVIDERS

2.6.1. Qualifications and Requirements

2.6.1.1. Persons or entities wishing to register as *WESM member* under this category must –

a) Be certified by the *System Operator* as qualified to provide ancillary services in accordance with WESM Rules clause 2.3.5.3. .
b) Comply with the membership criteria required of *Trading Participants* and shall be subject to the same requirements set forth in this Manual.
c) Comply with the same technical and commercial requirements required of *Trading Participants*.
d) Comply with the technical requirements for *Ancillary Service Providers* set forth in the Philippine Grid Code and any other relevant documents that the *ERC* or *DOE* will promulgate on the provision of Ancillary Services.

2.6.2. Procedures

The same procedures and timetable set forth in this Manual for the assessment and approval/disapproval of applications for registration of *Trading Participants* shall apply. Applicants whose applications are approved shall likewise comply with the conditions for effectivity of membership set forth for in the previous sections for *Trading Participants.*

2.7. REGISTRATION OF SERVICES PROVIDERS

2.7.1. System Operator

The System Operator of the National Transmission Corporation or its successor-in-interest shall register with the *Market Operator* as a *WESM member*.

2.7.2. **Metering Services Provider**

2.7.2.1. Only *Metering Services Providers* registered as *WESM members* shall be permitted to provide metering services to *WESM Trading Participants*.

2.7.2.2. Persons or entities wishing to register with the *Market Operator* as a *Metering Services Provider* must –

a) Comply with the membership criteria set forth in this Manual for *Trading Participants*, except only for the requirement to satisfy prudential requirements; and

b) Have been authorized and issued the pertinent license or authorization to operate as *Metering Services Provider* by the ERC; and such authorization or license has not been revoked.

2.7.2.3. Subject to the conditions in the succeeding Section, the *Metering Services Provider* wishing to register in the WESM shall, at the time of its application, specify the market trading nodes or connection points for which it wishes to provide metering services for.

2.7.2.4. The following may not be registered as *Metering Services Providers* –

a) A *Generation Company* or *Customer* which is involved in the trading of energy may not be registered as a Metering Services Provider in respect to any market trading node assigned to it; or

b) A *Trading Participant* registered as a *Customer* as well as a *Network Services Provider* may not be registered as a Metering Services Provider in respect to any connection points that it owns.

2.7.3. **Network Services Providers**

2.7.3.1. All *Network Services Providers* shall register as *WESM member* and shall ensure continuing compliance with the following criteria and requirements –

a) It must comply with the membership criteria required of *Trading Participants*.

b) It must have the relevant franchise and/or certificate of public convenience and necessity to operate as network services provider.

2.7.3.2. *Distribution utilities* shall register in the WESM as both a *Network Services Provider* and as *Customer Trading Participant*.

2.7.4. **Procedures**

2.7.4.1. *The* application of a *distribution utility* as a *Network Services Provider* shall be considered and acted upon with its application to register as *Trading Participant*, and vice versa.

2.7.4.2. The *Market Operator* shall act on the application of service providers following the same procedures, to the extent applicable, and the timetable prescribed in this Manual for *Trading Participant* applications.

2.8. REGISTRATION OF INDIRECT WESM MEMBERS

2.8.1. A person or entity that wishes to be registered as an *Indirect WESM Member* must –

2.8.1.1. comply with the membership criteria set forth in this Manual for *Trading Participants*, except only for the requirement to satisfy prudential requirements; and

2.8.1.2. identify the *Direct WESM Member* that shall stand as its counterparty for its transactions in the WESM and shall, for this purpose, submit proof of agreement by the said *Direct WESM Member* to stand as counterparty and to transact on behalf of the *Applicant.*

2.8.2. The same considerations, procedures and timetable set forth in this Manual for the assessment and approval/disapproval of applications for registration of *Direct Members* and *Trading Participants* shall apply. Applicants whose applications are approved shall likewise comply with the conditions for effectivity of membership set forth for in the previous sections for *Trading Participants.*

2.9. CONTINUING COMPLIANCE

2.9.1. As condition to continuing membership in the *WESM*, all registered *WESM members* shall ensure their continuing compliance with the membership criteria and technical and commercial requirements set forth in the *WESM Rules* and this Manual.

2.9.2. To establish compliance with the foregoing criteria and requirements, the *Market Operator* may require the *Applicant to* submit such documents as it may deem appropriate or applicable, consistent with relevant laws, rules and regulations. Compliance with *prudential requirements* shall be pursuant to relevant provisions of the *WESM Rules* and market manuals.

2.9.3. If at anytime a registered *Trading Participant* ceases to comply with any or all of the foregoing membership criteria or requirements, it shall inform the *Market Operator* accordingly.[24] The *Market Operator* may also, from time to time require registered *WESM Members* to show proof of their continuing compliance with the foregoing criteria. Monitoring of compliance with *prudential requirements* shall likewise be subject to relevant provisions of the *WESM Rules* and relevant market manuals.

2.9.4. **Cessation of eligibility.** As soon as practicable after the *Market Operator* becomes aware that a *WESM member* no longer meets any one of the membership criteria or requirement, the *Market Operator* shall issue a suspension notice in respect to that *WESM member*.[25] The suspension shall continue until the *WESM member* is able to rectify or remedy the non-compliance or the defect to the satisfaction of the *Market Operator*. The *Market Operator* may, at its discretion, prescribe a period within which the non-compliance or defect is to be remedied. The failure of the *WESM member* to remedy or rectify the defect is a ground for deregistration. Suspension and deregistration shall be implemented in accordance with the conditions and procedures set forth in the *WESM Rules* and this Manual. Non-compliance with prudential requirements shall be governed by relevant provisions of the *WESM Rules* and relevant market manuals.

2.10. REGISTRATION OF INTENDING WESM MEMBERS

2.10.1. **Criteria**

A person or entity may be registered as *Intending WESM Member* if it has bona fide intent to commence an activity within reasonable timeframe that, once operational, would otherwise qualify or require it to be registered as *WESM member*. [26]

[24] WESM Rules clause 2.3.3.9
[25] WESM Rules clause 2.3.3.9
[26] WESM Rules clause 2.9.1

2.10.2. **Procedures for Application**

2.10.2.1. A written application as *Intending WESM member* shall be submitted to the *Market Operator*. The application shall clearly and sufficiently describe the activity which the *Applicant* intends to undertake.

2.10.2.2. Within five (5) calendar days from receipt of the application, the *Market Operator* shall advise the *Applicant* if it requires submission of additional information as would enable it to properly assess the application.

2.10.2.3. In case of failure of the *Applicant* to fully comply with the requirement to submit additional information, the *Market Operator* may consider the application as withdrawn. The *Applicant* may re-activate the application by submitting a new application.

2.10.2.4. The *Market Operator* may impose an application fee on the *Applicant* to defray the cost incurred in the assessment of the application and any of the information provided by the *Applicant*.

2.10.3. **Approval/Disapproval of Application**

2.10.3.1. **Basis.** The *Market Operator* shall approve the application if, on the basis of the submissions made by the *Applicant*, it determines that the *Applicant* meets the criteria for registration as *Intending WESM member.* Otherwise, it shall disapprove the application.

2.10.3.2. **Notice.** Within fifteen (15) calendar days from complete submission of the application and the additional information, the *Market Operator* shall issue to the *Applicant* the notice of approval or disapproval of the application. If the application is disapproved, the notice shall indicate the reasons for such disapproval.

2.10.4. **Continuing Compliance**

To maintain its registration, the *Intending WESM Member* may be required by the *Market Operator* to submit, from time to time, information and documents to show whether or not it continues to comply with the criteria required of *Intending WESM Members.*

2.10.5. **Cessation of Registration as Intending WESM Member**

2.10.5.1. If, based on submissions made by the *Intending WESM Member* and from other information made available to it, the *Market Operator* determines that the *Intending WESM member* no longer

meets the criteria, the *Market Operator* shall advise the former in writing that its registration as *Intending WESM member* shall accordingly cease. Cessation of registration shall take effect on the date stated in the notice.

2.10.5.2. If an *Intending WESM Member* wishes that its registration as such will cease, it shall notify the *Market Operator* in writing of its intention indicating the reason/s for the same and the date such cessation shall take effect. The cessation shall take effect on the date stated in the notice, or if no date is indicated, on the date the notice is received by the *Market Operator*.

2.10.6. **Rights and Obligations**

2.10.6.1. An *Intending WESM Member* is not considered to be a *WESM member*.[27]

2.10.6.2. An *Intending WESM Member* shall have the rights and obligations as set forth in the WESM Rules.[28]

2.11. PUBLICATION AND DISSEMINATION OF WESM REGISTRY LIST

2.11.1. The *Market Operator* shall publish in the *market information website* and keep current the following information -

2.11.1.1. List of registered *WESM members* and the categories in which they are registered
2.11.1.2. List of applicants and the details of the current applications to become *WESM members*
2.11.1.3. List of *Intending WESM members*
2.11.1.4. List of de-registered *WESM members*
2.11.1.5. List of suspended *WESM members*

2.11.2. The *Market Operator* shall likewise provide copies of such lists to the *ERC*, *DOE* and the *PEM Board* within a reasonable period from the time that these are updated.

[27] WESM Rules clause 2.2.4.3
[28] WESM Rules clause 2.9.5

III. POST-REGISTRATION TRANSACTIONS AND CHANGES

3.1. COVERAGE

This section establishes the requirements and procedures for implementing and approving, if necessary, changes in the registration and in the registered information of *WESM members.*

3.2. CHANGES IN MEMBER INFORMATION

3.2.1. A registered WESM Member shall notify the *Market Operator* in writing of any changes in the information it has provided in its original application.

3.2.2. Among other information, changes to the following must be notified to the *Market Operator* –

a) Corporate information, such as corporate name, addresses, telephone numbers and other contact details

Names and contact details of designated contact persons and authorized signatories, including specific persons authorized to be issued digital certificates

3.3. FACILITY-RELATED CHANGES

3.3.1. Registered Capacities

Changes in the registered capacities and ramp rates of a generating unit shall require confirmation by the *Market Operator* before such change can be considered in the *WESM* scheduling and dispatch processes.

3.3.1.1. The *Trading Participant* wishing to change the registered capacities and/or ramp rates of its generating unit/s shall make a request in writing to the *Market Operator*. Such changes shall be in accordance with either the latest Certificate of Compliance (COC).

3.3.1.2. Request for changes submitted by the *Trading Participant*, in connection with the registered capacities and/or ramp rates of its generating units shall be approved by the *Market Operator* on the basis of the latest Certificate of Compliance.

3.3.1.3. The *Market Operator* shall notify the *PEM Board, ERC* and *DOE* of any changes in the registered capacities and/or ramp rates of *generating units* in the *WESM*.

3.3.2. **Re-classification of generation units**

3.3.2.1. The *Trading Participant* under whom a generating unit is registered in the *WESM* may request for the reclassification of such unit (i.e., *scheduled*, *non-scheduled, must dispatch* or *priority dispatch*) by submitting to the *Market Operator* a request in writing supported by documents and information as would enable the *Market Operator* to evaluate the request.

3.3.2.2. The *Market Operator* shall approve the reclassification subject to the conditions set forth in *WESM Rules* section 2.3.1, and relevant prevailing rules, regulations and issuances, and in consultation with the *System Operator*.

3.3.2.3. The *Market Operator* shall send a written notice to the *WESM member* of the approval or disapproval of the reclassification. If approved, the reclassification shall be effective on the date stated in the notice of approval but not earlier than seven (7) calendar days from issuance of the notice of approval by the *Market Operator*.

3.3.2.4. In case of disapproval by the *Market Operator*, the *Trading Participant* may elevate the same to the *PEM Board* for resolution.

3.3.3. **Representation in the Market Network Model**

3.3.3.1. Changes in the manner of representation of any generating unit or customer facility in the *WESM Market Network Model* may be initiated by the *Trading Participant* transacting such facilities in *the WESM*.

3.3.3.2. The criteria and procedures for approval/disapproval, and effectivity of any change shall be as set forth in relevant market manuals governing changes to the *WESM Market Network Model.* [29]

3.3.3.3. In case of disapproval, the requesting *Trading Participant* may elevate the matter to the *PEM Board* for resolution or submit the matter as a dispute to the *Dispute Resolution Administrator* pursuant to Chapter 7 of the *WESM Rules* and relevant market manuals.

[29] *WESM Manual Market Network Model Development and Maintenance: Criteria and Procedures*

3.3.4. **Retirement of Facilities**

3.3.4.1. The *Trading Participant* whose facilities will be retired, mothballed, or otherwise will cease operations shall de-register said facilities by submitting written notice to the *Market Operator* no later than eight (8) *working days* prior to the date such facilities will cease operations.

3.3.4.2. The *Trading Participant* shall be responsible for causing the disconnection of such facilities from the grid.

3.3.4.3. The *Trading Participant* shall continue to be responsible for the settlement of all transactions (i.e., consumption or withdrawal of electricity) accounted for the de-registered facility until the latter is finally disconnected from the grid and no transactions are being recorded. Mere notice to the *Market Operator* of the cessation of the operations of the facilities will not relieve the *Trading Participant* from its obligations in the *WESM* in respect to said facilities.

3.3.4.4. If by reason of such cessation of operations, the *Trading Participant* shall likewise cease its registration from the *WESM* in any category in which it is registered, the requirements and procedures for cessation of registration set forth in this Manual shall apply instead of this Section.

3.3.5. **Transfer of Registration of Facilities**

3.3.5.1. A generation facility or unit or a customer facility registered under one *WESM Member* may be transferred to another person or entity that meets the criteria and qualifications to be registered as a *WESM Member* and *Trading Participant.*

3.3.5.2. If the transferee is already a registered *WESM Member* and *Trading Participant*, it shall amend its registration with the *Market Operator* to include the transferred facility. If the transferee is not yet registered as a *WESM Member* and *Trading Participant*, it shall register as such and shall comply with the criteria, requirements and procedures set forth in the *WESM Rules* and this Manual.

3.3.5.3. The transferor shall likewise amend its registration to remove the transferred facility from its registered portfolio. If by reason of the transfer, the transferor shall already cease its registration in the WESM, it shall comply with the requirements and procedures for cessation of membership.

3.3.5.4. The parties to the transfer shall submit a copy of the assignment or equivalent agreement to the *Market Operator*, together with the respective amended registration if applicable. If the transferee is not yet registered as a *WESM member,* the transfer shall become effective on the date of approval of the registration of the latter as a *WESM member.* If the transferee is already registered as a *WESM member,* the transfer shall be effective on the date to be notified by the *Market Operator* which shall not be earlier than seven (7) calendar days from receipt by the *Market Operator* of the amended registration from both the transferor and the transferee.

3.3.6. **New Generating Facility**

3.3.6.1. A registered *Generation Company* that has a new *generating system* and intends to trade the capacity of the new *generating system* through a separate *market trading node* shall register that *generating system* as new *facility.*

3.3.6.2. The registered *Generation Company* shall comply with the technical and commercial requirements under Section 2.5.3 and the procedures under Section 2.5.4 for the registration of its new *facility.*

3.3.6.3. The Market Operator shall assess and approve the request for the registration of new facility in accordance with the procedures under Sections 2.5.5, 2.5.6 and 2.5.7.

3.3.7. **New Load Facility**

3.3.7.1. A WESM Member that has a new load facility and intends to withdraw energy from the grid through a separate market trading node shall register that load facility with the Market Operator.

3.3.7.2. The WESM Member shall comply with the technical and commercial requirements under Section 2.5.3 for the registration of its new load facility.

3.3.7.3. In compliance with prudential requirements, a WESM Member shall, prior to energization, provide an additional security commensurate to the load profile of the new load facility.

3.3.7.4. The Market Operator shall assess and approve the request for the registration of a new load facility in accordance with the procedures under Sections 2.5.5, 2.5.6, and 2.5.7.

3.3.7.5. The Market Operator shall report to the Enforcement and Compliance Office any possible non-compliance to the requirement of Section 3.3.7 for its appropriate action.

3.4. CHANGE IN LEVEL OF PARTICIPATION AND CHANGE OF COUNTERPARTY OF INDIRECT WESM MEMBERS

3.4.1. A *Direct WESM member* that wishes to become an *Indirect WESM member* shall file a new application and be approved by the *Market Operator* as such in accordance with the requirements and procedures for *Indirect WESM members* set forth in this Manual.

3.4.2. An *Indirect WESM member* that wishes to become a *Direct WESM member* shall file a new application and be approved by the *Market Operator* as such in accordance with the requirements and procedures for *Direct WESM members* set forth in this Manual.

3.4.3. The change of the *Direct Member* counterparty of an *Indirect* Member may effected by any of the following means -

3.4.3.1. By joint notice to the *Market Operator* stating the effective date of the change by the following -

a) *Indirect WESM member*
b) New *Direct WESM member/Trading Participant* counterparty signifying its agreement to transact for and in behalf of the *Indirect WESM member,* and
c) Previous counterparty that it will no longer trade on behalf of the *Indirect Member.*

The change shall be effective on the date stated by the parties in the notice to the *Market Operator* or, if not stated, on the start of the immediately succeeding WESM billing month following receipt of the notice by the *Market Operator.*

3.4.3.2. By notice from the *Indirect WESM member* and the new *Direct WESM member* counterparty if the change is due to the deregistration, suspension or cessation of registration of the *Direct WESM* member counterparty. The change shall become effective not later than the effective date of the deregistration, suspension or cessation of *WESM* membership of its previous counterparty. If the party wishes that the change will take effect on an earlier date, the written confirmation of the change from the previous counterparty shall likewise be submitted.

3.4.3.3. By notice from the *Direct WESM member* counterparty if the *Indirect Member* has been or will be disconnected. The notice shall be accompanied by a confirmation from the relevant *Network Service Provider* that the *Indirect WESM member* is already disconnected from the transmission or distribution system or that it has received a request for such disconnection. In this case, the change shall take effect upon disconnection of the *Indirect WESM member.* Mere notice to the *Market Operator* will not relieve the *Direct WESM member* of its obligations to the WESM as counterparty.

3.4.3.4. In all cases, the notice to the *Market Operator* shall, as much as practicable, be made prior to the effectivity of the change or termination.

3.5. ENROLMENT AND DE-LISTING OF SUPPLY CUSTOMERS

3.5.1. Enrolment

3.5.1.1. *Trading Participants* that wish their transactions with their bilateral power supply contract customers (the "*supply customers*") to be accounted for in the *WESM* settlements shall notify and enroll such supply customers with the *Market Operator.*

3.5.1.2. The notice to the *Market Operator* shall include the following -

a) details on the duration of the supply contract,
b) desired effective date on which the bilateral contract transactions are to be accounted for in the WESM settlements. To the extent practicable, the effective date shall coincide with the start of a WESM billing month.
c) identification of the *Trading Participant* that shall be responsible for the payment of line rental trading amounts and for the net settlement surplus/deficit allocations,
d) copy of the supply contract; and
e) written confirmation by the supply customer of the notice and the foregoing information.

3.5.1.3. The *Market Operator* shall confirm by notice to the *Trading Participant* that the enrolled bilateral contract transactions shall be accounted for in the WESM settlements starting on the date stated on the notice submitted by the *Trading Participant* or on such other date as the *Market Operator* shall determine. The effectivity shall likewise be subject to compliance by the contract parties with relevant billing and

settlement procedures in the WESM, particularly the relevant protocols on bilateral contract quantity declarations (the "BCQ").

3.5.2. **De-Listing**

3.5.2.1. A *Trading Participant* that wishes to de-list a customer from its list of *supply customers* shall notify the *Market Operator* in writing prior to the effective date of the de-listing.

3.5.2.2. The *Market Operator* shall confirm by written notice to the *Trading Participant* the de-listing of the *supply customer*.

3.5.2.3. The effective date of the de-listing shall be the date stated in the notice submitted by the *Trading Participant* or on such other date as the *Market Operator* determines. To the extent practicable, the effective date shall coincide with the end of the succeeding WESM billing month after receipt by the *Market Operator* of the notice from the *Trading Participant* (i.e., 26th of the following calendar month).

3.5.2.4. The effectivity of the de-listing shall likewise be subject to the compliance by the parties with relevant billing and settlement procedures in the WESM. The effects of the de-listing shall be governed by relevant provisions of the WESM Rules and manuals.

3.5.2.5. If the reason for the de-listing is due to expiration or termination of the parties' supply contract or any other event that is also a ground for disconnection of the supply customer from the grid under prevailing laws, rules, regulations, issuances, or guidelines on disconnection, the *Trading Participant* shall be responsible for ensuring disconnection of the customer from the grid. In such case, the de-listing shall become effective upon actual disconnection of the customer. Mere notice of delisting shall not relieve the *Trading Participant* from relevant obligations in the *WESM*.

3.5.3. **Coverage and Application**

The requirements and procedures set forth in this Section shall apply only in cases where the *Trading Participant* is not transacting on behalf of an *Indirect WESM member* as its *Direct WESM member* counterpart. In the latter case, the requirements and procedures set forth in the previous Sections on Change in Level of Participation or Change of Counterparty shall apply.

IV - SUSPENSION OF WESM MEMBERS

4.1. COVERAGE

This section provides guidelines for the implementation of the suspension of *WESM members*.

The procedures in the succeeding sections relates to the process of suspension that cover the issuance of a notification to suspend the market participant, the publication of notice and the voiding of suspension after the cause for suspension is rectified.

The grounds and procedures for declaration of default and the issuance of a margin call are provided for in the WESM Rules and other relevant market manuals and are not covered by this Manual.

4.2. GROUNDS FOR SUSPENSION

A *WESM member* may be suspended from participating in the WESM due to any of the following events -

4.2.1. **Declaration of default**

The *WESM member* is declared by the *Market Operator* to be in default upon its determination that any of the events of default as defined in WESM Rules clause 3.14.11.1 has occurred, and any of the following conditions are present -

4.2.1.1. If the Market Operator considers that the default event is not capable of remedy; or

4.2.1.2. The default event is not remedied within twenty-four (24) hours of the issuance of the Default Notice or any later deadline agreed to in writing by the *Market Operator*; or

4.2.1.3. The Market Operator receives notice that the *WESM member* is not likely to remedy the default.

4.2.2. **Failure to satisfy margin call**

The *Market Operator* has issued a margin call to the *WESM member* and that *WESM member* fails to satisfy the margin call pursuant to Chapter 3 of the *WESM Rules* and relevant market manuals.

4.2.3. **Non-compliance with the membership criteria or requirement**

The *Market Operator* has determined that the *WESM member* is no longer compliant with any one or all of the criteria and requirements for continuing membership in the *WESM* and is incapable of rectifying the defect or fails to rectify the defect despite notice from *the Market Operator.*

4.2.4. **Breach of the *WESM Rules* and Market Manuals**

The *WESM Member* was issued a notice of suspension by the *PEM Board* for breach of the *WESM Rules* or market manuals. The procedure for the investigation of an alleged breach and/or the manner of the issuance of such notice of suspension shall be governed by applicable protocols, the *WESM Rules* and relevant market manuals.

4.2.5. **Suspension from Trading in the WESM/Disconnection from the Grid**

The *WESM member* has been temporarily suspended from participation in the WESM or disconnected from the transmission or distribution system. Where the suspension from trading or disconnection is permanent, the requirements and procedures for deregistration shall apply. For this purpose, suspension or disconnection is considered as temporary if it is specified to be implemented only for a limited period or until fulfillment of any condition by the *WESM member*.

4.3. ISSUANCE OF NOTICE OF SUSPENSION

4.3.1. Where the suspension is at the instance of the *Market Operator* due to declaration of default, failure to satisfy a margin call or non-compliance with the membership criteria or other membership requirement, the Notice of Suspension shall be issued in the following manner -

4.3.1.1. Within a reasonable period after occurrence of any of the foregoing grounds, the *Market Operator* shall issue a written Notice of Suspension to the *WESM member*. The suspension notice shall be published in the *Market Information Website* and in a newspaper of general circulation.

4.3.1.2. The Notice of Suspension shall contain the reason for the suspension and the date the suspension shall take effect, which shall not be earlier than seven (7) days from issuance of the notice or from receipt by the *WESM member*.

4.3.2. Where the suspension is due to breach of the *WESM Rules* or market manuals; or upon the issuance of a notice of suspension by the *PEM Board*, the issuance of the notice of suspension shall be in accordance with the relevant protocols, the *WESM Rules* or relevant market manuals.

4.3.3. Where the temporary suspension or disconnection from the grid is by lawful orders of competent government agencies, the *Market Operator* shall issue the notice of suspension within a reasonable period from its receipt of the relevant writs, orders or directives from the concerned agency. The suspension shall take effect on the date stated in the relevant writ, order or directive. If not stated, it shall take effect not later than seven (7) days from issuance of the Notice of Suspension.

4.4. EFFECTS OF SUSPENSION

4.4.1. From the time of the issuance of the Notice of Suspension until such time the suspension is revoked, the suspended *WESM member* is ineligible to participate in the WESM. As such, the suspended *WESM member* shall be disconnected from the transmission or distribution system to which its facilities are connected. If the suspended *WESM member* is a *Wholesale Aggregator* or a *Retail Electricity Supplier*, the *Indirect WESM member* for whom it transacts in the *WESM* shall likewise be suspended from trading in the *WESM* and shall be disconnected from the transmission or distribution system, unless the latter complies with the conditions set forth in Chapter II. Clause 3.7 of this Manual.

4.4.2. If the suspension is made at the instance of the *Market Operator* for the causes stated in the foregoing Section 2.1 to 2.3, the *Market Operator* shall cause the disconnection of the suspended *WESM member* in accordance with prevailing rules and regulations on disconnection.

4.4.3. Notwithstanding its suspension and/or disconnection, the suspended *WESM member* shall continue to be liable for any and all of its outstanding obligations to the *Market Operator* and for all its transactions in the *WESM*.

4.5. REVOCATION OF SUSPENSION

4.5.1. The Notice of Suspension shall be revoked if the following conditions occur –

4.5.1.1. The *WESM member* has remedied the default event, or satisfied the margin call or has complied with the membership criteria or requirement that gave rise to its suspension.

4.5.1.2. The suspension is due to other causes and the suspension of the *WESM member* has been lifted.

4.5.1.3. In any of the foregoing cases, there are no other circumstances which would entitle the *Market Operator* to issue another suspension notice.

4.5.2. The *Market Operator* shall issue to the *WESM Member* the Notice of Revocation of Suspension stating the reason for revocation. The notices shall be published in the *Market Information Website* and in a newspaper of general circulation.

4.5.3. If the suspension was at the instance of the *Market Operator* due to occurrence of default event, failure to satisfy margin call or non-compliance with membership criteria or requirement, the *Market Operator* shall likewise issue the Notice of Reconnection and shall cause the re-connection of the *WESM member* to the grid, in accordance with prevailing rules and regulations on reconnection. In such case, the revocation of the suspension shall take effect on the date the *WESM member* is successfully re-connected to the grid. If, for whatever reason, the *WESM member* was not actually disconnected from the grid, the revocation shall take effect on the date of issuance of the Notice of Revocation by the *Market Operator*.

4.5.4. If the suspension was for breach of the *WESM Rules* or market manuals or upon issuance of a Notice of Suspension by the *PEM Board*, the *Market Operator* shall likewise issue the Notice of Reconnection, upon the directive of the *PEM Board*, and shall cause the re-connection of the *WESM member* to the grid, in accordance with prevailing rules and regulations on reconnection. In such case, the revocation of the suspension shall take effect on the date the *WESM member* is successfully re-connected to the grid. If, for whatever reason, the *WESM member* was not actually disconnected from the grid, the revocation shall take effect on the date of issuance of the Notice of Revocation by the *Market Operator*.

4.5.5. If the suspension was due to suspension from trading in the WESM or disconnection from the grid at the instance of other parties the revocation shall take effect on the date the *WESM member* is actually reconnected to the grid. If, for whatever reason, the *WESM member* was not actually disconnected from the grid, the revocation shall take effect on the date of issuance of the Notice of Revocation by the *Market Operator*.

V - DE-REGISTRATION AND CESSATION OF REGISTRATION

5.1. COVERAGE

This section covers the grounds and procedures for de-registration and cessation of membership, as well as the requirements and procedures for re-registration of de-registered entities. This section also establishes the procedures for implementation of the disconnection of de-registered members from the grid.

5.2. CESSATION OF REGISTRATION

5.2.1. Requirements for Cessation of Registration/ Notice to the Market Operator

5.2.1.1. A *WESM member* wishing to cease to be registered in any one or more of the categories in which it is registered shall notify the *Market Operator* in writing.[30]

5.2.1.2. The notice to be given shall be in the form required by the *Market Operator* and shall, among other things, specify[31] -

a) The date on which it wishes to cease to be registered, which date shall not be less than thirty (30) business days after the date on which the *WESM member* sends the notice; and

b) The category or categories in which the *WESM member* no longer wishes to be registered.

5.2.1.3. If the *WESM member* wishes to cease to be registered as a *Trading Participant* as a result of the retirement or closure of its generation or customer facilities that are injecting or withdrawing power from the grid, it shall likewise cause the disconnection of such facilities from the transmission or distribution system to which these are connected. The notice to be submitted to the *Market Operator* shall be accompanied by proof of such disconnection.

5.2.1.4. If the *WESM member* wishes to cease to be registered because of the transfer of its facilities to another person or entity, the requirements on transfer of facilities shall likewise apply.

[30] WESM Rules clause 2.6.1
[31] WESM Rules clause 2.6.2

5.2.2. **Date/Effectivity of Cessation of Registration**

The cessation shall be effective on the date stated in the notice submitted by the *WESM member* or on such other date as may be notified by the *Market Operator* which shall not be less than thirty (30) business days from the date the notice was sent by the *WESM member.*

5.2.3. **Issuance and Publication of Notice of Cessation**

5.2.3.1. Immediately upon receipt of the notice from the *WESM member*, the *Market Operator* shall issue a Notice of Cessation to all *WESM members* stating the cessation of registration of *WESM member*, the category in which it ceases its registration, and the effective date of cessation.

5.2.3.2. The *Market Operator* shall update the membership list published in the market information website and shall furnish copies of the updated list to the *ERC, DOE* and the *PEM Board.*

5.2.4. **Effect of Cessation of Registration**

5.2.4.1. Upon issuance of the notice of cessation by the *Market Operator* and on the effective date, the *WESM member* shall cease to be registered in the relevant category stated in the notice and shall cease all activities relevant to that category. If it ceases to be registered as a *Trading Participant*, it shall then cease trading in the spot market.

5.2.4.2. Notwithstanding cessation of registration, all outstanding obligations and liabilities to the WESM or to any other person, including financial liabilities and obligations which arose under the WESM Rules, of the *WESM member* shall remain valid and subsisting until fully settled.

5.2.4.3. If the cessation of registration is due to retirement or closure of facilities and such facilities are not yet disconnected from the transmission or distribution system to which they are connected, the *Market Operator* may direct the *WESM member* to cause the disconnection or cause the disconnection itself. If the latter, the procedures set forth in this Manual on disconnection by the *Market Operator* shall apply.

5.2.4.4. If the *WESM member* wishes to register anew for the same category for which it ceased registration, it shall submit a new application and shall comply with the relevant registration requirements and procedures.

5.3. GROUNDS FOR DEREGISTRATION

5.3.1. WESM Members

A WESM Member may be deregistered under any of the following circumstances:

5.3.1.1. The *Market Operator* has issued a suspension notice to a *WESM member* due to any of the following:

a) Default event; or
b) Failure by the *WESM member* to continue to satisfy the prudential requirements

and in the *Market Operator's* reasonable opinion the *WESM member* is incapable of rectifying that failure for any reason.[32]

5.3.1.2. The *WESM Member* was found to be in breach of the *WESM Rules* and/or any market manuals and, as a consequence, is to be deregistered pursuant to the provisions of relevant market manuals or the resolutions of the *PEM Board.*[33]

5.3.1.3. The WESM Member has been found to be in breach on a persistent basis, and as a consequence, is to be deregistered in accordance with relevant market manuals.[34]

5.3.1.4. The WESM Member was issued a Notice of Suspension due to the loss of some or all of the criteria or non-compliance with any requirement for membership specified under the WESM Rules and this Manual, and the *Market Operator* determines that the *WESM member* is incapable for rectifying the defect or has failed to rectify the defect despite notice.

5.3.1.5. The *WESM Member* was given a notice or order of disconnection pursuant to prevailing rules and regulations on disconnection at the instance of parties other than the *Market Operator* and has been physically disconnected from the Grid.

[32] WESM Rules 3.15.7.6
[33] Please refer to the Market Surveillance, Compliance and Enforcement Manual
[34] Please refer to the Market Surveillance, Compliance and Enforcement Manual

5.3.2. For a Metering Service Provider

5.3.2.1. In addition to the grounds stated in the foregoing Section, a registered *Metering Services Provider* may be deregistered from the WESM if it has been determined that the *Metering Services Provider* has –

a) Committed an unethical act or behavior.

b) Materially breached the WESM Rules, and remains in breach for a period of more than seven (7) business days after receipt of notice of breach from the *Market Operator*.

5.3.2.2. The manner by which the *Market Operator* or the relevant WESM governance unit makes a determination of the occurrence of the foregoing shall be governed by relevant provisions of the *WESM Rules* and other relevant market manuals.

5.4. PROCEDURES FOR DEREGISTRATION

5.4.1. Initiation of Deregistration Procedures

The deregistration procedures set forth in this Manual may be initiated upon occurrence of any of the following –

5.4.1.1. Submission by the *Market Operator* to the *PEM Board* of its report that a suspended *WESM Member* is (a) incapable of rectifying the default event for any reason; or (b) incapable of satisfying the prudential requirements.

5.4.1.2. Submission by the *Market Operator* of a report to the *PEM Board* that a *WESM member* is no longer eligible to be registered as such due to loss of any one or all of the criteria and requirements for membership as set forth in the *WESM Rules* and this Manual and that the *WESM member* is incapable of rectifying the same despite notice from the *Market Operator*.

5.4.1.3. For *WESM Members* that breach the *WESM Rules* and/or the market manuals, the issuance by the *PEM Board* of its decision or resolution approving the imposition of deregistration as penalty for the breach[35]

5.4.1.4. For *WESM Members* that have been disconnected from the grid at the instance of parties other than the *Market Operator* pursuant to

[35] Market Surveillance, Compliance and Enforcement Manual

prevailing rules and regulations on disconnection, upon receipt by the *Market Operator* of a copy of the order or notice of disconnection and the report from the relevant *Network Service Provider* confirming that the *WESM member* has actually been disconnected from the grid.

5.4.1.5. For the *Metering Service Provider*, upon submission by the *Market Operator* or the relevant *WESM* governance unit to the *PEM Board* of its report that said *Metering Services Provider* -

a) Has committed material breach and that it failed to remedy the breach within seven (7) business days after notice of the breach; or

b) Has committed unethical act or behavior.

5.4.2. **Issuance of Notices of De-Registration and Disconnection**

5.4.2.1. Within five (5) *working days* from receipt or submission of the document/s specified in the foregoing section, the *Market Operator* shall issue a Deregistration Notice to the *WESM Member* or the *Metering Services Provider* sought to be deregistered. The Deregistration Notice shall be in writing and shall include the ground/s for deregistration; date of effectivity of the deregistration; and notice that the WESM Member subject to deregistration shall still be liable for its outstanding obligations to the WESM.

5.4.2.2. If the *WESM member* is a *Generation Company* or a *Customer* with facilities connected to the grid and is being de-registered pursuant to the WESM Rules or market manuals, the *Market Operator* shall simultaneously issue a notice of disconnection to the *WESM Member* to be deregistered and a request for disconnection to the *National Grid Corporation of the Philippines (*the "*NGCP")* or relevant *Network Service Provider*. The issuance of the notice and request for disconnection shall be in accordance with prevailing rules and regulations on disconnection.

5.4.2.3. A copy of the Deregistration Notice, together with the notice of and request for disconnection if applicable, shall be furnished to the ERC, the *Department of Energy* (the "*DOE*"), the *National Grid Corporation of the Philippines (NGCP)* or relevant *Network Service Provider* and, in applicable cases, the person or entity that caused the disconnection of the de-registered *WESM member*.

5.4.2.4. Immediately following the issuance of a Deregistration Notice, the *Market Operator* shall cause the publication in the Market Information

Website and in a newspaper of general circulation of a notice to the effect that the rights of the WESM Member to participate in the WESM have been revoked and its effective date.

5.5. EFFECTIVITY OF DEREGISTRATION

Deregistration of a WESM Member shall be effective on the date specified in the Deregistration Notice or the date of receipt of the Deregistration Notice by the *WESM member* concerned, whichever is later. For the avoidance of any doubt, mere notice or application for deregistration with the *Market Operator* shall not immediately terminate the WESM Member's obligations to the WESM.

5.6. EFFECTS OF DEREGISTRATION

5.6.1. All the rights granted to a *WESM Member*, including trading in the spot market or provision of metering services, shall be immediately terminated upon the effectivity of the deregistration. The effects of the deregistration of a *Metering Services Provider* shall be subject to prevailing rules and regulations governing metering services and metering services providers.

5.6.2. Deregistration shall also result in the disconnection of the relevant generation or customer facilities from the transmission or distribution system under the following circumstances -

5.6.2.1. The *WESM member* was deregistered as a *Generation Company* or *Customer;* or

5.6.2.2. If the deregistered *WESM member* is a *Wholesale Aggregator* or a *Retail Electricity Supplier* acting as a *Direct WESM Member* counterparty to an *Indirect WESM member* and the latter does not comply with the requirements in Chapter II, Section 3.7 of this Manual, the facilities of the *Indirect WESM member* shall be disconnected.

5.6.2.3. The disconnection will be carried out notwithstanding registration in another WESM membership category. The *Market Operator*, the *PEM Board* or any person or entity that caused the deregistration shall not be liable for any consequence of the disconnection on the deregistered person or entity's other membership.

5.6.3. Notwithstanding the deregistration and disconnection, all outstanding obligations and liabilities to the WESM or to any other person, including financial liabilities and obligations which arose under the WESM Rules, of the deregistered WESM Member shall remain valid and subsisting until fully settled.

5.6.4. The *WESM members* served by a deregistered *Metering Services Provider* shall secure the services of another registered *Metering Services Provider.*

5.7. RE-REGISTRATION

5.7.1. Prescriptive Period

The prescriptive period within the context of deregistration shall refer to the period when the deregistered WESM Member shall not be allowed to re-register with the spot market.

5.7.2. Requirements for Re-registration

5.7.2.1. A person or entity that has been deregistered may apply for registration in the *WESM* under the following conditions –

a) If the deregistration is due to occurrence of a default event or failure to comply with prudential requirements, after it has settled all its obligations in the *WESM* and has remedied the default to the satisfaction of the *Market Operator*.

b) If the de-registration is due to cessation of eligibility or loss of non-compliance with membership criteria and requirements, until it has demonstrated to the *Market Operator* that it is eligible to be registered as a *WESM member*.

c) If the deregistration is a consequence of a breach of the *WESM Rules* or manuals, after a period of six (6) months from deregistration and until it has demonstrated, to the satisfaction of the Market Operator, that the infraction will not occur again in accordance with relevant market manuals,[36] or on such other period or upon other conditions as set forth in relevant market manuals or in the directive or resolution issued by the *PEM Board* on the deregistration.

d) If the deregistration is due to disconnection from the grid at the instance of parties other than the *Market Operator,* upon receipt by the *Market Operator* of the notice of re-connection and confirmation from the NGCP or the relevant *Network Service Provider* that the person or entity has in fact been re-connected from the grid, and the *Market Operator* determines that there is no other event that shall give reason to the disconnection and/or deregistration of the said person or entity.

[36] Market Surveillance, Compliance and Enforcement Manual

5.7.2.2. Any deregistered WESM Member shall not be allowed to re-register until and unless it has settled all its outstanding obligations and liabilities in the WESM.

5.7.3. **Re-registration Procedures**

5.7.3.1. Re-registration shall be accomplished as follows -

a) Those deregistered as a consequence of disconnection from the grid at the instance of parties other than the *Market Operator* shall submit to the *Market Operator* a written intention to resume registration in the WESM accompanied by the notice or order of reconnection and confirmation from the NGCP or relevant *Network Service Provider* that it has been in fact reconnected to the grid. The *Market Operator* may require additional documents or information.

b) Those deregistered as a consequence of a breach of the *WESM Rules* and/or manuals shall submit a new application for registration in the *WESM* in accordance with the WESM Rules and this manual and shall comply with notices and other requirements set forth in other relevant market manuals.[37]

c) Those deregistered for all other reasons shall submit a new application in accordance with the WESM Rules and this Manual.

5.7.3.2. For applications under the foregoing Section 7.3.1 (a), the *Market Operator* shall issue a written confirmation of re-registration to the re-registered *WESM Member* after it determines that the *WESM Member* has sufficiently complied with the requirements set forth above. The re-registration shall take effect on the date the *WESM Member* is actually reconnected to the grid.

5.7.3.3. Applications under the foregoing Sections 7.3.1 (b) and (c) shall be treated as new applications and shall be evaluated pursuant to the requirements and procedures set forth in the *WESM Rules* and this Manual for new registration applications. Additionally, applicants under Section 7.3.1 (c) shall comply with additional conditions set by the *PEM Board* in accordance with relevant market manuals.[38] Upon approval of the registration, the *Market Operator* shall issue, together with the notice of approval of registration, a notice of reconnection to the *WESM member* as well as a request for reconnection directed to the NGCP or

[37] Market Surveillance, Compliance and Enforcement Manual
[38] Market Surveillance, Compliance and Enforcement Manual

the relevant *Network Service Provider*. The registration shall take effect on the date the *WESM member* is actually reconnected to the grid.

5.7.3.4. Copies of the confirmation of re-registration or notices of approval of registration and reconnection notice and request shall be furnished to the *ERC*, *DOE*, and the *PEM Board*, and shall be published in the *Market Information Website*.

APPENDIX A - GLOSSARY OF TERMS

Term	Definition
Applicant	A person or entity eligible to register as a WESM Member and who has submitted or intends to submit the requisite application to the *Market Operator*.
Business day	Refers to regular banking days
Day	Refers to calendar days
Certificate of Compliance	Certificate issued by the Energy Regulatory Commission to generation companies or facilities authorizing and setting conditions for the operations of the generation companies or facilities
IPP Administrator or IPPA	Qualified independent entities appointed by the Power Sector Assets and Liabilities Management Corporation who shall administer, conserve and manage the contracted energy output of the National Power Corporation Independent Power Producer (NPC-IPP) contracts pursuant to Republic Act No. 9136, including selling the contracted energy output of these contracts and offering ancillary services, where applicable.[39]
Market Management System	The infrastructure which is composed of software, hardware and associated interfaces that support the operations of the WESM and which is operated by the Market Operator
Maximum Stable Load or Pmax	The maximum demand in MW that a generating unit or generating block or module in the case of a combined cycle power plant, can reliably sustain for an indefinite period of time, based on the generator capability tests.[40] Also the registered maximum capacity.
Minimum Stable Load or Pmin	The minimum demand in MW that a generating unit, or a generating block or module in the case of combined cycle power plant, can reliably sustain for an indefinite period of time, based on generator capability tests.[41] Also the registered minimum capacity.

[39] This definition is taken from Republic Act No. 9136, Section 4 (bb); and *Revised Rules for the Issuance of Certificate of Compliance (COCs) for Generation Companies/Facilities*, Section 4 (r) issued by the Energy Regulatory Commission in ERC Resolution No. 9, Series of 2010).
[40] This definition is taken from *Revised Rules for the Issuance of Certificate of Compliance (COCs) for Generation Companies/Facilities*, Section 4 (ERC Resolution No. 9, Series of 2010).
[41] This definition is taken from *Revised Rules for the Issuance of Certificate of Compliance (COCs) for Generation Companies/Facilities*, Section 4 (ERC Resolution No. 9, Series of 2010)

Term	Definition
National Grid Corporation of the Philippines or NGCP	The corporate vehicle of the consortium which was awarded the concession to assume the transmission functions of the National Transmission Corporation.
Power Sector Assets and Liabilities Management Corporation or PSALM	The corporation created pursuant to Section 49 of Republic Act No. 9136
Ramp Down Rate	The normal rate that a generating unit reduces it power output, expressed in MW per minute[42]
Ramp Up Rate	The normal rate that a generating unit increases its power output, expressed in MW per minute[43]
Registered Capacity	The prevailing Maximum Stable Load or Pmax and the Minimum Stable Load or Pmin of a generating unit or aggregate generating units as registered with the Market Operator or subsequent changes confirmed and implemented by the Market Operator. The Pmax shall be the registered maximum capacity while the Pmin shall be the minimum registered capacity.
Supply Customer	Customers connected to the grid that are being supplied electricity by Generation Companies or Wholesale Aggregators under any power supply agreement or contract
WESM manual or market manual	Manuals, guidelines or procedures duly approved by the PEM Board to be applied in the operations of the WESM.
Wholesale Aggregator	Any person or entity, other than a Generation Company issued a Certificate of Registration by the ERC to sell electricity to Distribution Utilities[44]

[42] This definition is taken from *Revised Rules for the Issuance of Certificate of Compliance (COCs) for Generation Companies/Facilities*, Section 4 (ERC Resolution No. 9, Series of 2010)
[43] This definition is taken from *Revised Rules for the Issuance of Certificate of Compliance (COCs) for Generation Companies/Facilities*, Section 4 (ERC Resolution No. 9, Series of 2010)
[44] This definition is taken from *Rules for the Registration of Wholesale Aggregators*, Section 5 (ERC Resolution No. 23, Series of 2006)