

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

RESOLUTION NO. 08, SERIES OF 2021

**A RESOLUTION ADOPTING THE RULES FOR THE GREEN
ENERGY OPTION PROGRAM (GEOP)**

WHEREAS, Section 2 of Republic Act No. 9136, entitled “An Act Ordaining Reforms in the Electric Power Industry, Amending for the Purpose Certain Laws and for Other Purposes,” otherwise known as the “Electric Power Industry Reform Act of 2001” (EPIRA), declares that it is the policy of the state to ensure socially and environmentally compatible energy resources and infrastructure, and promote the utilization of indigenous, new and Renewable Energy (RE) resources in the power generation in order to reduce dependence on imported energy;

WHEREAS, in addition thereto, Section 2 of Republic Act No. 9513, entitled “An Act Promoting the Development, Utilization, and Commercialization of Renewable Energy Resources and for Other Purposes,” otherwise known as the “Renewable Energy Act of 2008” (RE Act), declares that it is the policy of the state to increase the utilization of RE by institutionalizing the development of national and local capabilities in the use of RE Systems, and promoting its efficient and cost-effective commercial application by providing fiscal and non-fiscal incentives;

WHEREAS, Section 9 of the RE Act mandates the establishment of a Green Energy Option Program (GEOP) which provides end-users the option to choose RE resources as their sources of energy;

WHEREAS, the GEOP will allow stakeholders in the electric power industry to contribute to the development and utilization of clean energy, particularly, renewable energy in the country;

WHEREAS, Section 6, Rule II of the Implementing Rules and Regulations (IRR) of the RE Act mandates the Energy Regulatory Commission (ERC) to issue the necessary regulatory framework to operationalize the GEOP;

WHEREAS, on 18 July 2018, the Department of Energy (DOE) issued Department Circular No. 2018-07-0019 entitled “Promulgating the Rules and Guidelines Governing the establishment of the Green Energy Option Program Pursuant to the Renewable Energy Act of 2008” (DC 2018-07-0019);

WHEREAS, Section 15(e) of DC 2018-07-0019 provides that the ERC shall issue the necessary regulatory framework particularly in setting the technical and interconnection standards and wheeling fees, to achieve the objectives of the GEOP;

WHEREAS, on 23 November 2020, the Commission approved, for posting on its official website www.erc.gov.ph, the draft “*Resolution Adopting the Green Energy Option Program (GEOP) Rules*,” together with its annexes under ERC Case No. 2020-005 RM;

WHEREAS, on 24 November 2020, the Commission issued a *Notice* directing all interested parties to submit their comments on the draft GEOP Rules on or before 03 December 2020, and setting the virtual public consultations on 7 & 8 December 2020 via MS Teams or Zoom;

WHEREAS, in view of the declaration of 08 December 2020 as a special non-working holiday pursuant to Republic Act 10966 to commemorate the “Feast of the Immaculate Conception of Mary, the principal patroness of the Philippines,” the Commission issued a Supplemental Notice on 03 December 2020, setting the new dates for virtual public consultations on 7 & 9 December 2020 via MS Teams or Zoom;

WHEREAS, in response to the Notice dated 24 November 2020, the following stakeholders submitted their comments on the proposed Rules: (1) Aboitiz Power; (2) AC Energy; (3) Cagayan Electric Power & Light Company, Inc. (CEPALCO); (4) First Gen (FGEN)

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Power Economics; (5) Independent Electricity Market of the Philippines (IEMOP); (6) Manila Electric Company (MERALCO); (7) Mindanao Energy Systems, Inc. (MINERGY); (8) Philippine Electricity Market Corporation (PEMC); (9) Shell Energy Philippines, Inc. (SEPH); (10) SN Aboitiz Power Group (SNAP); and (11) Tarlac Electric, Inc. (TEI);

WHEREAS, on 7 and 9 December 2021, the Commission conducted virtual Public Consultations on the draft GEOP Rules;

WHEREAS, during the virtual public consultations, stakeholders were instructed to submit, in writing, their comments on the draft GEOP Rules and its annexes on or before 11 December 2020;

WHEREAS, the following stakeholders submitted their comments on the draft Rules before the set deadline: (1) Department of Energy (DOE); (2) National Grid Corporation of the Philippines (NGCP); (3) SOLVRE Retail Electricity Supplier; (4) First Gen (FGEN) Power Economics; and (5) Allotrope Partners;

WHEREAS, after thorough and due deliberation, and after careful consideration of the various views and comments submitted by stakeholders, and those made during public consultations, the Commission, on 22 April 2021, approved the Green Energy Option Program Rules (GEOP Rules);

NOW, THEREFORE, the Commission hereby **RESOLVES** to **APPROVE** and **ADOPT** the **Green Energy Option Program Rules (GEOP Rules)**, hereto attached as **Annexes A, B-1, B-2, C-1, and C-2**, and made an integral part hereof, *to wit*:

1. Annex A – Rules for the Green Energy Option Program;
2. Annex B-1 – Connection Agreement Template;
3. Annex B-2 – Transmission Service Agreement Template;
4. Annex C-1 – Distribution Wheeling Service Agreement between the Distribution Utility and RE Supplier Template; and

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5. Annex C-2 – Distribution Wheeling Service Agreement between the Distribution Utility and GEOP End-User Template;

This Resolution shall take effect fifteen (15) days following its publication in a newspaper of general circulation in the country.

Let copies of this Resolution be furnished the University of the Philippines Law Center – Office of the National Administrative Register (UPLC-ONAR), the Department of Energy, and all parties concerned.

Pasig City, 22 April 2021.




AGNES VST DEVANADERA
Chairperson and CEO


ALEXIS M. LUMBATAN
Commissioner


CATHERINE P. MACEDA
Commissioner


FLORESINDA G. BALDO-DIGAL
Commissioner


MARKO ROMEO L. FUENTES
Commissioner