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PROPOSED AMENDMENTS TO THE RETAIL RULES AND MANUALS (HARMONIZATION WITH ERC RESOLUTION NO. 13, SERIES OF 2024)

Rules Change Committee Meeting

15 August 2025 | MS Teams



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01 BACKGROUND



BACKGROUND

Date of publication: 6 September 2024
Effectivity date: 6 September 2024
Transitory Period: 5 November 2024 (60 days from effectivity date)

Immediately effective provisions:

Module D: Participation of Eligible End-users under the Customer Choice Programs;

Module K: Reversion of a Retail Customer to the Captive Market;

Module L: Code of Conduct for Retail Market Participants; and

Module M: Magna Carta for Retail Customers.



Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

RESOLUTION NO. 13, SERIES OF 2024

A RESOLUTION ADOPTING THE OMNIBUS RULES FOR CUSTOMER CHOICE PROGRAMS IN THE RETAIL MARKET

WHEREAS, pursuant to Sections 2 and 43 of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA) and its Implementing Rules and Regulations (IRR), the Energy Regulatory Commission (ERC) is mandated to promulgate rules and regulations, and perform regulatory functions appropriate and necessary to ensure the successful restructuring of the Philippine Electric Power Industry;

WHEREAS, Section 31 of the EPIRA and Section 1, Rule 12 of its IRR, mandate the implementation of Retail Competition and Open Access (RCOA);

WHEREAS, in 2013, the ERC implemented Phase I of RCOA in Luzon and Visayas, upon meeting all the conditions set forth by the EPIRA, allowing electricity End-users with at least one megawatt (1MW) average monthly peak demand to be a Contestable Customer;

WHEREAS, the EPIRA envisions that the threshold level for the contestable market shall be gradually reduced and eventually reach household demand level;

WHEREAS, the ERC issued Resolution No. 12, Series of 2020 titled, *Providing Policies on the Implementation of Retail Competition and Open Access (RCOA) for Contestable Customers in the Philippines Electric Power Industry*, expanded the coverage of RCOA to include End-users with an average monthly peak demand of at least 500kW;

WHEREAS, Section 9 of the Republic Act No. 9513 or the Renewable Energy Act of 2008 (RE Law), mandates the establishment of the Green Energy Option Program (GEOP) which provides End-users the option to choose renewable energy resources as their sources of energy;

WHEREAS, Section 6, Rule II of the IRR of the RE Law and Section 15(e) of Department of Energy (DOE) Department Circular No. (DC) 2018-07-0019 titled, *Promulgating the Rules and Guidelines Governing the Establishment of the Green Energy Option Program*, mandated the ERC to issue the necessary regulatory framework to operationalize the GEOP;

WHEREAS, the ERC issued Resolution No. 08, Series of 2021, titled, *A Resolution Adopting the Rules for the Green Energy Option Program*, providing detailed guidelines on GEOP implementation;

WHEREAS, on 02 March 2021, the Supreme Court in its *Decision* on the three (3) consolidated petitions under G.R. Nos. 228588, 229143, and 229453, directed the ERC to promulgate the supporting guidelines to Department Circulars No. DC2017-12-0013 and DC2017-12-0014, and likewise voided the following ERC Resolutions: (1) Resolution No. 05, Series of 2016, titled, *A Resolution Adopting the 2016 Rules Governing the Issuance*

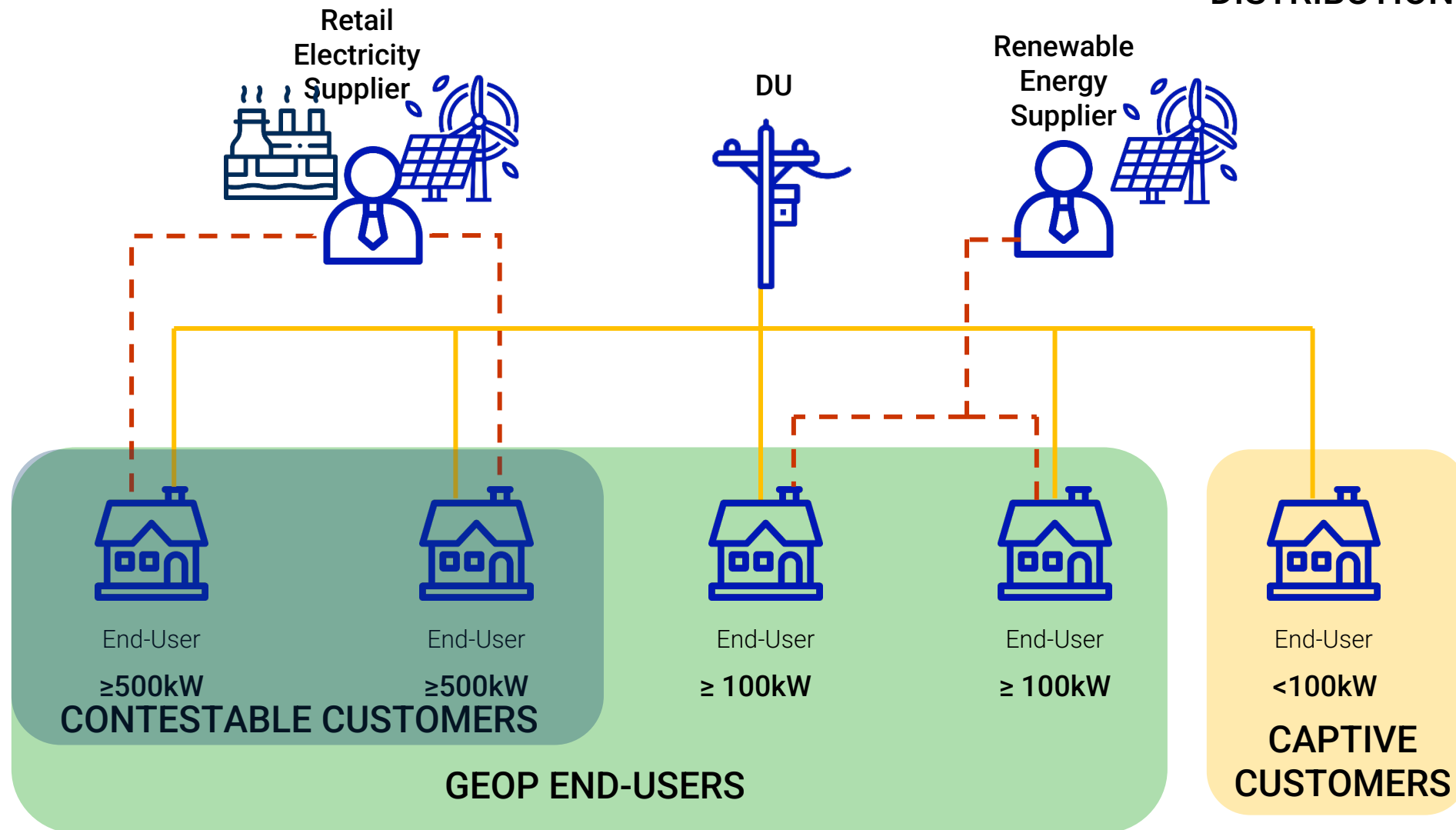
02 OVERVIEW ON THE OMNIBUS RULES



BEFORE OMNIBUS RULES

RCOA
+
GEOP

--- SUPPLY
— DISTRIBUTION

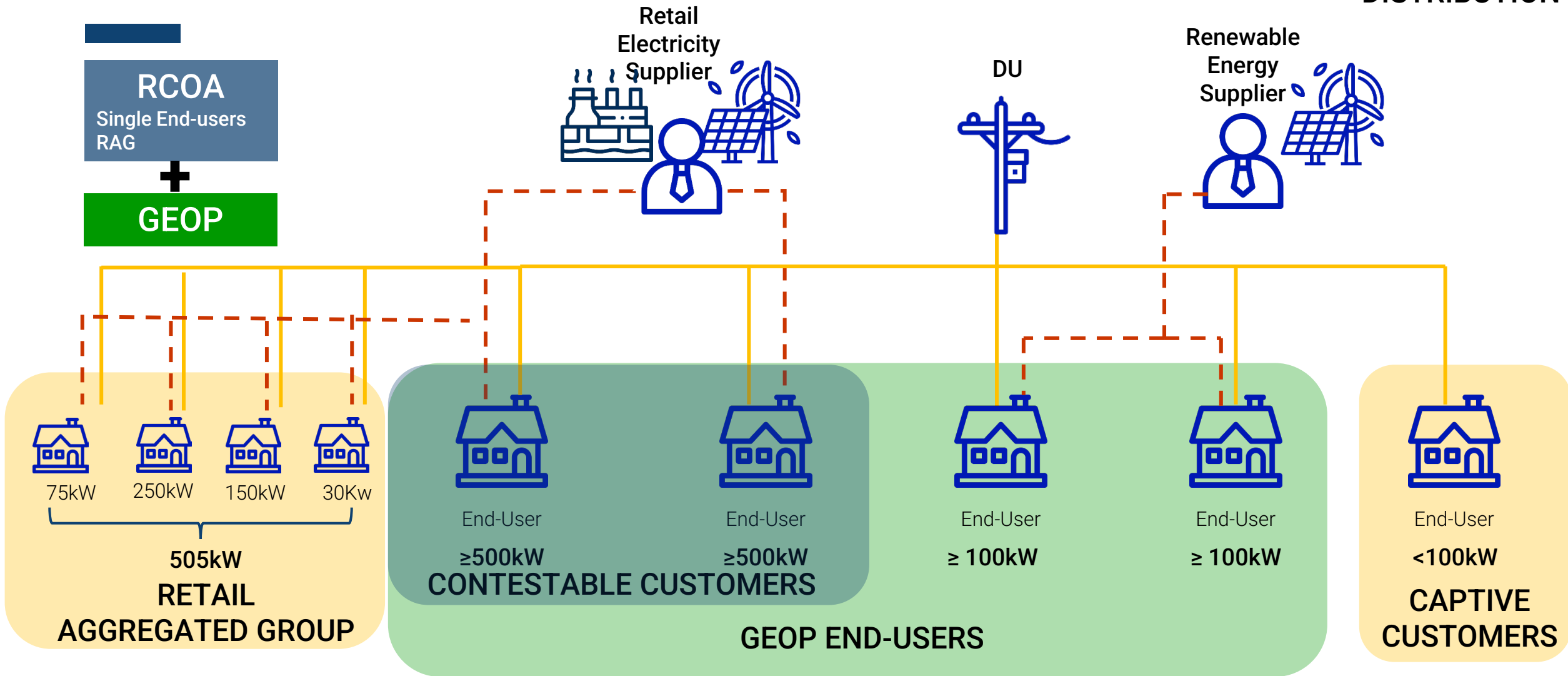


COMPARISON BETWEEN CUSTOMER CHOICE PROGRAMS BEFORE THE OMNIBUS RULES

	RCOA	GEOP
Threshold	≥500kw	≥100kw
Customer Type	Single end-user	Single end-user
	No Retail Aggregation	
Retail Supplier	Retail Electricity Supplier	Renewable Energy Supplier
Customer Switching	Attestations/Electronic-based	Submission of copies of documents
Last Resort of Supply Event	Similar grounds	
Reversion to Captive	General Rule: prohibited Exception: ERC authorization	Allowed under certain conditions
Cessation/Disconnection	Follows procedures and timeline	

AFTER OMNIBUS RULES

--- SUPPLY
— DISTRIBUTION



COMPARISON BETWEEN CUSTOMER CHOICE PROGRAMS AFTER THE OMNIBUS RULES

	RCOA	GEOP
Threshold	≥500kw	≥100kw
Customer Type	Single end-user	Single end-user
	Retail Aggregated Group	
Retail Supplier	Retail Electricity Supplier	Renewable Energy Supplier
Customer Switching	Attestations/Electronic-based	
Last Resort of Supply Event	Similar grounds	
Reversion to Captive	General Rule: prohibited Exception: ERC authorization	Allowed under certain conditions
Cessation/Disconnection	Follows procedures and timeline	

03 OVERVIEW ON THE PROPOSED AMENDMENTS



MARKET DOCUMENTS AFFECTED BY THE PROPOSED AMENDMENTS

- a. WESM Rules
- b. WESM Manual: Registration, Suspension and De-Registration Criteria and Procedures Manual Issue 18
- c. WESM Manual: Billing and Settlement Manual Issue 15
- d. Retail Rules
- e. Retail Manual: Registration Criteria and Procedures Issue 4.0
- f. Retail Manual: Market Transactions Procedures Issue 4.0
- g. Retail Manual Metering Standards and Procedures Issue 7.0
- h. Retail Manual: Green Energy Option Program Procedures 1.0

SUMMARY OF THE PROPOSED AMENDMENTS

In summary, the proposed amendments seeks to harmonize the market rules and manuals with the Omnibus Rules. More specifically, it aims for the following:

- a. Amendment of the term “Retail Customer” to include Retail Aggregated Groups;
- b. Adopts specific authorization requirement for WESM Registration of each type of Retail Suppliers;
- c. Adopts the switching requirement, timeline and procedures for RCOA, GEOP and Retail Aggregated Program under the Omnibus Rules;
- d. Dispenses with the requirement for no outstanding balance for switches from Distribution Utilities to the RCOA and GEOP;
- e. Adopts the procedures for customer relocation under the Omnibus Rules;
- f. Adopts the requirements for reversion to the captive market applicable to Retail market under the Omnibus Rules;
- g. Institutionalizes the procedure for the determination of prudential requirement for Retail Suppliers;
- h. Harmonizes the timeline for reportorial requirements of Distribution Utilities to the CRB and ERC; and
- i. Removes the GEOP Manual and integrates specific provisions for GEOP to the Retail Rules and relevant Retail Manuals.

04 WITHDRAWAL OF PENDING RULES CHANGE PROPOSAL



PENDING RULES CHANGE PROPOSALS

Since the current proposed amendments covers all the procedures affected by the Omnibus Rules, IEMOP has withdrawn the following pending rules change proposals:

1. No outstanding balance
2. Retail Aggregation Program



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