MINUTES OF THE RULES CHANGE COMMITTEE 146th REGULAR MEETING (No. 2018-08)	
Meeting Date & Time:	09 November 2018, 9:00 AM to 12:00 noon
Meeting Venue:	18/F Conference Room, Robinsons Equitable Tower, Ortigas Center, Pasig City

Attendance List	
In-Attendance	**Not In-Attendance**
Rules Change Committee **Principal Members:** **Maila Lourdes G. de Castro,** Chairperson – Independent **Concepcion I. Tanglao** – Independent **Francisco Leodegario R. Castro, Jr.** – Independent **Allan C. Nerves** – Independent **Abner B. Tolentino** – Generation (PSALM) **Jose Ildebrando B. Ambrosio** – Generation (Northwind) **Cherry A. Javier** – Generation (APC) **Dixie Anthony R. Banzon** – Generation (MPPCL) **Jose P. Santos** – Distribution (INEC) **Virgilio C. Fortich, Jr.** – Distribution (CEBECO3) **Lorreto H. Rivera** – Supply (TPEC) **Ambrocio R. Rosales** – System Operator (NGCP) **Isidro E. Cacho** – Market Operator (IEMOP)	**Ciprinilo C. Meneses** – Distribution (MERALCO)
Other attendees: **PEMC – Market Assessment Group (MAG)** **John Mark S. Catriz** **Romellen C. Salazar** **Divine Gayle C. Cruz** **Aldjon Kenneth M. Yap**	

PEMC – Legal Department
Marian Venussa S. Dela Fuente **Monica M. Martin**
IEMOP (Presenter)
Jonathan B. de la Viña
DOE Observers
Ferdinand B. Binondo **Ryan Jaspher Villadiego** **Anna Margaret Andres**

There being a quorum, Chairperson Maila Lourdes G. de Castro called the meeting to order at around 9:25 AM.

1. Adoption of the Proposed Agenda

The RCC adopted the agenda as revised, to include the matter on Committee planning sent by Ms. Dece Falar.

2. Review of the Minutes of the Previous Meeting

The RCC reviewed the Minutes of the 145th RCC meeting and subsequently approved it as presented.

Agreements/Action Plans
The RCC approved the minutes without revisions.

3. New Business

Mr. Jonathan de la Viña presented the highlights of the Proposed Amendment to the relevant market manuals affected by the current amendment proposal to the Retail and WESM Rules

to Reduce Barriers to Entry in Retail Competition. The forthcoming proposal, which will be submitted to the RCC upon approval of the IEMOP Board, will includd the following:

- Retail Manual on Registration Criteria and Procedures
  - Removed reference to the mandatory WESM registration of contestable customers
  - Added detailed procedures for registration (contestable customers, retail metering services providers and suppliers)
  - Provided de-registration procedures

- Retail Manual on Market Transactions
  - Revised switching requirements
  - Revised switch processing timeline

- Retail Manual on Metering Standards and Procedures
  - Changed registration of retail metering installations from the WESM to the CRB
  - Streamlined metering installation registration requirements
  - Clarified that the CRB will use the metered quantities for accounting purposes only
  - Reflected relevant provisions under Philippine Distribution Code 2017 on validation and estimation of retail metering data
  - Proposed transfer of Retail Metering Services Providers (RMSP) performance monitoring to PEMC as the WESM governing body

- Retail Manual Information Disclosure and Confidentiality of Contestable Customer Information
  - Removed references to the relevant WESM Manual
  - Deleted publication of bilateral contract info (WESM data)

- WESM Manual on Billing and Settlement
  - Provided detailed procedures for the assessment of the change in prudential requirements of a Supplier during switch

Mr. Isidro Cacho informed the RCC that the official submission of the proposals shall be within the week of 22nd November 2018 upon approval of the IEMOP Board. The RCC noted this information and agreed to approve the publication of the proposals through email.

Agreements/Action Plans
Approve the publication of the forthcoming proposals through email.

4. Matters Arising from the Previous Meeting

4.1 Deliberation on the Proposed Amendments to the Retail Rules and WESM Rules to Reduce Barriers to Entry and Participation in Retail Competition.

Mr. Jonathan de la Viña of IEMOP made a follow-through presentation regarding *the Proposed Amendments to the Retail Rules and WESM Rules to Reduce Barriers to Entry and Participation in Retail Competition.* As a background, said proposal was presented by Mr. Eric Louis to the RCC in the previous meeting. During said presentation the members of the RCC raised a number of comments and clarifications regarding the proposal and requested the proponent to further review the same in order to address the Committee's concerns and likewise, to identify related changes to the pertinent market manuals.

Mr. de la Viña's presentation included the revisions to the original proposal based on the previous RCC discussion. To assist in the RCC's deliberations on the matter, Mr. de la Viña also presented the IEMOP's response to the comments on the proposal, some of which will be carried over in the revised proposal based on their merits.

The presentation started with a review of the current switching process and the revisions being proposed thereto. Mr. de la Viña highlighted that the switch notification in the current process should be submitted to the Central Registration Body (CRB) at least 30 days prior to the proposed switch effectivity date, and such switch effectivity date may only fall at the start of a billing period. Moreover, the CRB may accept a switch request despite incomplete requirements, such as the distribution wheeling services agreement (DWSA) and metering services agreement (MSA). The DU, being the CC's MSP/NSP, is thereafter notified by the CRB. Mr. de la Viña added that the deadline of all the remaining documents required by the CRB is by the 10th of the following month. That would include all the documentary requirements, compliance with the Prudential Requirements, and all metering documents such as calibration and testing reports. The deadline set by the CRB also covers for any request to defer the switching of a CC. Once these requirements are completed, the CRB has 5 days to confirm with the MSP if the metering documents are in order. The CRB likewise confers with the Supplier, CC, and the DUs that the switch is approved and will be effected on the 26th of the following billing period.

Mr. de la Viña explained that the original proposal aligns the requirements and processes of the CRB with the ERC's switching rules. This includes the submission of the customer and metering information by the DU to the CRB. Upon receipt of these documents, the CRB will coordinate with the ERC to determine which among the listed CCs already have Certificates of Contestability. Once confirmed by the ERC, the CRB will now register the said CCs in the retail market.

In the original proposal, the switch request will only be processed once the requirements for switching (RSC, DWSA and MSA) have been complied with. This means that all three (3) documents, which are within control of the Supplier, shall be submitted to the CRB prior to switch notification. Once the switch notification is issued, the CRB will assess if the metering information provided is complete. If the metering documents are not yet complete, the DU and the RES will be notified. At the same time, the CRB will also request the MO to assess the change in the WESM prudential requirement (PR) of the supplier. The MO and the Supplier will then coordinate regarding the PR assessment and the former will inform the CRB if the Supplier is compliant with the PR. If deemed compliant, and the switch date falls within the proposed 5-day period, the switch shall be effected on the 5th or the 6th day. But, if the Customer information and PR were not complied within 5 days, then the switch date may extend beyond 5 days. The CRB shall then request from the Supplier a new switch date.

Mr. de la Viña recalled that some members of the RCC previously raised their concerns regarding the ambiguity in the timeline of the switch process as proposed. With this in mind, he conveyed that some revisions were made in the proposal to clarify the timelines. He explained that the revised proposal removed the proposed 5-day timeline. The CRB assessment would then be based on the completion of customer metering information and compliance of the Supplier with the WESM PR. The switch notification will trigger the computation by the MO on the change in the PR. Upon determination of the new PR, the MO and the Supplier will coordinate for the new PR and if that PR has been complied with, the MO will inform the CRB accordingly. The 5-day timeline has been proposed to be removed and if the CRB receives the information required in terms of customer metering and the PR, the CRB will start the count of the 3 working day period. After this, the CRB shall approve the switch requestrequest a new switch date from the new Supplier. The IEMOP proposes that the switch date should come from the Supplier as there might be some contracts that are pegged to certain dates of the month. Thus, if the counterparties would like to align the switch date on the 26th of the month for the cash flow of the CC, the IEMOP proposes to provide that freedom in the revised proposal. The CRB cannot automatically effect the switch unless it receives the switch date from the Supplier.

The RCC raised their concerns regarding the treatment of "no outstanding balance" since the CC may continuously incur an outstanding balance even after the switch notification. Mr. de la Viña responded that their proposal is that, in place of the current requirement to provide hard copies of the DWSA, MSA and RSC, the CRB will only require attestations that the said documentary requirements are present and such attestation shall be signed by the relevant parties. The proposal, specifically, is that the treatment on the "no outstanding balance" will be signed by the current supplier and the understanding of the CRB would be that the current supplier or DU has also made arrangements in terms of how they will address the balance after the switch notification or after they sign the switch request. Effectively, the signing of the documents is left to the counterparties to make all the necessary arrangements in order for the switch to happen.

Atty. Ambrosio raised his concern regarding the practicality of the process given the proposed timeline for the switch, since the "no outstanding balance" cannot be determined until after the effectivity of the switch. Ms. Javier opined that any outstanding balance with the current supplier or DU is supposedly covered through the security deposit mechanism. This security deposit, she said, shall be applied during switch after calculating any outstanding balance incurred by the CC.

On the suggestion of Mr. Tolentino to provide a template on the switch request, Mr. de la Viña conveyed that the same shall be developed by the CRB and published in the website. Said template shall secure the signature of all the parties involved in the switch.

Further, on the protocols relating to the coordination with the MO for the computation of PR which was raised by Atty. de Castro, Mr. de la Viña clarified that the same shall be established in the forthcoming proposal for revisions to the Billing and Settlement Manual.

Mr. Catriz, for his part, inquired on the rationale for what it seemed a longer period in the revised proposal for a switch to take effect. He noted that in the original proposal, it only takes a day for the CRB to effect a switch. In the revised proposal, he observed that it takes around two days after the compliance check for the switch to take effect. In response, Mr. de la Viña explained that in the original proposal, the assumption is all the required documents are complied with upon the switch notification and after which, the CRB has 5 days to assess these documents and to make all the necessary preparations for the switch. In the revised proposal, the proposed 3-day timeline commences only after the compliance check is completed. The change in the switch effectivity, as explained by Mr. de la Viña, is aligned with these changes in the proposed timelines.

Mr. de la Viña proceeded with the discussion of IEMOP's responses to the comments of participants, including that of the Manila Electric Company (MERALCO), San Miguel Energy Corporation (SMEC), and FirstGen Corporation (FGEN).

Below are the issues raised during the discussions.

- On the definition of Contestable Customers, Mr. de la Viña clarified that these are electricity end-users already awarded with a Certificate of Contestability by the ERC, regardless whether the CC is with a RES or still with the DU. He expressed that said definition of a CC is based on the ERC issuances. As mentioned by Ms. Javier, a CC may remain with the DU as captive market since registration in the retail market is currently voluntary.

- On the participation of the DCCs in the WESM, Ms. Javier cited that an ERC resolution was issued requiring the DCCs to contract with a supplier upon expiry of their contracts with the relevant generation companies. She inquired on how the CRB will monitor the DCC's compliance with such requirement that its contract should be with a RES. Mr.

de la Viña responded that these have not yet been tackled in the proposal. However, in the post registration enrolment, customer enrolment, and counterparty enrolment, there should be a restriction that for end-users already issued with a certificate of contestability, they will only be allowed to be enrolled under a supplier. This will be included as a proposed revision to the WESM registration manual.

- On the separate registration in the WESM and retail market, Mr. de la Viña expressed that IEMOP will propose to the DOE in the transitory provisions that once the amendments take effect, the CCs should be deregistered in the WESM.

- Ms. Javier expressed that the issue on metering requirements is of great concern especially with the transitioning to a 5-minute metering based on the new WESM design. She then inquired if the 5-minute metering requirement will be applicable at the household level once the contestability threshold has been reduced further. In response, Mr. de la Viña shared that in other jurisdictions, they use the same meters in the households and, instead of replacing the meters, put in place certain procedures to allow the profiling of the metered quantities to hourly or every 5 minutes.

- Ms. Javier expressed that since the DOE already promulgated the changes in the retail metering Manual, DUs will be monitored for their compliance with the 5-minute metering arrangements. Mr. Binondo expressed that the intent of the DOE is to implement the 5-minute metering arrangement for compliance among wholesale customers, which are mostly the DUs and Suppliers. For the CC/end-user, their compliance with the 5-minute metering arrangement should be bound by their contract with their counterparty supplier. Mr. Binondo further stated that the only time a CC should be required to comply with the 5-minute metering arrangement is when it exercises its option to register as a Direct WESM member. Mr. de la Viña stated that the proposal only covers the direct WESM registration of 750 kW and above CCs, given that it may be difficult on the part of the MO if the threshold is further lowered.

- Mr. de la Viña inquired on the DOE's direction since the 5-minute metering arrangement is already in effect following the DOE's promulgation of the revised Retail Manual on Metering Standards and Procedures. He mentioned that based on the transitory provisions in the relevant DOE circular, the DUs are allowed to use the current 15-minute metering installations. If the DOE's direction is not to require the 5-minute metering installation for end-user, then the IEMOP could incorporate such in its proposal. Mr. Binondo expressed in this regard that ideally, only the RES will be required to comply with the 5-minute metering installation, while the settlement between the RES and CC shall be covered by their retail supply contract. Mr. de la Viña then asked for the DOE's confirmation on the inclusion in the IEMOP's proposal that the DU may use any ERC-compliant meter, and as such, the MO will have to develop profiling procedures. Mr. Binondo agreed to the suggestion made by Mr. de la

Viña. However, he opined that the option of having a 5-minute meter should still be opened to the CC.

- Mr. Cacho expressed that the IEMOP will publish a list of issues encountered by IEMOP to seek the stakeholders' suggestions and recommendations. This issue registry through the IEMOP website will be opened to everyone by the 2nd Quarter of 2019.

- Ms. Javier inquired if the CRB would be facilitating an information campaign in relation to the proposed changes to the procedures discussed. Mr. Cacho responded that an information campaign will be spearheaded by the CRB.

- On the submission of the CRB's quarterly report on the compliance of DUs to the DOE and the ERC, Atty. de Castro inquired if there is a prescribed format for the same. Mr. de la Viña responded that the format is currently being developed by the CRB.

At this point, Mr. de la Viña expressed that the matrix of proposal will be revised accordingly to include the suggestions gathered during the RCC discussion and the IEMOP's responses to the comments received from various participants, particularly, on Section 3.2.2 and the relevant sections involving the metering installation requirements.

Following the discussions, the RCC adopted the proposal, except for the relevant provisions under Section 3.2.2, which are subject to further revisions. Further, the RCC agreed to publish only the portions with revisions, including the additional amendments on the metering installation requirements.

Agreements/Action Plans
The RCC adopted the proposal (see attached matrix of proposal including the results of the RCC's deliberations), except for the relevant provisions under Section 3.2.2, which are subject to further revisions by IEMOP. The RCC further agreed to publish only the portions with revisions, including the additional amendments relating to metering installation requirements, to solicit comments.

5. Other Matters

5.1. Preparatory Activities for the Formulation of PEMC's Strategic Plan and WESM Governance Committee Work Plan

Atty. de Castro informed the RCC that last 05 November 2018, Chairpersons/Representatives from WESM Governance Committees met to discuss the overview of the incoming activities regarding the harmonization of PEMC's Strategic Plan and WESM Governance Committee

Work Plans. Another meeting is set on 20 November 2018 with PEMC and the external consultants who will facilitate the planning process, to initially discuss the results of the PEMC survey on strategic direction setting.

Atty. de Castro informed the RCC that the WESM Governance Committee Planning will be held on 04-05 December 2018, which shall be attended by all WESM Governance Committee members.

The Members of the RCC noted the information provided by Atty. de Castro.

5.2. PEMC Strategic Direction Setting Survey

In view of the on-going planning and harmonization of activities spearheaded by PEMC, Ms. Dece Marwil B. Falar requested for RCC's input through the PEMC survey distributed to each committee members. The results of the survey will form part of the strategic direction setting undertaken by PEMC.

The RCC was likewise informed that the deadline for submission of the survey forms is on 15 November 2018.

The RCC noted the request including the deadline for the submission of the RCC's inputs.

5.3. RCC 2018 Work Plan – IEMOP Updates

Last 10 October 2018, the RCC requested updates from the IEMOP regarding pending rules change proposal submissions. The RCC then received IEMOP response last 05 November 2018 with updates as follows:

Pending Item	Update	New Target Date
Proposed Amendments to the WESM Manual on Metering Standards and Procedures regarding MSP Performance Rating	Ongoing discussion with PEMC in view of the separation of governance and operations	Q1 2019
Proposed Amendments to the WESM Manual on Registration, Suspension and De-registration Criteria and Procedures	Ongoing review of the manual	Q1 2019
Proposed WESM Rules Revision regarding Reportorial Requirements of the Daily Significant Variations Report	Ongoing drafting of associated WESM Rules Change	Q1 2019

Pending Item	Update	New Target Date
Rules Changes as required by Renewable Energy Market, Renewable Portfolio Standards, and Green Energy Option Program	Policy on the renewable energy market (RE Market Rules) has not yet been approved by the DOE	Q2 2019
Rules Changes as required by the Certification Audit of New MMS and CRSS	• Certification audit of the CRSS did not result in any findings requiring rules changes • Certification audit of the New MMS is scheduled to be completed this Nov. 2018	Q1 2019
Rules Changes as required by the Reserve Market	Ongoing hearing by the ERC on the revised Price Determination Methodology, which includes the proposed reserve market design	Q3 2019

The Secretariat likewise raised that Section 2 of the DOE DC No. 2018-04-0008 provides that the Market Operator shall expedite the development of the procedures in connection with the preparation of load distribution factor. Mr. Cacho then informed the RCC that IEMOP is currently drafting its proposed amendments regarding the same which shall be submitted by the 1st quarter of 2019.

The RCC noted the information for consideration in the drafting of its 2019 work plan.

6. Next Meeting

The RCC agreed to hold subsequent meetings on the following schedules:

- **06 December 2018**
- **18 January 2019**
- **05 February 2019**

7. Adjournment

There being no other matters for discussion, the meeting was adjourned at 11:45 AM.

Prepared By:	Reviewed By:	Noted By:
Romellen C. Salazar	**John Mark S. Catriz**	**Elaine D. Gonzales**
***Specialist** – Rules Review Division*	***Manager** – Rules Review Division*	***OIC***
Market Assessment Group	***Market Assessment Group***	***Market Assessment Group***

Approved by: RULES CHANGE COMMITTEE **Maila Lourdes G. de Castro** Chairperson Independent	
Members:	
Concepcion I. Tanglao Independent	**Francisco L.R. Castro, Jr.** Independent
Allan C. Nerves Independent	**Isidro E. Cacho, Jr.** Market Operator Independent Electricity Market Operator of the Philippines (IEMOP)
Ambrocio R. Rosales System Operator National Grid Corporation of the Philippines (NGCP)	**Abner B. Tolentino** Generation Sector Power Sector Assets and Liabilities Management Corporation (PSALM)
Jose Ildebrando B. Ambrosio Generator Sector NorthWind Power Development Corp. (NorthWind)	**Cherry A. Javier** Generation Sector Aboitiz Power Corp. (APC)
Dixie Anthony R. Banzon Generation Sector Masinloc Power Partners Co. Ltd. (MPPCL)	– not present – **Ciprinilo C. Meneses** Distribution Sector (PDU) Manila Electric Company (MERALCO)
Jose P. Santos Distribution Sector (EC) Ilocos Norte Electric Cooperative, Inc. (INEC)	**Virgilio C. Fortich, Jr.** Distribution Sector (EC) Cebu III Electric Cooperative, Inc. (CEBECO3)
Lorreto H. Rivera Supply Sector TeaM (Philippines) Energy Corporation (TPEC)	

Wholesale Electricity Spot Market

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
GENERAL COMMENT					**MERALCO:** *Before lowering the switching timeframe from the present 30 calendar days to 5 working days, PEMC, together with the stakeholders should* 1. *Consider customer perspective* 2. *Evaluate current processes; identify current pain points* 3. *Devise solutions to address current pain points* 4. *Conduct a time-and-motion study of all relevant processes and participants involved* 5. *Create a Technical Working Group (TWG) of various stakeholders that are involved in different parts of the process* *It is good to benchmark our switching timeframe against those of other jurisdictions, but we need to compare and consider the steps taken and the requirements for switching (e.g. documentary requirements such as PAT, CT & PT Test Report, ERC & MSP Meter Test Report, Wiring Diagram & Sampling Plan) in such jurisdictions to the Philippine situation.* *A time-and-motion study will provide the baseline as well as key insights into the various activities or portions of the process where improvements*	We note that the 5 working day timeline is the minimum (not maximum) timeframe for the processing of a switch request by the Central Registration Body (CRB). If all requirements (RSC, DWSA, MSA, PR, Metering Installation) are completed by the relevant parties prior to the submission of the switch request then the CRB should be able to complete the switch within 5 working days. The proposal includes provisions for the postponement of the effectivity of the switch pending the completion of post-request requirements (i.e., PR, Metering Installation). We note that Meralco cites compliance to metering installation requirements as the time-consuming activity during the switch but this is only currently applicable for those performing initial switch. For those already with a Supplier, the 5-day switch should be highly feasible. Moreover, depending on regulatory	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					and efficiencies can be introduced. Also, the rules should consider the various roles of the participants involved as well as ensuring the presence of the prerequisites for a customer's participation in RCOA. *PEMC and other stakeholders may collaborate on how we can adopt the switching processes of other jurisdictions with shorter switching timeframes and reduce our switching requirements, to streamline our customer switching in our country.* *The proposed rule changes should also take into consideration the expected volume of contestable customers that will have to go through the process. Currently, only certified contestable customers with a demand of at least 750kW are allowed to participate in the contestable market and, so far, only around one thousand customers have voluntarily decided to participate. The new rules should consider how many more transactions will be handled when the contestability thresholds are lowered and more customers decide to participate in RCOA.* *Most relevant, the customer perspective should be considered to arrive at the process that will best*	requirements on metering arrangements, these activities may also be made easier. We note that the DOE has issued DC2018-04-0010 referring all retail metering standards to the PDC, which should make many existing metering installations readily compliant with the retail market.	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					serve his requirements and provide value in his participation in the contestable market. In all these rules and protocols, it is eventually the customer who will have to go through them and hopefully benefit. *Since the Central Registration and Settlement System or CRSS has been designed and developed under the current 30-day switching process, may we ask how the proposed shorter switching process would affect the protocols under CRSS, which is scheduled to go live this year?* *In sum, we recommend that the systems, detailed procedures and the proposed amendments be discussed by the CRB with the retail market participants, perhaps initially through a TWG and then through public consultations, to ensure feasibility, preparedness, cooperation, clear understanding, and smooth implementation of the proposed changes.*		
(Title Page)		RULES FOR THE INTEGRATION OF RETAIL COMPETITION IN THE WHOLESALE ELECTRICITY SPOT MARKET	RULES FOR **COMPETITIVE** ~~THE INTEGRATION OF~~ RETAIL ~~COMPETITION IN THE WHOLESALE~~ ELECTRICITY ~~SPOT~~ MARKET	Proposed distinction of the wholesale and retail electricity markets aims to reduce barriers to entry and ensure efficiency in CRB and WESM processes with the increasing volume			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
				of contestable customers from the lowering of contestability threshold. The proposed title reflects the coverage of the document.			
SCOPE OF CHAPTER 1	1.1.4	Governance of the participation and transactions of *Suppliers* and contestable customers in the *WESM*.	Governance of the ~~participation and~~ transactions of *Suppliers* and contestable customers **with the *Central Registration Body*** ~~in the *WESM*~~.	The document is proposed to only cover procedures related to transactions with the CRB. Other retail market procedures would be found in relevant policies and regulatory issuances.			Adopt
Name and Promulgation	1.2.1.1	This document shall be known as the Rules for the Integration of Retail Competition in the Wholesale Electricity Spot Market or the *Retail Rules*.	This document shall be known as the Rules for **Competitive** ~~the Integration of~~ Retail ~~Competition in the Wholesale~~ Electricity ~~Spot~~ Market or the *Retail Rules*.	The proposed title reflects the coverage of the document.			Adopt
Purpose of the Rules	1.2.2.2	Provide rules for the integration of retail competition in the operations and governance processes of the *WESM*, the management of the transactions of *Suppliers* and *Contestable Customers* and the operations of the *Central Registration Body*.	Provide rules for the ~~integration of retail competition in the operations and governance processes of the *WESM*, the~~ management of the transactions of *Suppliers* and *Contestable Customers* and the operations of the *Central Registration Body*.	References to the integrated wholesale and retail markets are proposed to be removed in view of the proposed distinction of the two markets.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
Parties Bound by the Rules	1.2.3	Together with the *WESM Rules*, these *Retail Rules* form part of the legal and regulatory framework which is applicable to all *WESM Members*, as well as the owners, operators and users of the power system under the *Act*.	~~Together with the *WESM Rules*,~~ These *Retail Rules* form part of the legal and regulatory framework which is applicable to all **entities participating in retail competition** ~~*WESM Members*~~, as well as the owners, operators and users of the power system under the *Act*.	With the proposed distinction of the two markets, WESM membership should not be required to all participants in retail competition.			Adopt
Legal and Regulatory Framework	1.2.4.1	These *Retail Rules* are promulgated by the *DOE* pursuant to its mandate under the *Act* to supervise the restructuring of the electricity industry and to promulgate the detailed rules for the operation of the *WESM* jointly with electric power industry participants.	These *Retail Rules* are promulgated by the *DOE* pursuant to its mandate under the *Act* to supervise the restructuring of the electricity industry ~~and to promulgate the detailed rules for the operation of the *WESM* jointly with electric power industry participants~~.	Joint promulgation refers to the WESM Rules. With the proposal, the Retail Rules will not be part of the WESM Rules.			Adopt
Legal and Regulatory Framework	1.2.4.2	To ensure a greater supply and rational pricing of electricity, the *Act* provides the *ERC* the authority to enforce the rules and regulations governing the *WESM* which include these *Retail Rules*.	To ensure a greater supply and rational pricing of electricity, the *Act* provides the *ERC* the authority to enforce the rules and regulations ~~governing the *WESM* which include~~ these *Retail Rules*.	With the proposal, the Retail Rules will not be part of the WESM Rules.	**MERALCO:** To ensure a greater supply and rational pricing of electricity, the *Act* provides the *ERC* the authority to enforce the rules and regulations governing the Retail Market, including ~~the *WESM* which include~~ these *Retail Rules*. *Note: Subsequent provision/s are to be renumbered accordingly.*	We agree and propose to adopt Meralco's revision.	Adopt MERALCO's comments.

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					Clarification of language. *Section 43 (c) of the EPIRA states that among the functions of the ERC is to:* *"Enforce the rules and regulations governing the operations of the electricity spot market and the activities of the spot market operator and other participants in the spot market, for the purpose of ensuring a greater supply and rational pricing of electricity xxx"* *In view of the afore-quoted EPIRA provision, and the purpose of the amendments to distinguish between the WESM and the Retail Market, it may be best to clarify that the ERC will continue to enforce the rules governing the Retail Market.*		
Legal and Regulatory Framework	1.2.4.3	These *Retail Rules* shall form part of the rules that govern the operations of the *WESM* and, as such, shall be read and used in connection with the *WESM Rules*.	These *Retail Rules* ~~shall form part of the rules that govern the operations of the *WESM* and, as such,~~ shall be read and used in connection with the *WESM Rules* **and relevant regulatory issuances**.	With the proposal, the Retail Rules will not be part of the WESM; although, there will still be references to the WESM Rules. Relevant regulatory issuances that govern other aspects of the retail electricity market are generally referred.			Adopt
(Title)	1.3	INTEGRATION OF RETAIL COMPETITION	~~INTEGRATION OF RETAIL COMPETITION~~	References to the integrated wholesale			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		IN THE *WESM*	~~IN THE *WESM*~~ **TRANSACTING WITH THE CENTRAL REGISTRATION BODY**	and retail markets are proposed to be removed in view of the proposed distinction of the two markets; these Rules will only contain transactions with the CRB.			
~~INTEGRATION OF RETAIL COMPETITION IN THE *WESM*~~ **TRANSACTING WITH THE CENTRAL REGISTRATION BODY**	1.3.1	Upon declaration of the commencement of retail competition and open access, retail competition shall be integrated in the operations and governance of the *WESM* as provided in these Rules.	~~Upon declaration of the commencement of retail competition and open access,~~ **Transactions with the *Central Registration Body* under** retail competition shall be **performed** ~~integrated in the operations and governance of the *WESM*~~ as provided in these Rules.	References to the integrated wholesale and retail markets are proposed to be removed in view of the proposed distinction of the two markets; these Rules will only contain transactions with the CRB			Adopt
~~INTEGRATION OF RETAIL COMPETITION IN THE *WESM*~~ **TRANSACTING WITH THE CENTRAL REGISTRATION BODY**	1.3.2	Objectives of Integration and Retail Competition Consistent with the *Act* and with the objectives of the *WESM* as set out in the *WESM Rules*, the integration of retail competition in the *WESM* aims to promote competition, customer choice and empowerment, transparency, accountability and greater efficiency in the	Objectives of **the *Central Registration Body*** ~~Integration and Retail Competition~~ Consistent with the *Act* ~~and with the objectives of the *WESM* as set out in the *WESM Rules*~~, the **operations of the *Central Registration Body*** ~~integration of retail competition in the *WESM*~~ aims to promote competition, customer choice and	References to the integrated wholesale and retail markets are proposed to be removed in view of the proposed distinction of the two markets; these Rules will only contain transactions with the CRB			Adopt

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		power industry and to reflect the true cost of electricity.	empowerment, transparency, accountability and greater efficiency in the power industry and to reflect the true cost of electricity.				
~~INTEGRATION OF RETAIL COMPETITION IN THE *WESM*~~ **TRANSACTING WITH THE CENTRAL REGISTRATION BODY**	1.3.3	Upon commencement of retail competition, *Suppliers* and *Contestable Customers* shall be permitted to transact in the *WESM* in accordance with Chapter 3 of these Rules.	~~Upon commencement of retail competition,~~ *Suppliers* and *Contestable Customers* **directly connected to *distribution systems*** shall ~~be permitted to~~ transact **with the *Central Registration Body*** ~~in the *WESM*~~ in accordance with Chapter 3 of these Rules. ***Contestable customers* that are directly connected to the *transmission system* shall transact with their *Suppliers* using the procedures under the *WESM Rules* as an *Indirect* or *Direct WESM Member*.**	With the proposed distinction of the two markets, the Retail Rules provides for rules on transactions with the CRB and not in the WESM. It is proposed that directly connected end users not be required to transact with the CRB since they are required to register in the WESM. Directly connected end users would be able to exercise their right to choose a supplier using existing WESM procedures.			Adopt
~~INTEGRATION OF RETAIL COMPETITION IN THE *WESM*~~ **TRANSACTING WITH THE CENTRAL REGISTRATION BODY**	1.3.4	Upon commencement of retail competition, the *WESM* shall provide the venue for wholesale and retail sales and purchases of electricity	~~Upon commencement of retail competition, the *WESM* shall provide the venue for wholesale and retail sales and purchases of electricity~~	With the proposed distinction of the two markets, the WESM would not strictly be the venue for retail sales.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
Responsibilities of the *Central Registration Body*	1.4.1.1	The *Central Registration Body* shall, generally and non-restrictively, have the following functions and responsibilities: a) Administer retail competition in the *WESM* and its operations in accordance with these *Retail Rules*; b) Allocate resources to enable it to perform its functions; c) Carry out *Customer switching* between *Suppliers*; and d) Provide an information exchange amongst *WESM* Participants.	The *Central Registration Body* shall, generally and non-restrictively, have the following functions and responsibilities: **a) Maintain a registry of all *Contestable Customers*;** ~~Administer retail competition in the *WESM* and its operations in accordance with these *Retail Rules*;~~ **b) Carry out *Customer switching* between *Suppliers*;** **c) Determine *gross energy settlement quantities* of *Contestable Customers* and *Suppliers*;** **d) Manage *metering data* of *Contestable Customers*;** **e)** Allocate resources to enable it to perform its functions; **and** f) Provide an information exchange amongst ~~*WESM* Participants~~ ***Retail Competition Participants***.	The proposed changes aim to clarify the activities of the CRB. With the proposed distinction of the two markets, the CRB will only be responsible for switching and accounting of quantities.	**MERALCO:** *"The Central Registration Body shall, generally and non-restrictively, have the following functions and responsibilities:* ***a)*** Maintain a registry of all *Contestable Customers* ***who have already been awarded a certificate of contestability by the ERC;*** ***b)*** *Carry out* ***initial Customer Switching from the captive to contestable market and*** *Customer switching between Suppliers;* ***c) Prepare gross energy purchases for the account of retail suppliers to be used by the IEMOP;*** ***d)*** **Manage Gather** *metering data of Contestable Customers* **from *Retail Metering Services Providers*;** **e)** Allocate resources to enable it to perform its functions; **and** ***f)*** Provide an information exchange amongst *Retail Competition Participants; **and*** g) **Comply with rules and regulations as may be provided by ERC.**" *To reflect in the Rules the current practice being done by the CRB.*	In item (a), we agree that the CRB should only have a registry of contestable customers that already have certificates of contestability. We note that this is the intention of the proposal as indicated under Clause 2.2.1. Nonetheless, we propose to adopt Meralco's revision for additional clarity. In item (b), we agree that initial switching from captive to contestable market is also the CRB's responsibility. We propose to adopt Meralco's revision with changes. Clause 3.2.1.1 is also proposed for revision. Item (c) refers to gross energy settlement "quantities" and not "amounts". This is consistent with the rest of the comment. We propose to retain our proposed amendment. In item (d), we agree that the CRB also has a role in collecting metering data. We propose to adopt Meralco's revision with	Adopt PEMC response.

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					In item (a), we propose that the CRB's registry be limited to customers who have already been determined by the ERC to participate in Retail Competition and Open Access (RCOA), i.e., have been given a certificate of contestability. Please refer to our comment on clause 2.2.2. *In item (b), under the original and proposed amendment in Section 1.4.1.1, among the responsibilities of the CRB is to "carry out Customer switching between Suppliers." It must be considered, however, that the initial switching from the DU (for Captive Customers) to the Contestable Market is also currently being handled or carried out by the CRB.* *In item (c), there is a need to clarify the role of the CRB with respect to determination of settlement amounts. The determination of settlement amounts that are invoiced to market participants is a role that will be fulfilled by the IEMOP. The function of the CRB is to provide the meter quantity of each retail supplier that the IEMOP will use as input in the calculation of settlement amounts. We believe this will mean a modification of item (c) from "determine settlement amounts..." to "Prepare of gross*	minor changes. We agree with the addition of item (g) and propose to adopt Meralco's revision. To summarize, the amendment is proposed to be revised as follows: "The *Central Registration Body* shall, generally and non-restrictively, have the following functions and responsibilities: a) **Maintain a registry of all *Contestable Customers* who have already been awarded a *certificate of contestability* by the *ERC*;** b) **Carry out *customer switching* between a *Distribution Utility* and a *Supplier*, and between *Suppliers*;** c) **Determine *gross energy settlement quantities* of *Contestable Customers* and *Suppliers*;** d) **Collect and manage *metering data* of *Contestable***	

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					energy purchases for the account of retail suppliers to be used by the IEMOP;" *In item (d), we wish to expressly state the role of CRB in gathering metering data from Retail Metering Services Providers.*	***Customers* from *Retail Metering Services Providers*;** e) Allocate resources to enable it to perform its functions; f) Provide an information exchange amongst *Retail Competition Participants;* **and** g) **Comply with rules and regulations as may be provided by *ERC*."**	
Responsibilities of the *Central Registration Body*	1.4.1.2	Where the *Retail Rules* require the *Central Registration Body* to develop procedures, processes or systems, the *Central Registration Body* shall: a) Develop such procedures, processes and systems taking into consideration the likely costs to *Participants* of complying with those procedures or processes and of obtaining, installing or adopting those systems, as the case may be; and b) Consistent with the purpose set forth in	Where the *Retail Rules* require the *Central Registration Body* to develop procedures, processes or systems, the *Central Registration Body* shall: a) Develop such procedures, processes and systems taking into consideration the likely costs to ***Retail Competition Participants*** of complying with those procedures or processes and of obtaining, installing or adopting those systems, as the case may be; and b) Consistent with the	The proposed general reference to entities that participate in retail competition is "Retail Competition Participants" to differentiate with the WESM Trading Participants.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		clause 1.2.2 of this Chapter 1, recommend changes to these procedures in accordance with the rule change process set out in Chapter 8 of the *WESM Rules*. Provided, further, that such changes shall be approved by the DOE.	purpose set forth in clause 1.2.2 of this Chapter 1, recommend changes to these procedures in accordance with the rule change process set out in Chapter **1.**8 of the**se** ~~*WESM*~~ ***Retail*** *Rules*. Provided, further, that such changes shall be approved by the DOE.				
Responsibilities of the *Central Registration Body*	1.4.1.3	The *Central Registration Body* shall: a) Comply with each of the requirements and obligations imposed on it under these *Retail Rules*, and other applicable laws, rules and regulations; b) Implement the transitory provisions specified in these *Retail Rules*; c) Perform those actions that are required to be taken prior to the *retail competition commencement date*, as specified in Chapter 5 of these	The *Central Registration Body* shall: a) Comply with each of the requirements and obligations imposed on it under these *Retail Rules*, and other applicable laws, rules and regulations; **and** ~~b) Implement the transitory provisions specified in these *Retail Rules*;~~ ~~c) Perform those actions that are required to be taken prior to the *retail competition commencement date*, as specified in Chapter 5 of these~~	Remove references to activities prior to the commencement of retail competition.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		Retail Rules and in relevant issuances of the *DOE* and the *ERC*; and d) Develop appropriate cost recovery processes to cover its liabilities in the event of damage or injury, which may be caused by its acts or omissions in the faithful performance of its functions.	~~*Retail Rules* and in relevant issuances of the *DOE* and the *ERC*; and~~ bd) Develop appropriate cost recovery processes to cover its liabilities in the event of damage or injury, which may be caused by its acts or omissions in the faithful performance of its functions.				
Audit	1.4.3.1	The PEM Auditor shall: a) Conduct the audit of the *Central Registration Body* and the systems, processes and procedures and other matters relevant to the operations of the *Central Registration Body* and the performance of its functions as set forth in these *Retail Rules*; and b) Test and check any new items or new versions of market-related software used by the *Central Registration Body* or provided by the	The PEM Auditor shall: a) Conduct the audit of the *Central Registration Body* and the systems, processes and procedures and other matters relevant to the operations of the *Central Registration Body* and the performance of its functions as set forth in these *Retail Rules*; and b) Test and check any new items or new versions of market-related software used by the *Central Registration Body* or provided by the	Reflect proposed general reference to retail market participants.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		Central Registration Body for use by *WESM* members.	*Central Registration Body* for use by ***Retail Competition Participants*** ~~*WESM* members~~.				
GOVERNANCE OF THE MARKET	1.5.1	The provisions of Chapter 1 of the *WESM Rules* shall apply with respect to the governance of the integration of retail competition in the *WESM*, the operations of the *Central Registration Body* and the participation and transactions in the *WESM* of *Suppliers* and *Contestable Customers*.	The ***PEM Board* and its committees**, ~~provisions of~~ **as established under** Chapter 1 of the *WESM Rules*, shall ~~apply with respect to the governance of the integration of retail competition in the *WESM*,~~ **govern** the operations of the *Central Registration Body* and the participation and transactions ~~in the *WESM*~~ of *Suppliers* and *Contestable Customers*.	It is proposed that the existing PEM Board and its committees govern over the operations of the CRB even with the distinction of the wholesale and retail electricity markets to optimize expertise and resources.			Adopt
GOVERNANCE OF THE MARKET	1.5.2	When relevant, necessary or practicable, the PEM Board may create working groups to deal with matters specifically pertaining to the integration of retail competition in the *WESM*, the operations of the *Central Registration Body* and the participation and transactions in the *WESM* of *Suppliers* and *Contestable Customers*.	When relevant, necessary or practicable, the PEM Board may create working groups to deal with matters specifically pertaining to the ~~integration of retail competition in the *WESM*, the~~ operations of the *Central Registration Body* and the participation and transactions ~~in the *WESM*~~ of *Suppliers* and *Contestable Customers*.	References to the integrated wholesale and retail markets are proposed to be removed in view of the proposed distinction of the two markets.			Adopt
SCOPE OF	2.1	This Chapter 2 sets out	This Chapter 2 sets out	Reflect proposed			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
CHAPTER 2		the rules for contestability of customers, maintenance of *Contestable Customer* information, and registration of *Suppliers, Contestable Customers* and *Retail Metering Services Providers.*	the rules for ~~contestability of customers, maintenance of *Contestable Customer* information, and~~ **the** registration of *Suppliers, Contestable Customers* and *Retail Metering Services Providers.*	changes in the chapter.			
(Title)	2.2	CONTESTABILITY OF CUSTOMERS	~~CONTESTABILITY OF~~ **CONTESTABLE** CUSTOMERS	Section is proposed to discuss registration of contestable customers.			Adopt
~~CONTESTABILITY OF~~ **CONTESTABLE** CUSTOMERS	2.2.1	Contestability of electricity end users shall be certified by the *ERC* and only the end users that have been issued a certification of contestability shall be registered and shall be permitted to transact, directly or indirectly, in the *WESM*; Provided, however, that a directly-connected end user is required to register in the *WESM* pursuant to *WESM Rules* clause 2.2.4.2 whether or not it is certified by the *ERC* as a *Contestable Customer.*	Contestability of electricity end users shall be certified by the *ERC* and only the end users that have been issued a certification of contestability shall be registered and shall be permitted to transact **with the *Central Registration Body***, ~~directly or indirectly, in the *WESM*; Provided, however, that a directly-connected end user is required to register in the *WESM* pursuant to *WESM Rules* clause 2.2.4.2 whether or not it is certified by the *ERC* as a *Contestable Customer.*~~	It is proposed that contestability will allow end users to transact with the CRB and not be required to participate the WESM. Discussion on directly connected end users is proposed to be transferred to new clause 2.2.5.			Adopt
~~CONTESTABILITY OF~~ **CONTESTABLE**	2.2.2	Distribution utilities shall notify the *Central*	Distribution utilities shall notify the *Central*	To achieve a faster switching process, it is	**MERALCO:**	- **Registration**	Adopt original proposal (per PEMC

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
CUSTOMERS		*Registration Body* of any end user that has met the requirements to be certified as *Contestable Customer* and shall provide the customer information required in Section 2.3 of this Chapter 2. Upon such notice, the *Central Registration Body* shall secure confirmation from the *ERC* if such end user has been certified as contestable and, if so certified, shall require the customer to be registered in the *WESM*.	*Registration Body* of any end user that has met the requirements to be certified as *Contestable Customer* and shall provide the customer information required in Section 2.3 of this Chapter 2. Upon such notice, the *Central Registration Body* shall secure confirmation from the *ERC* if such end user has been certified as contestable and, if so certified, shall **register** ~~require~~ the customer **as a *Contestable Customer*** ~~to be registered in the *WESM*~~.	proposed that the whole population of contestable customers be automatically registered by the CRB based on DU and ERC information. Clause 2.2.3 will provide the options of an end user that has been registered by the CRB.	Distribution utilities shall notify the *Central Registration Body* of an end user that has been certified as *Contestable Customer* **by the Energy Regulatory Commission** and shall provide the customer information required in Section 2.3 of this Chapter 2. Upon such notice, the *Central Registration Body* shall secure confirmation from the *ERC* if such end user has been certified as ~~**contestable and, if so certified, shall register the customer as**~~ a Contestable Customer **and only then shall the customer be included in the CRB registry**. *We recommend that the customer information regularly submitted by the DU be the same as that of the currently submitted to the ERC, a copy of which is currently furnished to the CRB.* - ***On Registration*** *We would like to inquire on the rationale for registering all Contestable Customers who have reached the threshold for contestability with the Central Registration Body (CRB), even for those who have not yet received their certificates of contestability. We strongly propose that the certificate of contestability be a prerequisite for registration to the Central*	The submission by DUs of customer information of all eligible contestable customers is not a proposed amendment. This is consistent with Article II Section 4.1 of ERC Resolution No. 2 Series of 2008. The ERC provision provides that a DU shall regularly submit to the ERC **and CRB** on a monthly basis accurate information on Contestable Customers that have accounts with the DU which have satisfied the threshold levels. Clause 2.3.1.2 of the proposed amendments provides for the publication by the CRB of procedures for the submission of information. This is intended to include the regular updating of information of contestable customers. - **Provision of customer information** As mentioned above, the procedures to be published by the CRB (in the form of a retail manual) would include the regular updating of customer information.	response to MERALCO and SMEC)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					Registration Body. *The procedure, as described in clause 3.2.2.6, provides distribution utilities the opportunity to provide lacking information. If the information (e.g. meter number) has been provided well ahead of the customer's actual initial switch, the information may no longer be updated at time of switching.* - ***On Provision of customer information*** *Some of the customer information that is being requested in section 2.3 is already being provided to the ERC and the CRB. However, certain information may be subject to change and as such, we highly suggest that DU must only be required to submit it immediately prior the switch of the customer to the contestable market. (Please see our comment on clause 2.3.1.1)* **SMEC:** Distribution utilities shall notify the *Central Registration Body* of any end user that has met the requirements to be certified as *Contestable Customer* and shall provide the customer information required in Section 2.3 of this	Hence, it would not be necessary to only submit contestable customer information immediately prior the switch of the customer to the contestable market. In view of the above, we propose to retain our proposed amendment. **SMEC:** The proposed amendment did not contemplate the provision of certificates of contestability by the ERC to the CRB. Since confirmation will be sought directly from the ERC, the CRB would not require	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					Chapter 2. Upon such notice, the *Central Registration Body* shall secure confirmation from the *ERC* if such end user has been certified as contestable and, if so certified, shall register the customer as a *Contestable Customer*. ***Upon confirmation, the ERC shall automatically provide a copy of the Certificate of Contestability of such confirmed end-user(s) to the Central Registration Body.*** *This will reduce the process time of switch request as the CRB will now be automatically provided with copies of the Certificate of Contestability of confirmed end-users from the ERC.* *Central Registration Body to directly have a copy of the Certificate of Contestability from the ERC*	copies of the certificates of contestability for registration. As provided under proposed Clause 3.2.1.3, the certificate of contestability is not a requirement for submitting a switch request. We propose to retain the current wording of the provision but have no objections to adopting the revision.	
~~CONTESTABILITY OF~~ **CONTESTABLE** CUSTOMERS	2.2.3	Within thirty days from issuance by the *ERC* of the certification of *contestability*, the *Contestable Customer* duly certified shall: a) If it elects to be a *Direct WESM Member*, apply for	~~Within thirty days from issuance by the *ERC* of the certification of *contestability*, the~~ **A** *Contestable Customer* duly certified **and registered may** ~~shall~~: a) **Elect to switch its electricity**	An end user that has been registered by the CRB may switch to a supplier, source from the WESM (if it is 750 kW or above), or stay with its DU. Automatic registration with the CRB will allow end	**FGEN:** *If registration of contestable customers to the WESM is made to be voluntary, why are contestable customers recognized as direct/indirect WESM members only? Why is there no provision for those customers choosing not to be*	Item (a) refers to the arrangement where the contestable customer is not a member of the WESM.	Adopt original proposal

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		registration with the *Central Registration Body* in accordance with Chapter 2 of these Rules; or b) If it elects to be an *Indirect WESM Member*, choose a *Supplier* which shall serve as its *Direct Member counterparty* for its transactions in the *WESM* and cause that *Supplier* to apply for registration on its behalf. c) Provided, however, that a *Contestable Customer* shall continue to be served by the *Distribution Utility* until it is successfully registered with the *Central Registration Body*.	**purchases to a *Supplier* in accordance with the procedures under Chapter 3 of these *Retail Rules*;** ~~If it elects to be a *Direct WESM Member*, apply for registration with the *Central Registration Body* in accordance with Chapter 2 of these Rules; or~~ b) **If it has a monthly average peak demand of 750 kW or above for the past twelve (12) months, elect to source its supply from the *Wholesale Electricity Spot Market* as a *Direct WESM Member*; or** ~~If it elects to be an *Indirect WESM Member*, choose a *Supplier* which shall serve as its *Direct Member counterparty* for its transactions in the *WESM* and cause that *Supplier* to apply for registration on its behalf.~~	users to easily switch to a Supplier. The proposed 750 kW threshold for direct WESM membership is to initially gauge the demand for the option.	*members of WESM? Or is the nature of being an indirect WESM member equivalent to the same customer choosing not to be a member of the WESM?*		

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			c) ~~Provided, however, that a *Contestable Customer* shall~~ **C**ontinue to be served by the *Distribution Utility* until it **elects to purchase electricity from a *Supplier* or the *WESM*** ~~is successfully registered with the *Central Registration Body*~~.				
~~CONTESTABILITY OF~~ **CONTESTABLE** CUSTOMERS	**2.2.4** (new)	N / A	**The registration of *Contestable Customers* shall be in respect to their facilities that have been issued certifications of contestability by the *ERC*, Provided, that –**	Transfer the provisions under the current Retail Rules 2.4.5 since registration of contestable customers is proposed to be discussed in this section.			Adopt
~~CONTESTABILITY OF~~ **CONTESTABLE** CUSTOMERS	**2.2.4.1** (new)	N / A	***Contestable Customers* that have more than one *registered facility* shall have multiple registrations; and**	Transfer the provisions under the current Retail Rules 2.4.5 since registration of contestable customers is proposed to be discussed in this section.	**SMEC:** Contestable Customers that have more than one registered facility **may either** have multiple registrations **or one registration consolidating all their facilities**; and *To simplify the billing statement of the Contestable Customer with multiple facilities. (Applicable to facilities with two or more meters).* *Contestable Customers with more*	Registration of contestable customers by the CRB will be based on the records from the ERC, which would be per facility. Under this proposal, if a contestable customer with multiple facilities elects not to register in the WESM then its transactions will all reflect in the WESM billing statement of its supplier	Adopt original proposal

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					than one facility may have an option to register to CRB as one.		
~~CONTESTABILITY OF~~ **CONTESTABLE** CUSTOMERS	**2.2.4.2** (new)	N / A	**Registration shall be in accordance with the certification of contestability issued by the *ERC* and each *registered facility* covered by one certification of contestability shall have a single and separate registration, regardless that the same is served by more than one metering installations.**	Transfer the provisions under the current Retail Rules 2.4.5 since registration of contestable customers is proposed to be discussed in this section.	**MERALCO:** **Registration shall be in accordance with the certification of contestability issued by the *ERC* and each *registered facility* covered by one certification of contestability. If the service is served by more than one metering installation, each metering installation shall be registered separately.** *To reflect the changes implemented by PEMC in accordance with the registration of metering installations.* *For customers with more than one (1) metering installation for a single facility that has been issued a Certificate of Contestability by the ERC, the DU can submit a Metering Installation Registration Form per metering installation. This was implemented based on the results of PEMC's 3rd Review of Metering Installations and Arrangements (RMIA) and as recommended by Auditors.* *We therefore suggest that this be reflected and included in the proposed amendment.*	This provision refers to current Clause 2.4.5. It indicates that each facility shall have one registration even if it has multiple meters, which is the same as Meralco's proposal. It should be noted that facility registration is different from metering installation registration. We propose to retain the provision as currently worded.	Adopt original proposal (per PEMC response)

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
~~CONTESTABILITY OF~~ **CONTESTABLE** CUSTOMERS	**2.2.5** (new)	N / A	***Contestable customers* that are directly connected to the *transmission system* shall be registered by the *Central Registration Body* based on the information from the *ERC* for monitoring purposes.**	It is proposed that directly connected end users not be required to transact with the CRB since they are required to register in the WESM. Directly connected end users would be able to exercise their right to choose a supplier using existing WESM procedures.	**MERALCO:** ***Contestable customers* that are directly connected to the *transmission system* shall be registered with the CRB.** *It should be ensured that that all directly connected customers registered in the WESM will also be registered in the CRB.* *Including the directly connected customer in the CRB's monitoring ensures that there is a level playing field for all the retailers and contestable customers participating in the contestable market. This is because all buyers and sellers in the contestable market will be only on a single platform.* *Directly connected customers should continue to register with the CRB. Regardless of an end-user's physical connection to the network, a customer that is exercising retail choice should be treated similarly to any other customer in the contestable market.* *It is likely that customers who are directly connected to the transmission system and are registered in the WESM pre-date the start of RCOA and may not yet have*	The clause provides that directly connected customers will be registered with the CRB. However, since directly connected customers may avail of WESM processes that allow them to directly choose a supplier (i.e., contract enrolment, counterparty confirmation), it is proposed that they continue to do so through those processes instead of through the CRB. Since they are mandatory WESM members, this would remove redundant processing of their supplier transfer. The clause clarifies that they would not transact through the CRB, which is also mentioned under Clause 3.2.1.2. We note that directly connected customers that do not meet the current threshold (750 kW) are not registered and monitored by the CRB. We propose to retain the current wording of the provision with minor change as follows:	Adopt PEMC response (i.e., revised proposal)

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					certificates of contestability from the ERC. In case they have not been issued a certificate, the proposed provision would result in their exclusion from the CRB registration. *While directly connected customers may be connected to the transmission system, if such a customer who would like to exercise retail choice, they must be certified by the ERC. This certificate of contestability is one of the requirements monitored by the CRB.*	***Contestable customers* that are directly connected to the *transmission system* shall be registered with the *Central Registration Body* based on the information from the *ERC* for monitoring purposes.**	
CONTESTABLE CUSTOMER INFORMATION	2.3.1	Establishment of Customer Information by the *Central Registration Body*	~~Establishment of~~ Customer Information **Requirements of** ~~by~~ the *Central Registration Body*	It is proposed that this section provide the data requirements for the automatic registration of contestable customers.			Adopt
CONTESTABLE CUSTOMER INFORMATION	2.3.1.1	Prior to commencement of retail competition and at any time thereafter, the *Distribution Utility* shall submit information as may be required by the *Central Registration Body* on all end users within its franchise area that it deems to have already met the required demand threshold.	~~Prior to commencement of retail competition and at any time thereafter, the~~ **All** *Distribution Utilities* shall submit **the following** information ~~as may be required by~~ **to** the *Central Registration Body* on all end users within its franchise area that it deems to have already met the required demand threshold. **a) Customer name,** **b) Billing and service**	It is proposed that data requirements be included in the CRB rules for easier reference. Data requirements refer to information necessary for operations and is consistent with the DU requirements under Article I Section 1.1. of ERC Resolution No. 05 Series of 2014.	**FGEN:** *If registration of contestable customers to the WESM is made to be voluntary, why are contestable customers recognized as direct/indirect WESM members only? Why is there no provision for those customers choosing not to be members of WESM? Or is the nature of being an indirect WESM member equivalent to the same customer choosing not to be a member of the WESM?*	Item (a) of proposed Clause 2.2.3 refers to the arrangement where the contestable customer is not a member of the WESM.	Adopt original proposal

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			addresses, c) Customers' account number, d) Customer contract information (telephone numbers and e-mail addresses) e) Meter number, f) Meter specifications (interval metering, channels), and g) SEIN of the grid *metering point* of the *Distribution Utility* where the supply of the end user passes through.		**MERALCO:** All Distribution Utilities shall submit ~~the following information~~ to the **Energy Regulatory Commission and the** Central Registration Body **the following information on** all end users within its franchise area that it deems to have already met the required demand threshold, ***pursuant to Article I, Section 1.1 of ERC Resolution No. 05, Series of 2014***.". a) Customer name, b) Billing and service addresses, c) Customers' account number, d) Customer contract information (telephone numbers and e-mail addresses) ~~e) Meter number,~~ ~~f) Meter specifications (interval metering, channels), and~~ ~~g) SEIN of the grid *metering point* of the *Distribution Utility* where the supply of the end user passes through~~ **The Distribution Utility shall provide the following prior to the initial switch of the contestable customer upon notification by the Central Registration Body:** **a) Meter number,** **b) Meter specifications (interval metering, channels), and** **c) SEIN of the grid metering point of the Distribution Utility where**	**MERALCO:** We recognize that items (a) to (d) are already being submitted by the DUs on a monthly basis; the proposed amendment only formalizes the submission of those information to the CRB in the Retail Rules. As noted, the proposed amendment is based on Article I Section 1.1 of ERC Resolution No. 05 Series of 2014. We note that the provision does not include a qualification that a customer should have been issued a Certificate of Contestability (CoC) to be included in the report. In fact, the information submitted by the DU should include those that do not have CoCs yet since that report is the basis of the ERC in issuing CoCs. On the possible change in meter number, Clause 2.3.1.2 of the proposed amendments provides for the publication by the CRB of procedures for the submission of information. This is intended to include the regular updating of	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					the supply of the end user passes through. *To reduce the number of unnecessary modifications to customer's data as the information will only be necessary upon the customer's actual entry to the contestable market.* *To avoid duplication of reports, we propose to retain the existing monthly report on customer information submitted to the ERC and CRB, which we believe serves the same purpose as the information required under this Section.* *As noted in the rationale for the proposed amendments to the Section, the information/data required shall be consistent with the DU requirements under Article I, Section 1.1. of ERC Resolution No. 05, Series of 2014.* *We would like to note that the required information under items (a) to (e) in the afore-quoted proposed provision are included in the monthly customer information report submitted by DUs/NGCP to the ERC and CRB every 15th day of the month.* *To ensure integrity of the list of registered Contestable Customers*	information of contestable customers. We note that the proposed change also looks toward the implementation of full retail competition where metering arrangements may utilize existing meters and not require their replacement to participate in the retail market. In view of the above, we proposed to retain the current wording of the provision.	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					with the CRB, we propose to provide information only for customers that have been issued Certificate of Contestability (CoC) by the ERC, particularly on Items A to E. The abovementioned information is currently available in the monthly contestability report that we provide to the CRB simultaneous with our submission of such to the ERC. *We would like to advise that for Item "(e) Meter Number" included in the report above, this may still be subject to change. This is because the meter may be changed prior to a certified customer switching into the contestable market. These changes may be due to various maintenance operations. This may also happen in the case when the eligible customer's meter is not yet compatible with current metering requirements for contestable customers upon his eligibility. The Distribution Utility, like MERALCO, may change the metering facility of the customer in accordance with RCOA metering standards only when the customer decides to exercise his voluntary option to participate in the contestable market.* *With the above, for Items E, F and G, it is ideal that the information provided to the CRB must be the*		

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					most recent and updated ones. We recommend that these items be submitted by the DU prior to customer's switch, since changes in the metering facilities and the subject customer information may occur from the time that the customer is registered up to its target switch date.		
CONTESTABLE CUSTOMER INFORMATION	2.3.1.2	The *Central Registration Body* shall, from time to time, publish the list of information that it requires and the timetable and procedures for submission.	The *Central Registration Body* shall~~, from time to time,~~ publish the **detailed** list of information that it requires and the timetable and procedures for submission.	Remove ambiguity in the clause.			Adopt
CONTESTABLE CUSTOMER INFORMATION	**2.3.1.3** (new)	N / A	**The *Central Registration Body* shall submit a quarterly report to the *ERC* and the *DOE* on the compliance of the *Distribution Utilities* to clause 2.3.1.1 and clause 2.3.1.2.**	Include a reporting procedure to the ERC and the DOE to provide information on the compliance of DUs to the information requirements of the CRB.	**MERALCO:** **The *Central Registration Body* shall provide a monthly report to each *Distribution Utility* on their respective compliance with clause 2.3.1.1 and clause 2.3.1.2. *Upon discussion and communication with the DUs on the details of the information, timeline and other reports being required,*** the *Central Registration Body* shall submit a quarterly report to the *ERC* and the *DOE* on the compliance of the *Distribution Utilities* to clause 2.3.1.1 and clause 2.3.1.2. *Close coordination between DUs*	We recognize the need for a feedback mechanism for the DUs to ensure their compliance to the provisions. We propose to adopt Meralco's revision. On the detailed list of information, we propose that this be formalized through the retail registration manual. This would address Meralco's proposal that consultations be made prior to changes. We propose to revise the amendments as follows:	Adopt PEMC response (revised proposal)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					and the CRB will help ensure that information, timeline and other requirements to be imposed by the CRB are fully communicated and DUs' capabilities to meet these requirements are considered prior to finalizing them. *To allow DUs to improve their service in facilitating a seamless and smooth operation of the contestable market, it would be best for the CRB to provide the DU with regular monthly feedback on its performance. This will allow the DU to address any concerns that may arise in a timely manner. Also, there should be a venue to discuss any concerns that the CRB may have with the DU or vice-versa.* *Further, it is suggested that any change in the detailed information required by the CRB be discussed and communicated ahead of time with DUs so that they may have adequate time to prepare correspondingly.* *This will also help in gauging or assessing if the information, timeline and other requirements of the CRB from the DU are feasible and if there are other ERC rules that need to be considered, ahead of finalizing the requirements.*	**2.3.1.2** The *Central Registration Body* shall, from time to time, publish the **detailed** list of information that it requires and the timetable and procedures for submission **in the relevant *Retail Manual*.** **2.3.1.3 The *Central Registration Body* shall provide a monthly report to each *Distribution Utility* on their respective compliance with clause 2.3.1.1 and clause 2.3.1.2.** **2.3.1.4 The *Central Registration Body* shall submit a quarterly report to the *ERC* and the *DOE* on the compliance of the *Distribution Utilities* to clause 2.3.1.1 and clause 2.3.1.2.**	

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
CONTESTABLE CUSTOMER INFORMATION	2.3.3	*Contestable Customer* Supply Contract Information	~~2.3.3 *Contestable Customer* Supply Contract Information~~	Contract information with Generation Companies is not needed by the CRB for its operations since contestable customers are proposed not be required to register in the WESM. This information is required in the WESM for Suppliers under existing processes.			Adopt
CONTESTABLE CUSTOMER INFORMATION	2.3.3.1	No later than thirty days before the effectivity of their contracts, *Contestable Customers* and *Suppliers* that have entered into bilateral power supply contracts with Generation Companies registered in the *WESM* and wish those *bilateral contracts* to be accounted for in *WESM* settlements shall enrol those contracts with the *Market Operator* in accordance with the customer enrolment procedures in the *WESM*.	~~2.3.3.1 No later than thirty days before the effectivity of their contracts, *Contestable Customers* and *Suppliers* that have entered into bilateral power supply contracts with Generation Companies registered in the *WESM* and wish those *bilateral contracts* to be accounted for in *WESM* settlements shall enrol those contracts with the *Market Operator* in accordance with the customer enrolment procedures in the *WESM*.~~	Contract information with Generation Companies is not needed by the CRB for its operations since contestable customers are proposed not be required to register in the WESM. This information is required in the WESM for Suppliers under existing processes.	**FGEN:** *If the submission of requirements for switching is reduced to 5 days (1/3 of the original duration of requirements submission) prior to effective date, shouldn't the deadline of notice to inform CRB be equally/proportionally reduced also from 30 days to 10 days prior to effective date?*	We note that this provision has been proposed for deletion.	Adopt original proposal
CONTESTABLE CUSTOMER INFORMATION	2.3.3.2	No later than thirty days prior to the effective date of their contracts, *Contestable Customers*	~~2.3.3.2 No later than thirty days prior to the effective date of their contracts, *Contestable*~~	Contract information with Generation Companies is not needed by the CRB for	**FGEN:** *Same comment above*	**FGEN:** We note that this provision has been proposed for	Adopt original proposal; Clause 3.2.2.1 still for revision of proponent

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		or their respective *Suppliers* shall notify the *Central Registration Body* of their retail electricity supply contracts and provide the information that will be required by the *Central Registration Body.*	~~*Customers* or their respective *Suppliers* shall notify the *Central Registration Body* of their retail electricity supply contracts and provide the information that will be required by the *Central Registration Body.*~~	its operations since contestable customers are proposed not be required to register in the WESM. This information is required in the WESM for Suppliers under existing processes.	**MERALCO:** **Together with the switch request, the supplier shall submit an attestation duly signed by the customer of the existence of a Retail Supply Contract (RSC) with the supplier. The document shall also indicate the term, i.e., start and end date, of the RSC.** *For clarification.* *As explained under the Rationale of the proposed deletion of this Section by PEMC, contract information with Generation Companies is not needed by the CRB for its operations since contestable customers are proposed not to be required to register in the WESM.* *On the other hand, the existence of an RSC between the customer and supplier ensures that energy consumed by the customer can properly be accounted for and settled. Also, it will ensure that the customer is not "slammed", i.e., unduly transferred to another supplier without his consent.* *While the actual contract itself need not be submitted to the CRB, a document where the customer and supplier attest to the existence of a*	deletion. **MERALCO:** We agree with the comment and propose to adopt Meralco's amendment to proposed clause 3.2.2.1. Refer to clause 3.2.2.1 for the proposed revised clause.	

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					retail supply contract for a specified period may be sufficient. *We respectfully submit that said document/ information should be required as proof by both the Supplier and Contestable Customer that an RSC has been executed. This is consistent with Section 3.2.1.3 (a) of the existing Retail Rules.* *A template document that is downloadable from the CRB website, signed by the customer and supplier, and, submitted together with the switch request is therefore suggested.*		
CONTESTABLE CUSTOMER INFORMATION	2.3.3.3	The information that shall be submitted pursuant to clause 2.3.3.1 and clause 2.3.3.2 shall include but shall not be limited to the names of counterparties to the supply contract and the duration of the contract.	~~2.3.3.3 The information that shall be submitted pursuant to clause 2.3.3.1 and clause 2.3.3.2 shall include but shall not be limited to the names of counterparties to the supply contract and the duration of the contract.~~	Contract information with Generation Companies is not needed by the CRB for its operations since contestable customers are proposed not be required to register in the WESM. This information is required in the WESM for Suppliers under existing processes.			Adopt
(Title)	2.4	REGISTRATION	**SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS** ~~REGISTRATION~~	Since Section 2.2 already provided for the registration of contestable customers, this section			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
				is proposed to discuss the registration of suppliers and RMSPs with the CRB.			
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS ~~REGISTRATION~~	2.4.1	Before being able to transact in the *WESM*, *Suppliers* shall:	Before being able to transact **with the *Central Registration Body*** ~~in the *WESM*, *Suppliers*~~ shall:	With the proposed distinction of the wholesale and retail markets, participating in the retail market would only require transacting with the CRB.			Adopt
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS ~~REGISTRATION~~	2.4.1.2	Register in the *WESM* as a Direct Member under the Customer *Trading Participant* category and shall fulfil all such registration requirements as set out in the *WESM Rules* Chapter 2; Provided that its registration as a Direct Member is deemed to include registration as a *Supplier* by the *Central Registration Body*.	Register in the *WESM* as a Direct Member under the Customer *Trading Participant* category and shall fulfil all such registration requirements as set out in the *WESM Rules* Chapter 2**, and**; ~~Provided that its registration as a Direct Member is deemed to include registration as a *Supplier* by the *Central Registration Body*.~~	With the proposed distinction of the wholesale and retail markets, it is proposed that suppliers register separately with the CRB.			Adopt
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS ~~REGISTRATION~~	**2.4.1.3** (new)	N / A	**Register with the *Central Registration Body* as a *Supplier*.**	With the proposed distinction of the wholesale and retail markets, it is proposed that suppliers register separately with the CRB.			Adopt
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS	2.4.2 2.4.2.1 2.4.2.2 2.4.2.3	2.4.2 XXX 2.4.2.1 XXX 2.4.2.2 XXX 2.4.2.3 XXX	~~2.4.2 XXX~~ ~~2.4.2.1 XXX~~ ~~2.4.2.2 XXX~~ ~~2.4.2.3 XXX~~	These rules provide for the registration of contestable customers with the CRB, which is	*These provisions are proposed to be deleted since the registration of contestable customers with the CRB is already discussed in Section 2.2*	Clause 2.2.2 requires the CRB to confirm with the ERC if the end user has been certified as	Adopt original proposal

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
~~REGISTRATION~~	2.4.3 2.4.3.1 2.4.3.2 2.4.4 2.4.4.1 2.4.4.2	2.4.3 XXX 2.4.3.1 XXX 2.4.3.2 XXX 2.4.4 XXX 2.4.4.1 XXX 2.4.4.2 XXX	~~2.4.3 XXX~~ ~~2.4.3.1 XXX~~ ~~2.4.3.2 XXX~~ ~~2.4.4 XXX~~ ~~2.4.4.1 XXX~~ ~~2.4.4.2 XXX~~	already discussed in Section 2.2.	*of the Retail Rules.* *While we understand that most of the provisions would no longer apply with the proposed distinction of the wholesale and retail markets, particularly the registration requirements for transacting in the WESM as Direct or Indirect WESM member, there is still one requirement that should remain to be valid even for Retail Market registration. In particular, the contestable customer should still have a certificate of contestability from the ERC as proof of its eligibility to participate and switch to the Contestable Market.* *To ensure that the Contestable Customer is fully informed on the procedures should it elect to switch out of captive retail service.*	contestable. Since the confirmation is directly from the ERC, we deem this sufficient to prove the contestability of the end user.	
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS ~~REGISTRATION~~	2.4.5 2.4.5.1 2.4.5.2 2.4.5.3	2.4.5 XXX 2.4.5.1 XXX 2.4.5.2 XXX 2.4.5.3 XXX	~~2.4.5 XXX~~ ~~2.4.5.1 XXX~~ ~~2.4.5.2 XXX~~ ~~2.4.5.3 XXX~~	Since the proposed Section 2.2 discusses the registration of contestable customers, it is proposed that these provisions be transferred to clause 2.2.4.			Adopt
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS ~~REGISTRATION~~	2.4.6	2.4.6 Distribution utilities shall register and transact in the spot market:	2.4.6~~2~~ Distribution utilities shall register **with the *Central Registration Body*** ~~and transact in the spot market:~~	With the proposed distinction of the wholesale and retail markets, only the registration of DUs	**MERALCO:** We suggest that currently registered retail market participants with the CRB should no longer be required to	Currently registered retail market participants are not required to re-register under the proposal.	Adopt original proposal

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		2.4.6.1 As either *Direct WESM Member* or *Indirect WESM Member* in accordance with the requirements and procedures for registration set out in the *WESM Rules* Chapter 2 for transactions in respect to the supply of electricity to their captive customers; 2.4.6.2 As *Supplier* in accordance with Section 2.4.1 of this Chapter 2 for transactions in respect to the supply of electricity to *Contestable Customers* and for transactions as *Supplier of Last Resort.*	~~2.4.6.1 As either *Direct WESM Member* or *Indirect WESM Member* in accordance with the requirements and procedures for registration set out in the *WESM Rules* Chapter 2 for transactions in respect to the supply of electricity to their captive customers;~~ ~~2.4.6.2 a~~s *Supplier**s*** in accordance with Section 2.4.1 of this Chapter 2 for transactions in respect to the supply of electricity to *Contestable Customers* and for transactions as *Supplier of Last Resort.*	with the CRB should be reflected in the Retail Rules. Re-numbered with the deletion of 2.4.2 to 2.4.5.	register again with the CRB upon effectivity of the separation of the wholesale and retail markets. *Registration be required only for the new participants.* *We would like to seek clarification if the participants currently registered with the CRB, such as MERALCO as a DU for captive customers and the Supplier of Last Resort (SoLR), need to re-register with the CRB in relation to the separation of the wholesale and retail markets.*		
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS ~~REGISTRATION~~	2.4.7 2.4.7.1 2.4.7.2	2.4.7 XXX 2.4.7.1 XXX 2.4.7.2 Register in the *WESM* as a *Retail Metering Services Provider* and shall fulfil all such registration requirements as set out in the *WESM Rules* Chapter 2; Provided that its registration as with the *WESM* is deemed to include registration by the *Central Registration Body.*	2.4.~~7~~**3** XXX 2.4.~~7~~**3**.1 XXX 2.4.~~7~~**3**.2 Register **with the *Central Registration Body*** ~~in the *WESM*~~ as a *Retail Metering Services Provider* and shall fulfil all such registration requirements as set out in ~~the *WESM Rules*~~ **the relevant *Retail Manual*** ~~Chapter 2; Provided that its registration as with the *WESM* is deemed to include registration by~~	With the proposed distinction of the wholesale and retail markets, RMSPs should register with the CRB instead of in the WESM. Re-numbered with the deletion of 2.4.2 to 2.4.5.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			~~the *Central Registration Body*~~.				
SUPPLIERS AND RETAIL METERING SERVICES PROVIDERS ~~REGISTRATION~~	2.4.8	2.4.8 At the commencement of retail competition in the spot market, the Distribution Utilities shall serve as the default *Retail Metering Services Provider* for *Contestable Customers* with service addresses located within their franchise area, and as such, are deemed registered in the *WESM* and the *Central Registration Body* without need of complying with the requirements set in Section 2.4.7 of this Chapter 2.	2.4.8~~4~~ At the commencement of retail competition ~~in the spot market~~, the Distribution Utilities shall serve as the default *Retail Metering Services Provider* for *Contestable Customers* with service addresses located within their franchise area, and as such, are deemed registered ~~in the *WESM* and~~ **with** the *Central Registration Body* without need of complying with the requirements set in Section 2.4.~~7~~**3** of this Chapter 2.	With the proposed distinction of the wholesale and retail markets, DUs will be registered with the CRB as RMSPs instead of in the WESM. Re-numbered with the deletion of 2.4.2 to 2.4.5.			Adopt
REGISTRATION PROCESS	2.5	The *Central Registration Body* shall prepare and publish a *Market manual* which sets out:	The *Central Registration Body* shall prepare and publish a ***Retail Manual*** ~~*Market manual*~~ which sets out:	It is proposed to differentiate the manuals of the CRB with the WESM manuals.			Adopt
REGISTRATION PROCESS	2.5.1	The requirements and procedures which *Suppliers*, *Contestable Customers* and *Retail Metering Services Providers* shall follow to enable registration in the *WESM*, which requirements and procedures shall be consistent with relevant	The requirements and procedures **for the registration of** ~~which~~ *Suppliers*, *Contestable Customers* and *Retail Metering Services Providers* **with the *Central Registration Body*** ~~shall follow to enable registration in the *WESM*, which~~	Re-phrase to cover automatic registration by the CRB of the contestable customers.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		provisions of *WESM Rules* Chapter 2.	~~requirements and procedures shall be consistent with relevant provisions of *WESM Rules* Chapter 2~~; **and**				
REGISTRATION PROCESS	2.5.2	The data required to be provided to the *Central Registration Body* for registration as a *Contestable Customer*, and	The data required to be provided to the *Central Registration Body* for registration as a ***Supplier***, *Contestable Customer*, **or *Retail Metering Services Provider*** and	Since it is proposed that suppliers and MSPs be separately registered in the WESM and with the CRB, data requirements from suppliers and RMSPs should be included in the Retail manual.			Adopt
REGISTRATION PROCESS	2.5.3	The criteria for determining the *market trading node* represented in the *Market Network Model* to which the contestable customer shall be associated as its *grid off-take metering point.*	~~2.5.3 The criteria for determining the *market trading node* represented in the *Market Network Model* to which the contestable customer shall be associated as its *grid off-take metering point.*~~	It is proposed that identification of grid off-take metering points be reported by the DUs as indicated in the proposed clause 2.3.1.1.			Adopt
~~SUSPENSION DE-REGISTRATION AND CESSATION OF MEMBERSHIP~~	2.6	SUSPENSION DE-REGISTRATION AND CESSATION OF MEMBERSHIP The suspension, de-registration and cessation of the membership of *Suppliers* and *Contestable Customers* in the *WESM* shall be governed by the *WESM Rules*.	~~SUSPENSION~~ DE-REGISTRATION ~~AND CESSATION OF MEMBERSHIP~~ The ~~suspension,~~ de-registration ~~and cessation of the membership~~ of *Suppliers* and *Contestable Customers* **with the *Central Registration Body*** ~~in the *WESM*~~ shall	Suspension and cessation of membership is associated with the WESM membership of retail competition participants. With the proposed non-mandatory registration in the WESM, provisions for those in the Retail Rules may be removed.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			be governed by the **relevant *Retail Manual*** ~~*WESM Rules*~~.				
(Title)	Chapter 3	THE MARKET	~~THE MARKET~~ **TRANSACTIONS**	Proposed revision since the Retail Rules is proposed to cover only procedures for transactions with the CRB.			Adopt
SCOPE OF CHAPTER 3	3.1	This chapter sets out the rules which govern operation of the market pertaining to the following and related matters:	This chapter sets out the rules which govern operation of **the *Central Registration Body*** ~~market~~ pertaining to the following and related matters:	Proposed revision since the Retail Rules is proposed to cover only procedures for transactions with the CRB.			Adopt
SCOPE OF CHAPTER 3	3.1.2	Settlement of the transactions of *Suppliers* and *Contestable Customers* in the *WESM*; and	~~Settlement~~ **Accounting** of the transactions of *Suppliers* and *Contestable Customers* ~~in the *WESM*~~; and	With the proposed non-mandatory registration in the WESM, retail competition participants will not be settled by the CRB.			Adopt
CONTESTABLE CUSTOMER TRANSACTIONS	3.2.1.3(b)	There is an existing and valid wheeling service agreement with the relevant *Distribution Utility* or *Network Service Provider* and a metering services agreement with a registered Metering Services Provider, covering the *Contestable Customer*.	There is an existing and valid wheeling service agreement with the relevant *Distribution Utility* ~~or *Network Service Provider*~~ and a metering services agreement with a registered Metering Services Provider, covering the *Contestable Customer*.	With the proposed exclusion of directly connected end users in the Retail Rules under proposed clause 1.3.3, provisions under the Retail Rules would only apply to DUs and not the NSP of the transmission system.			Adopt
					MERALCO: **3.2.1.3 (c) A Connection**	Under the revised proposed clause 3.2.1.1(b), it is proposed that the switch	For MERALCO-proposed new Clause 3.2.1.3 (c): adopt

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					Agreement (CA) between the Distribution Utility and the Contestable Customer must have been entered and signed into before an initial switch is approved by the CRB. *It is recommended that signed Connection Agreement must be regarded as switch requirement by the CRB. It is crucial if this is not required as there will be no binding valid agreement between the Contestable Customer and the DU, which may be used as basis for disconnection of the customer.* *It is highly recommended that prior to approval of an initial switch (captive to contestable market) of a Contestable Customer to a Supplier, a valid signed Connection Agreement between the Distribution Utility and the Contestable Customer must be checked by the CRB.* *The Connection Agreement is different from the Agreement for Sale of Electric Energy (ASEE) between a DU and the Customer while the latter is part the captive market. The ASEE contains terms and conditions covering electricity supply, distribution wheeling, and connection services. The ASEE will be terminated once a customer switches to the contestable market*	request include signatures from the supplier and distribution utility indicating the existence of a DWSA covering the contestable customer. It is proposed that the distribution utility use the execution of a CA as a requirement for the issuance of a DWSA covering the contestable customer. We propose not to adopt Meralco's proposed new clause.	PEMC response For MERALCO-proposed new Clause 3.2.1.3 (d): adopt PEMC response pending revision to Clause 3.2.2.1 and 3.2.2.9

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					and only a Connection Agreement will remain between the DU and the customer. *Given the above, we humbly suggest inclusion of a provision pertaining to this. While the actual copy of the CA need not be submitted to the CRB, an attestation to the existence of the CA between the DU and customers, as well as other switch necessities, e.g., settlement of arrears with previous supplier, can be submitted with the switch request.* **3.2.1.3 (d)** Have additional provisions to ensure all prerequisites for participation in the contestable market are fulfilled prior to approval of switch of the customer by the CRB. We respectfully recommend to include the compliance or fulfillment of the following requirements prior to approval of switch: • **The DWS bill deposit must be settled first by the Supplier to the DU** • **The Contestable Customer must have *been given switch approval by the previous supplier*** • **Prudential requirements**	**3.2.1.3 (d)** Below is our position with regard to the different proposed requirements prior to submission of switch request: • The DWS bill deposit must be settled first by the Supplier to the DU - We propose that obligations of participants not related to CRB transactions not be included in the retail rules. Those obligations are governed by other issuances and changes to those issuances would require retail	

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					must be fulfilled by the Supplier to the Market Operator, if applicable • **For initial switch, customer is installed with metering facility that is compliant to RCOA metering standards** *To provide comprehensive list of requirements for a switch.* *We would like to suggest that all other documentary or procedural requirements that must be fulfilled prior the switch be listed under the clause, such as the fulfillment of prudential requirements by the Supplier to the Market Operator.* *This is to ensure that all requirements are captured and laid out and known to all retail market participants in relation to the reference made in Section 3.2.2.1 of this document.* *Examples of the requirement of the DU before allowing a customer's switch are the following:* • *The Supplier must have settled the Distribution Wheeling Service (DWS) bill deposit with the DU* *For initial switch:* • *Customer is installed with metering facility that is*	rules change if included. • The Contestable Customer must have been given switch approval by the previous supplier - In view of Article II Section 1(a) of ERC Resolution No. 09 Series of 2018, we propose to adopt Meralco's revision but only if the contestable customer has an outstanding balance. Refer to clause 3.2.2.1 for the proposed revised clause. Clause 3.2.2.9 is also proposed for revision. • Prudential requirements must be fulfilled by the Supplier to the Market Operator, if applicable - The trigger for assessing the prudential requirement of the supplier is the switch request; hence, compliance to prudential requirements should be after the switch request. • For initial switch, customer	1

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					compliant with RCOA metering standards *Another example of a requirement prior to a switch is the provision of a "switch approval" by a customer's previous supplier.*	is installed with metering facility that is compliant to RCOA metering standards - This may be determined by the CRB during the processing of the switch request; hence, it may not be required prior to switch request. However, the effectivity of the switch request may be expected to be delayed if the metering facility is not yet compliant.	
CONTESTABLE CUSTOMER TRANSACTIONS	3.2.1.4	Switching shall take effect at the start of, and not within, a billing period as defined in the *WESM Rules*, Provided, however that the switching from a *Supplier of Last Resort* to a *Supplier* may be permitted by the *Central Registration Body* to take effect within a billing period.	**If a *Contestable Customer* elects to source its supply from the *WESM* as a *Direct WESM Member*, the *Market Operator* shall submit a *switch request* with the *Central Registration Body* to act as the *Supplier* of the *Contestable Customer* upon approval of its *WESM* membership.** ~~Switching shall take effect at the start of, and not within, a billing period as defined in the *WESM Rules*, Provided, however that the~~	To appropriately account for the transactions of contestable customers that opt to directly source from the WESM, their status should be reported to the CRB.	**MERALCO:** **No later than five (5) days from the switching date, the CRB shall inform all relevant stakeholders of the date when switching shall take effect.** *clarification as to the reason why the afore-quoted provision has been removed from the Retail Rules. Will this provision on the effectivity of switching in a billing period no longer apply? If this is the case, then there should be a provision stating that all relevant service providers will be notified of when the switching shall take effect.* *For the DU, this will indicate the date when regulated retail supply will be*	We confirm that the clause was deleted to allow for switching within a billing period. We agree with Meralco that notification to the relevant DU and the retail MSP of the proposed effectivity date would allow for the more organized transfer of the contestable customer. In view of this, we propose to revise clause 3.2.2.2 to include item (c) as follows: If the *Central Registration Body* verifies that all the conditions are met**, the *Central Registration Body* shall:** and Contestable *Customer* for which the	Adopt original proposal; Clause 3.2.2.2 (c) to be revised by proponent

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			~~switching from a *Supplier of Last Resort* to a *Supplier* may be permitted by the *Central Registration Body* to take effect within a billing period.~~		*terminated and the DU no longer has to procure supply for the customer under regulated retail supply.* *For the RMSP, this will indicate the start of gathering metering data for provision to the CRB.* *Sufficient lead time of at least five (5) days is necessary to allow the other service providers to make the necessary modifications and adjust operations, e.g., change in supply nominations.*	*switch request* is made is registered as a *Direct WESM Member*. a) **notify the *Market Operator* of the *switch request* within one (1) *working day*;** The *Direct WESM Member* shall update its prudential requirements if so required by the *Market Operator* to ensure that it fully satisfies the prudential requirement as set out in the *WESM Rules*. b) **confirm if the customer information of the *contestable customer* required under clause 2.3.1 has been submitted by the *Distribution Utility* within one (1) *working day*; and** upon confirmation that the prudential requirements are satisfied, the *Central Registration Body* shall notify the new *Supplier*, the incumbent *Supplier*, the *Contestable Customer* and the relevant *Distribution Utility* or *Network Service Provider* of the	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
						confirmation of the *switch request* and the effective date of the switch. c) **inform the relevant *Distribution Utility* and *Retail Metering Services Provider* the proposed effectivity date of the *switch request* within one (1) *working day*.**	
Procedures for Switching	3.2.2.1	Once all the conditions set forth in clause 3.2.1.3 are met, the new *Supplier* shall submit the *switch request* to the *Central Registration Body* not later than thirty days prior to the proposed effective date, Provided that the proposed effective date should coincide with the end of a billing period.	Once all the conditions set forth in clause 3.2.1.3 are met, the new *Supplier* shall submit the *switch request* to the *Central Registration Body* not later than ~~thirty~~ **five working** days prior to the proposed effective date~~, Provided that the proposed effective date should coincide with the end of a billing period~~.	Include the conditions for contestable customers that opt to directly source from the WESM. Shorter switching period is proposed to allow contestable customers to immediately realize the impact of their choice.	**MERALCO:** The new *Supplier* shall submit the *switch request* to the *Central Registration Body* not later than **fifteen (15)** days prior to the proposed effective date **and the CRB shall notify the relevant Distribution Utility immediately.** *activities on the side of the DU that must be fulfilled prior a customer's switch. Many of these are dependent on the customer or the Supplier, and as such, we recommend to provide a more reasonable timeframe to cover these activities. We need to determine a more feasible/realistic timeline for the DU/RMSP to process all the requirements for the customer's switching.* *While we understand the intention of PEMC in shortening the switching*	We agree that the DU and RMSP should be informed immediately of the proposed effectivity date of the switch request. We propose to revise clause 3.2.2.2. See clause 3.2.2.2 for the proposed revision. With regard to the metering installation, we note that it is a requirement for the completion of the switch request. The five working days is the minimum timeframe in processing the switch request. In the event that the metering installation is not yet ready, the effectivity date of the switch request will be moved as provided under proposed clause 3.2.2.8. For the other arrangements,	Clause 3.2.2.x to be reviewed/revised

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					period, the proposed 5-day period may not be feasible, especially if the volume of customers that will be switching per month will increase (such as when the contestability threshold is further reduced). *Also, we would like to inquire: (i) when will the DU be notified of the switch of a customer as the procedures for switching under Clause 3.2.2 did not mention such and (ii) if the Metering Installation Registration Form (MIRF) will still be required in the proposed procedures. Notification to the DU is necessary so that it may already begin preparations to serving the customer's metering needs as a contestable customer. More importantly, the DU should be given sufficient notice to be able to adjust its sourcing activities to account for the exit of the contestable customer from regulated supply.* *Specific to the contestable customer, the DU needs to have ample lead time in knowing the customers who will switch as there are numerous critical requirements that must be fulfilled, including but not limited to the installation or replacement of metering facilities of the customers in accordance with RCOA metering standards, signing of contracts between parties*	we note that an existing and valid DWSA and MSA is required for a switch request to be processed. Hence, the DU and RMSP would have been coordinated with prior to the submission of the switch request. In view of this, we propose to retain the proposed five working day minimum processing timeline since this period will not involve the activities mentioned (signing of connection agreement, DWSA, and MSA). Clause 3.2.2.1 is proposed to be revised as follows: Once all the conditions set forth in clause 3.2.1.3 are met, the new *Supplier* shall submit the *switch request* to the *Central Registration Body* not later than ~~thirty~~ **five working** days prior to the proposed effective date, Provided that the proposed effective date should coincide with the end of a billing period. **The *switch request* shall include an attestation duly signed by:**	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					(Connection Agreement between the DU and the customer, and the Distribution Wheeling Services Agreement between the DU and the RES), sending of bill deposit notification letter to the RES and the latter's settlement of DWS bill deposit, clean-up of customer's arrears as a captive customer, adjustment in energy sourcing of the DU due to customer's migration, etc. *The matter of installation of appropriate meters is especially relevant for customers that will switch out of captive service and into the contestable market. There is yet no clear directive from the regulator on the installation of interval-ready meters for customers below the 750 kW threshold. The lack of the regulatory mandate means that there is no assurance that the metering prerequisites for participation in the contestable market will be in place when these customers are allowed to participate in RCOA.* *It should be recalled that, for the initial implementation of RCOA at the 1MW and up threshold, a regulatory mandate was given and DUs were given ample time to prepare to help ensure that meters were ready at the time customers received their certificate of*	**a) the *Supplier* and the *Contestable Customer* of the existence of a *retail supply contract* between the two parties, and the term of the *retail supply contract* including the effectivity dates;** **b) the *Supplier* and the relevant *Distribution Utility* of the existence of a valid wheeling service agreement covering the *Contestable Customer*;** **c) the *Supplier* and the registered *Metering Services Provider* of the existence of a metering services agreement covering the *Contestable Customer*; and** **d) the incumbent *Supplier* or, if not served by a *Supplier*, relevant *Distribution Utility* that the *Contestable Customer* has no outstanding balance.** Moreover, we propose the revision of clause 3.2.1.3 to add item (c) as follows:	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					contestability and could exercise retail choice. *The above requirements are stipulated in various ERC regulations and as such, must be met prior to allowing a customer's switch. We would like to note that these activities take time, especially when it involves scheduling with the customer and signatory of contracts, generation of DWS bill deposit and putting up of the RES of payment for DWS bill deposit, among others. With the volume of customers switching in Meralco's franchise area, the above activities cannot be feasibly done within five (5) working days.* *For MERALCO, we strongly suggest at least fifteen (15) days to cover all activities before the proposed switch effectivity date. This would be the case should there be major deficiencies in the customer's prerequisites for switching.*	A *Supplier* may submit a *switch request* to the *Central Registration Body* if the following conditions are met: a) A supply contract has been entered into between the *Supplier* and the *Contestable Customer* for which the *Switch request* is made; and b) There is an existing and valid wheeling service agreement with the relevant *Distribution Utility* or *Network Service Provider* and a metering services agreement with a registered Metering Services Provider, covering the *Contestable Customer*; **and** **c) The *Contestable Customer* does not have any outstanding balance with its incumbent *Supplier* or, if not served by a *Supplier*, relevant *Distribution Utility*.**	
					MERALCO: **3.2.2.1(b)** **The Distribution Utility shall provide confirmation to the**		Clause 3.2.2.x to be reviewed/revised

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					Central Registration Body of the contestable customers who have fulfilled or completed all DU requirements for a switch. A document signed by the customer, supplier and DU attesting to the fulfillment of all necessary prerequisites for switching, e.g., RSC, CA, DWSA, and installation of appropriate metering facilities, shall be submitted by the supplier together *To ensure that only customers who have met all necessary conditions and requirements shall be switched, and that the CRB will know that the customer will be able to participate in the contestable market.* *With the proposed additional conditions under 3.2.1.3(d) mainly from the DU, it is necessary that there be confirmation of fulfillment of DU-related requirements prior to a switch.*		
					MERALCO: **Retain Rule 3.2.2.4** *To allow the rectification of an incomplete or erroneous switch request.*	We agree with the comment and propose to insert a clause 3.2.2.10 as follows: **If the *Central Registration Body* verifies that the conditions set forth in**	Clause 3.2.2.x to be reviewed/revised

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
					It is necessary that there be a rule, process, and venue for the CRB to rectify a defective switch request, e.g., incomplete or incorrect requirements, so as not to unduly penalize a customer by preventing his switch especially if the fault was beyond the customer's control. Thus, we recommend that the following provisions be retained. 3.2.2.4 If the *Central Registration Body* verifies that the conditions set forth in clause 3.2.1.3 are not met or if the *Market Operator* confirms that the prudential requirements are not fully satisfied: a) The *Central Registration Body* shall notify the *Contestable Customer*, the *Supplier* which submitted the switch request, the incumbent *Supplier* and the relevant Distribution Utility or *Network Service Provider* that the *Switch request* shall not take effect and the reasons therefore. b) The *Supplier* which submitted the *Switch request* may rectify the shortcomings in the previous switch request and submit a new switch request to the *Central Registration Body*. c) If the shortcoming pertains to prudential requirements, the party required to comply shall update its prudential requirements to the satisfaction of the *Market Operator* and the switch can take effect without need of re-submission of the switch request.	**clause 3.2.1.3 are not met, the *Central Registration Body* shall notify the *Supplier* that the *switch request* will not be processed and require the *Supplier* to submit a new switch request when all conditions have been met by the *Supplier.*** We note that non-compliance with the prudential requirements will not result in the rejection of a switch request but would postpone the effectivity date of the switch.	
Procedures for Switching	3.2.2.2 (a) and (b)	If the *Central Registration Body* verifies that all the conditions are met and Contestable *Customer* for which the *switch request* is made is registered as a *Direct WESM Member*: a) The *Direct WESM Member* shall update its prudential requirements if so required by the *Market Operator* to ensure that it fully	If the *Central Registration Body* verifies that all the conditions are met**, the *Central Registration Body* shall:** and ~~Contestable *Customer* for which the *switch request* is made is registered as a *Direct WESM Member*.~~ d) **notify the *Market Operator* of the *switch request* within one (1)**	With the proposed non-mandatory registration of contestable customers with the WESM, additional procedures on the coordination of the CRB with the MO are proposed for the compliance of Suppliers with the WESM prudential requirements. With the proposed	**MERALCO:** **Upon receipt of switch request from the Supplier, the Central Registration Body shall** notify the *Market Operator* of the *switch request* within one (1) *working day* If the *Central Registration Body* verifies **on the eleventh day from receipt of switch request** that all the conditions **and requirements** are met, the *Central Registration Body* shall confirm if the customer	On item B, the timeline indicate is for the CRB to confirm with the Supplier if the required customer information is already with the CRB. The timeline for the DU is provided under proposed clause 3.2.2.6 (three working days). Given the necessity to replace the metering installation of the end user, we propose to adopt Meralco's proposed timeline for compliance and revise clause 3.2.2.6. Refer	Clause 3.2.2.x to be reviewed/revised

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		satisfies the prudential requirement as set out in the *WESM Rules*. b) Upon confirmation that the prudential requirements are satisfied, the *Central Registration Body* shall notify the new *Supplier*, the incumbent *Supplier*, the *Contestable Customer* and the relevant *Distribution Utility* or *Network Service Provider* of the confirmation of the *switch request* and the effective date of the switch.	***working day*; and** ~~The *Direct WESM Member* shall update its prudential requirements if so required by the *Market Operator* to ensure that it fully satisfies the prudential requirement as set out in the *WESM Rules*.~~ e) **confirm if the customer information of the *contestable customer* required under clause 2.3.1 has been submitted by the *Distribution Utility* within one (1) *working day*.** ~~Upon confirmation that the prudential requirements are satisfied, the *Central Registration Body* shall notify the new *Supplier*, the incumbent *Supplier*, the *Contestable Customer* and the relevant *Distribution Utility* or *Network Service Provider* of the confirmation of~~	submission of customer information by the DUs instead of the Suppliers, procedures for ensuring that necessary operational data are with the CRB are proposed to be included.	information of the *contestable customer* required under clause 2.3.1 has been submitted by the *Distribution Utility*. *To incorporate the need for the DU to longer lead time to complete the customer information required by the CRB.* *On Item B, please be advised that the required customer information may take time to be completed or complied with by the DU, specifically, items E, F, and G. The information required may involve field visits or replacement of metering facilities, subject to customer's preferred schedule, and other necessary activities before the information is gathered or confirmed to be compliant with RCOA requirements. As such, we strongly suggest that ample time for the DUs be provided before a customer is switched to the contestable market.* *Consistent with our comment under Clause 3.2.2.1, it is recommended to provide at least fifteen (15) days to cover all necessary activities, including the completion of customer information.* *To speed up the process, we also recommend that the supplier be required to submit to the CRB*	to clause 3.2.2.6 for the revision. On other documentary requirements, we agree that all documents should be in place prior to the submission of the switch request and have reflected this in the revised clause 3.2.2.1. We propose to retain the wording of this provision.	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			~~the *switch request* and the effective date of the switch.~~		*together with the switch request a document, signed by the customer and DU, saying that all necessary requirements for the customer to participate in the contestable market, e.g., installation of appropriate metering, have been met.*		
Procedures for Switching	3.2.2.2 (c)	The *Contestable Customer* shall be responsible for ensuring that it has fully complied with its obligations to the incumbent *Supplier* and the new *Supplier*, including but not limited to the payment of outstanding obligations and posting of security deposits.	~~The *Contestable Customer* shall be responsible for ensuring that it has fully complied with its obligations to the incumbent *Supplier* and the new *Supplier*, including but not limited to the payment of outstanding obligations and posting of security deposits.~~	Re-numbered to new clause 3.2.2.9			Clause 3.2.2.x to be reviewed/revised
Procedures for Switching	3.2.2.3	3.2.2.3 XXX a) XXX b) XXX c) XXX d) XXX	3.2.2.3 ~~XXX~~ **The new *Supplier* shall update its prudential requirements if so required by the *Market Operator* to ensure that it fully satisfies the prudential requirement as set out in the *WESM Rules*.** ~~a) XXX~~ ~~b) XXX~~ ~~c) XXX~~ ~~d) XXX~~	Transferred from current Retail Rules 3.2.2.2(a)			Clause 3.2.2.x to be reviewed/revised
Procedures for Switching	3.2.2.4	3.2.2.4 XXX a) XXX b) XXX	3.2.2.4 ~~XXX~~ **Within one (1) *working day* from confirmation of the**	With the proposed non-mandatory registration of			Clause 3.2.2.x to be reviewed/revised

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		c) XXX	**compliance of the new *Supplier*, the *Market Operator* shall notify the *Central Registration Body* that the new *Supplier* has complied with the prudential requirements of the *WESM*.** ~~a) XXX~~ ~~b) XXX~~ ~~c) XXX~~	contestable customers with the WESM, additional procedures on the coordination of the CRB with the MO are proposed for the compliance of Suppliers with the WESM prudential requirements.			
Procedures for Switching	**3.2.2.5** (new)	N / A	**If the *Central Registration Body* determines under clause 3.2.2.2(b) that the contestable customer has lacking customer information, the *Central Registration Body* shall notify the relevant *Distribution Utility* within one (1) *working day* to provide the necessary information.**	With the proposed submission of customer information by the DUs instead of the Suppliers, procedures for ensuring that necessary operational data are with the CRB are proposed to be included.			Clause 3.2.2.x to be reviewed/revised
Procedures for Switching	**3.2.2.6** (new)	N / A	**A *Distribution Utility* that has received a notification in accordance with clause 3.2.2.5 shall submit the necessary information within three (3) *working days* from the receipt of the notification. The**	With the proposed submission of customer information by the DUs instead of the Suppliers, procedures for ensuring that necessary operational data are with the CRB are proposed to be	**MERALCO:** A ***service provider*** that has received a notification in accordance with clause 3.2.2.5 shall submit the necessary information within three (3) *working days* from the receipt of the notification. The *Central Registration Body* shall inform the new *Supplier* of the lacking	We propose that compliance to metering installation be retained within the switch request process to provide clear timelines in its correction. As regards the timeline, we note that Meralco suggested in its comment	Clause 3.2.2.x to be reviewed/revised

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			Central Registration Body **shall inform the new *Supplier* of the lacking customer information and the status of the submission of the *Distribution Utility.***	included.	customer information and the status of the submission of the ***service provider***. *The determination of whether or not a customer will be allowed to switch can be facilitated by the evaluation, upon submission to the CRB of a complete switch request. A complete request would include an attestation by all relevant service providers that all prerequisites are fulfilled. Thus, the CRB can defer receipt of an "incomplete" switch request and the supplier can rectify the situation with the relevant service provider, if necessary.* *This would mean that the switching process that would occur from the submission of the switch request and the actual switching would mainly involve the CRB and WESM. Other service providers would simply await notification of the effective date of switching.* *The provision can be retained in case of unforeseen circumstances. In addition to the DU, other relevant service providers, e.g., NGCP, may have to be covered in case the issue is a matter of their concern.*	on clause 3.2.2.1 that a fifteen (15) working day timeline be provided to remedy incomplete information from the Distribution Utility. The timeline, however, included preparation of documents that will be required prior to switch request in the proposal (e.g., DWSA, MSA); in view of this, we would like to inquire Meralco for a timeline that would only include setting up of the metering installation and reflect the same in this provision. We propose to retain the wording of the provision but with changes in the timeline as will be suggested by Meralco. **A *Distribution Utility* that has received a notification in accordance with clause 3.2.2.5 shall submit the necessary information within [new timeline] *working days* from the receipt of the notification. The *Central Registration Body* shall inform the new *Supplier* of the lacking customer**	

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
						information and the status of the submission of the *Distribution Utility*. We note that this does not cover NGCP since transactions of directly connected customers are proposed to be facilitated by the WESM Rules.	
Procedures for Switching	**3.2.2.7** (new)	N / A	**Within one (1) working day upon receipt of the notice from the *Market Operator* under clause 3.2.2.4 and confirmation of the customer information of the *contestable customer*, the *Central Registration Body* shall notify the new *Supplier*, the incumbent *Supplier*, the *Contestable Customer* and the relevant *Distribution Utility* of the confirmation of the *switch request* and the effective date of the switch.**	Retained the current notification procedures from clause 3.2.2.2(b) and re-numbered to clause 3.2.2.7 with modifications in the timeline.			Clause 3.2.2.x to be reviewed/revised
Procedures for Switching	**3.2.2.8** (new)	N / A	**The *Central Registration Body* shall effect the *switch request* on the proposed effective date submitted by the new**	Since the effective date is proposed to fall any day within the billing period, additional procedure for determining the effective date is	**FGEN:** *For clarification: effective date of start of Retail Supply now depends on the Supplier, and can fall any day within the billing period? Does this mean we are not anymore restricted to following the start of the billing period on the 26th of the*	Yes.	Clause 3.2.2.x to be reviewed/revised

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			Supplier **under clause 3.2.2.1. If the notice under clause 3.2.2.7 was sent on or after the proposed effective date, the *Central Registration Body* shall request the new *Supplier* to provide a new effective date of the *switch request.***	proposed.	*month prior to the billing period?*		
Procedures for Switching	**3.2.2.9** (new)	N / A	**The *Contestable Customer* shall be responsible for ensuring that it has fully complied with its obligations to the incumbent *Supplier* and the new *Supplier*, including but not limited to the payment of outstanding obligations and posting of security deposits**	Re-numbered from current Retail Rules clause 3.2.2.2(c)		In view of Article II Section 1(a) of ERC Resolution No. 09 Series of 2018, we propose the revision of this amendment to: **The *Contestable Customer* shall be responsible for ensuring that it has fully complied with its obligations to the new *Supplier*, including but not limited to the posting of security deposits.**	Clause 3.2.2.x to be reviewed/revised
Customer Relocation	3.2.3.1	A *Contestable Customer* that wishes to relocate to a new service address within the same franchise area or in the franchise area of another *Distribution Utility* or *Network Service Provider* and wishes to continue to be served by its present *Supplier* shall send a	A *Contestable Customer* that wishes to relocate to a new service address within the same franchise area or in the franchise area of another *Distribution Utility* ~~or~~ ~~*Network Service Provider*~~ and wishes to continue to be served by its present *Supplier* shall send a	With the proposed exclusion of directly connected end users in the Retail Rules under proposed clause 1.3.3, provisions under the Retail Rules would only apply to DUs and not the NSP of the transmission system.			Adopt

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		prior request for relocation of service to the *Supplier* and the relevant *Distribution Utilities* or *Network Service Providers*.	prior request for relocation of service to the *Supplier* and the relevant *Distribution Utilities* ~~or *Network Service Providers*~~.				
Customer Relocation	3.2.3.2	If the *Supplier* agrees to continue to provide service, the parties shall notify the *Central Registration Body* of the relocation and shall effect the relocation in accordance with the requirements and procedures set by the relevant *Distribution Utilities* or *Network Service Providers*.	If the *Supplier* agrees to continue to provide service, the parties shall notify the *Central Registration Body* of the relocation and shall effect the relocation in accordance with the requirements and procedures set by the relevant *Distribution Utilities* ~~or *Network Service Providers*~~.	With the proposed exclusion of directly connected end users in the Retail Rules under proposed clause 1.3.3, provisions under the Retail Rules would only apply to DUs and not the NSP of the transmission system.			Adopt
Customer Relocation	3.2.3.3(a)	The *Contestable Customer* shall, prior to relocation, switch to a new *Supplier* in accordance with the requirements and procedures set in clause 3.2.2 and, if registered as a *Direct WESM Member*, submit additional securities required by the *Market Operator* as necessary to fully satisfy the prudential requirements set out in the *WESM Rules*.	The *Contestable Customer* shall, prior to relocation, switch to a new *Supplier* in accordance with the requirements and procedures set in clause 3.2.2 ~~and, if registered as a *Direct WESM Member*, submit additional securities required by the *Market Operator* as necessary to fully satisfy the prudential requirements set out in the *WESM Rules*~~.	With the proposed non-mandatory registration of contestable customers with the WESM, it is proposed that compliance to prudential requirements not be required prior to relocation. Suppliers, however, should ensure their compliance under the WESM Rules.			Adopt
Customer Relocation	3.2.3.3(b)	If the *Contestable Customer* fails to comply	If the *Contestable Customer* fails to comply	With the proposed exclusion of directly			

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
		with the conditions set out in the previous paragraph, the *Central Registration Body* shall notify the *Supplier* and the relevant *Distribution Utility* or *Network Service Provider*. The *Distribution Utility* or *Network Service Provider* shall then not permit the relocation to the new service area, or if relocation has already been effected, the *Distribution Utility* or *Network Service Provider* concerned shall cause the disconnection of the *Contestable Customer*.	with the conditions set out in the previous paragraph, the *Central Registration Body* shall notify the *Supplier* and the relevant *Distribution Utility* ~~or *Network Service Provider*~~. The *Distribution Utility* ~~or *Network Service Provider*~~ shall then not permit the relocation to the new service area, or if relocation has already been effected, the *Distribution Utility* ~~or *Network Service Provider*~~ concerned shall cause the disconnection of the *Contestable Customer*.	connected end users in the Retail Rules under proposed clause 1.3.3, provisions under the Retail Rules would only apply to DUs and not the NSP of the transmission system.			
Customer Relocation	3.2.3.4(a)	Apply for new registration in respect to said facility, which registration shall be governed by Chapter 2 of these *Retail Rules*; and	~~Apply for~~ **Be** new**ly** ~~registration~~ **registered by the *Central Registration Body*** in respect to said facility, which registration shall be governed by Chapter 2 of these *Retail Rules*; and	Reflect the proposed automatic registration by the CRB of contestable customers reported by the DUs			Adopt
Customer Relocation	3.2.3.4(b)	Send a notice to the *Central Registration Body* of the cessation of registration of the previously-registered facility in accordance with Chapter 2 of the *Retail Rules* and relevant *Market manuals*.	~~Send a notice to~~ The *Central Registration Body* **shall cease the** ~~of the cessation of~~ registration of the previously-registered facility in accordance with Chapter 2 of the *Retail Rules* and relevant ***Retail***	Reflect the proposed automatic registration by the CRB of contestable customers reported by the DUs	**MERALCO:** The Central Registration Body shall cease the registration of the previously-registered facility, **in coordination with the Supplier, the Contestable Customer, and the relevant Distribution Utility**, in accordance with Chapter 2 of the	Clause 3.2.3.2 provides that the Supplier will notify the CRB of the relocation. This clause (3.2.3.4) provides the actions to be performed by the CRB once it is notified by the Supplier and a new CoC is issued to the facility.	Adopt original proposal

Proposed Amendment to the Retail Rules (as amended under RCC Resolution Nos. 2017-04 and 2017-11)

Title	Clause	Provision	Proposed Amendment	Rationale	Comments	PEMC Responses	RCC (09 Nov 2018)
			Manual ~~*Market manuals*~~.		Retail Rules and relevant Retail Manual. *All involved parties, i.e., DU/MSP/SoLR, Supplier, NGCP, must be fully notified of the cessation of registration of the Contestable Customer in current address relative to its relocation.* *Informing CRB of the termination of Contestable Customer by the DU or the Supplier is not automatically stated in the provisions – will CRB automatically assume termination of existing contestable customer given the registration of the customer in new facility address?* *It is suggested that the above should be explicitly mentioned in the procedures addressing customer relocation and that all parties with valid contracts in relation to serving the Contestable Customer must be fully notified.*	We propose to retain the current wording of the provision.	
Termination of *Supplier* Service by the *Supplier*	3.2.5.3	In case of non-renewal or termination of the supply contract, the *Contestable Customer* shall: a) Switch to another *Supplier* in accordance with the requirements and procedures set out in	In case of non-renewal or termination of the supply contract, the *Contestable Customer* shall: a) Switch to another *Supplier* in accordance with the requirements and procedures set out in	With the proposed non-mandatory registration of contestable customers with the WESM, it is proposed that compliance to prudential requirements not be required prior to			Adopt

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PHILIPPINES

PROPOSED AMENDMENTS TO REDUCE BARRIERS TO ENTRY AND PARTICIPATION IN RETAIL COMPETITION

09 November 2018

OUTLINE



REVISIONS TO PROPOSED SWITCHING PROCESS



REQUIRED AMENDMENTS TO MANUALS

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2

REVISIONS TO PROPOSED SWITCHING PROCESS

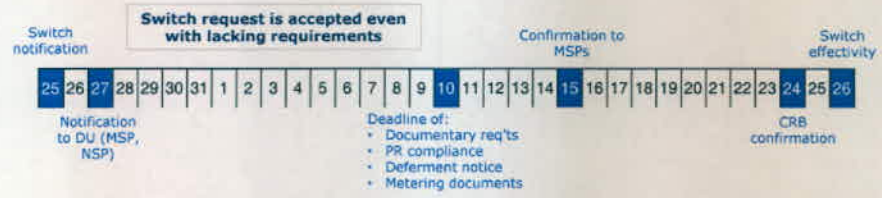
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SWITCHING PROCESS

Current vs Original Proposal

- Current Process



- Original Proposal



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4

SWITCHING PROCESS

Revised Proposal

- Original Proposal



- Revised Proposal



5



REQUIRED AMENDMENTS TO MANUALS

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6

AFFECTED MANUALS



Retail Manual on Registration Criteria and Procedures



Retail Manual on Market Transactions Procedures



Retail Manual on Metering Standards and Procedures



Retail Manual on Disclosure and Confidentiality of Contestable Customer Information



WESM Manual on Billing and Settlement

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7

Retail Manual on Registration Criteria and Procedures



- Removed references to the mandatory WESM registration of contestable customers
- Added detailed procedures for the registration of contestable customers by the Central Registration Body
  - Monthly DU submission of updates
  - Monthly coordination with ERC
  - Update published registry of CCs

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8

Retail Manual on Registration Criteria and Procedures



- Included registration procedures for Suppliers and Retail Metering Services Providers
  - Suppliers – WESM registration
  - DU RMSPs – no change (deemed registered)
- Provided de-registration procedures
  - Suppliers – de-registration in the WESM
  - Contestable Customers – relocation of facilities and new certificate of contestability is issued

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Retail Manual on Market Transactions Procedures



- Revised registration requirements to attestations from copies of agreements
- Reflected proposed shortened switch processing timeline by the Central Registration Body
  - Same as rules
- Removed billing period restriction in the start of switch date

IEMOP 10

Retail Manual on Metering Standards and Procedures

- Changed registration of retail metering installations from the WESM to the CRB
- Streamlined metering installation registration requirements
  - Removed calibration reports, commissioning and end-to-end test reports
- Clarified that the CRB will use the metered quantities for accounting purposes only

IEMOP 11

Retail Manual on Metering Standards and Procedures

- Reflected provisions under PDC 2017 assigning the responsibility for validating and estimating retail metering data to the Distribution Utilities
  - Transferred validation and estimation procedures to appendix as suggested procedures
- Proposed transfer of Retail Metering Services Provider performance monitoring to PEMC as the WESM governing body

IEMOP 12

Retail Manual on Disclosure and Confidentiality of Contestable Customer Information



- Removed references to the WESM Manual on Information Disclosure and Confidentiality
- Deleted publication of bilateral contract info (WESM data)

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13

WESM Manual on Billing and Settlement



- Provided detailed procedures for the assessment of the change in prudential requirements of a Supplier during switch
  - CRB to provide MQ data to MO
  - New Supplier to provide %MQ exposure to CRB
  - CRB to calculate PR change based on Actual Average Market Price
  - MO to notify CRB upon compliance

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14

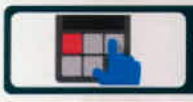
AFFECTED MANUALS


Retail Manual on Registration Criteria and Procedures


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15

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END OF PRESENTATION

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16