|  |
| --- |
| **DECLARING THE COMMERCIAL OPERATIONS DATE OF RETAIL COMPETITION AND OPEN ACCESS (RCOA), RETAIL AGGREGATION AND GREEN ENERGY OPTION PROGRAM (GEOP) IN MINDANAO** |
| **Title** | **Provision** | **Stakeholder Comment/Recommendation** | **Stakeholder Rationale** |
| **Section 1. Declaration of implementing RCOA, Retail Aggregation, and GEOP in Mindanao** | The DOE hereby declares **26 December 2023** as the commencement date of implementing RCOA, Retail Aggregation, and GEOP in Mindanao. |  |  |
|  | Upon the commencement date, all eligible and interested electricity End-users shall be allowed to choose where to source their electricity, whether from a Retail Electricity Supplier (RES), Aggregator for RCOA, or Renewable Electricity Supplier (RE Supplier) for GEOP. |  |  |
| **Section 2. Voluntary Participation in RCOA** | All eligible and interested electricity End-users may participate in the Contestable Market as contestable customers based on the existing threshold level reviewed and approved by the ERC. Eligible End-users opting to switch from Captive Market to Contestable Market shall comply with the procedures provided under the WESM Rules, Retail Rules and Market Manuals, and other relevant laws and issuances issued by the DOE and ERC.  |  |  |
|  | The lowering of contestability threshold shall be based on the ERC’s evaluation and study of identified factors, including the readiness of the market, the necessary infrastructure/system, customer awareness, and the economic impact of the migration of contestable customers in the Contestable Market. |  |  |
| **Section 3. Voluntary Demand Aggregation for Participation in RCOA** | Electricity End-users within a contiguous area whose aggregate average peak demand falls under the current contestability threshold level may aggregate their demand to be part of the Contestable Market. They may voluntarily enter into a Retail Supply Contract (RSC) with Retail Aggregators, subject to the procedures provided under the WESM Rules, Retail Rules and Market Manuals, and other relevant laws and issuances issued by the DOE and ERC.  |  |  |
| **Section 4. Voluntary Participation in GEOP** | All eligible and interested End-users may participate in the GEOP based on the existing threshold level reviewed and approved by the ERC. They may voluntarily enter into a GEOP Supply Contract with RE Supplier, subject to the procedures provided in the WESM Rules, GEOP Rules, Retail Rules, Market Manuals, and other relevant laws and issuances by the DOE and ERC.  |  |  |
|  | All End-users with demand below the current threshold level may participate in the GEOP after the DOE, in consultation with National Renewable Energy Board and other industry stakeholders, determines the technical requirements and ensures that the standards are already met. |  |  |
| **Section 5. Responsibilities of the Energy Agencies and Stakeholders** | Pursuant to their respective mandates and functions under the EPIRA and its Implementing Rules and Regulations, the WESM Rules and Manuals, and other relevant laws and issuances, ERC, IEMOP, PEMC, National Electrification Administration (NEA), National Grid Corporation of the Philippines (NGCP), Distribution Utilities (DUs) and other concerned stakeholders in Mindanao are enjoined to extend their full support and cooperation to ensure full registration and compliance to the WESM, and to prepare the necessary conditions to successfully implement the RCOA, Retail Aggregation, and GEOP in Mindanao. |  |  |
| **Section 6. Transitory Provision** | One (1) month prior to the commencement date, all eligible and interested End-users, RES, Retail Aggregators, RE Suppliers, and Metering Services Providers shall comply with the registration requirements in the WESM to ensure orderly implementation of RCOA, Retail Aggregation, and GEOP in Mindanao. |  |  |
| **Section 7. Reportorial Requirements** | All DUs, RES/Retail Aggregators, and RE Suppliers shall submit to the DOE reportorial requirements in accordance with the provisions of DOE DC No. DC2023-03-0005, “Providing Supplemental Policy for the Systematic Management of the DOE Reportorial Requirements for Electric Power Industry Participants – *Distribution Utilities* and DOE DC No. DC2023-04-0006, “Providing Supplemental Policy for the Systematic Management of the DOE Reportorial Requirements for Electric Power Industry Participants – *Retail Electricity Suppliers* on the implementation of RCOA, Retail Aggregation, and GEOP in Mindanao and shall include the same in their respective Distribution Development Plan. |  |  |
|  | All DUs and National Transmission Corporation or its Successor-in-Interest, which is currently the NGCP, shall submit the list of End-users intending to participate in RCOA and GEOP and End-users who signed an RSC with RES or GEOP Supply Contract with RE Supplier. |  |  |
|  | The DOE, ERC, IEMOP, and PEMC shall establish a database required to implement RCOA, Retail Aggregation, and GEOP in Mindanao. |  |  |
| **Section 8. Separability** | If any provision of this Circular is declared invalid or unconstitutional, the other provisions not affected shall remain valid and subsisting. |  |  |
| **Section 9. Repealing Clause** | Except insofar as may be manifestly inconsistent herewith, nothing in this Circular shall be construed as to repeal any mechanisms already existing or responsibilities already provided for under existing rules. |  |  |
| **Section 10. Effectivity and Publication** | This Circular shall take effect immediately upon its publication in two (2) newspapers of general circulation. Copies shall be filed with the University of the Philippines Law Center – Office of National Administrative Register (UPLC-ONAR). |  |  |

***Note: For convenience, please underline and put in bold letters the proposed changes to the proposal.***