



DEPARTMENT CIRCULAR NO. _____

**PRESCRIBING AMENDMENTS TO DEPARTMENT CIRCULAR NO. DC2025-11-0026, ENTITLED “FRAMEWORK FOR THE INTEGRATION OF WASTE-TO-ENERGY FACILITIES IN THE COUNTRY’S POWER GENERATION MIX TO IMPLEMENT THE CLEAN ENERGY SCENARIO UNDER THE PHILIPPINE ENERGY PLAN 2023-2050, PROVIDING INCENTIVES FOR PIONEER WASTE-TO-ENERGY PROJECTS
AND SUPPLEMENTING THE GREEN ENERGY AUCTION PROGRAM GUIDELINES UNDER DEPARTMENT CIRCULAR NO. DC2021-11-0036 FOR THE PURPOSE”**

WHEREAS, Republic Act (RA) No. 7638, otherwise known as the “Department of Energy Act (DOE) of 1992”, as amended, mandates the DOE to ensure an adequate and sustainable supply of energy through the integrated development of indigenous resources and efficient utilization of energy technologies, and to exercise supervision and control over all government activities relative to energy projects in order to attain the goals embodied in the Act;

WHEREAS, RA No. 9136, otherwise known as the “Electric Power Industry Reform Act of 2001” (EPIRA), provides for the development of environmentally compatible and socially acceptable energy resources and the integration of new and renewable energy sources into the country’s power generation mix;

WHEREAS, the DOE issued Department Circular (DC) No. DC2021-11-0036, entitled “Providing the Revised Guidelines for the Green Energy Auction Program (GEAP) in the Philippines,” which aims to support and/or facilitate immediate and timely investments in new or additional renewable energy (RE) capacities and thereby ensure availability of adequate supply and competitive rates of electricity in the country;

WHEREAS, the Energy Regulatory Commission (ERC) issued ERC Resolution No. 6, series of 2025, entitled “A Resolution Adopting the Guidelines on the Collection of the Green Energy Auction Allowance (GEA-All) and the Disbursement of the GEA-All Fund,” clarifying, among others, the Green Energy Tariff (GET) Eligibility Period;

WHEREAS, the DOE issued DC No. DC2025-10-0023, entitled “Promulgating the Enhanced Policy to Rationalize the Provision of Benefits to Communities Hosting Energy Generation and Resource Development Facilities, Including Generating Facilities with Integrated Energy Storage System Facilities, Amending Rule 29(A) of the Implementing Rules and Regulations of Republic Act No. 9136,” clarifying, among others, the benefit allocation to host beneficiaries;

WHEREAS, the DOE issued DC No. DC2025-11-0026, entitled “Framework for the Integration of Waste-to-Energy (WTE) Facilities in the Country’s Power Generation Mix to Implement the Clean Energy Scenario under the Philippine Energy Plan 2023-2050, Providing Incentives for Pioneer Waste-to-Energy Projects and Supplementing

the Green Energy Auction Program Guidelines under Department Circular No. DC2021-11-0036," which mandates, among others, the conduct of a Special Auction Round for Pioneer WTE Projects, as defined therein, under the GEAP;

WHEREAS, the supply of municipal solid waste (MSW) is under the jurisdiction of LGUs and subject to their local ordinances and existing commitments, and, in recognition of LGU autonomy and national solid waste management laws and policies, the DOE's role is to facilitate coordination, assist developers, and promote MSW supply efforts without guaranteeing or assuring feedstock; and

WHEREAS, there is a need to amend DC No. DC2025-11-0026 to align the Supply Delivery Period of Pioneer WTE Projects under the Special Auction Round for WTE with ERC Resolution No. 6, series of 2025, clarify the allocation of benefits to host beneficiaries of Pioneer WTE Projects, and reframe the DOE's role in the MSW feedstock supply.

NOW, THEREFORE, in consideration of the foregoing premises, the DOE hereby issues the following amendments to the Framework for the Integration of WTE Facilities in the Country's Power Generation Mix:

Section 1. Amendment to Rule I, Section 3 of DC No. DC2025-11-0026. – Rule I, Section 3 of DC No. DC2025-11-0026 is hereby amended to read as follows:

Section 3. Definition and Recognition. – WTE projects employing thermal combustion technology to process MSW of local government units (LGUs) that have achieved Commercial Operations not later than 31 March 2028 shall be considered as Pioneer WTE Projects, eligible for priority permitting, dispatch, and other incentives provided for in this Circular.

For purposes of this Circular, Commercial Operations shall be reckoned from the issuance of the Certificate of Compliance (COC) or Provisional Authority to Operate (PAO) from the ERC.

Section 2. Amendment to Rule II, Section 4 of DC No. DC2025-11-0026. – Rule II, Section 4 of DC No. DC2025-11-0026 is hereby amended to read as follows:

Section 4. Roles and Responsibilities of the DOE.

4.1. Within thirty (30) days from the issuance of this Circular, the DOE shall:

xxx xxx xxx

- 7) Coordinate with LGUs, the DENR, the Department of Interior and Local Government (DILG), and the National Solid Waste Management Commission (NSWMC) to assess the viability of MSW feedstock supply;

- 8) Identify policy interventions to address cross-sectoral concerns related to WTE projects, which shall include, but shall not be limited to, promoting feedstock sustainability; encouraging long-term MSW supply agreements; enhancing inter-agency coordination on solid waste segregation, transport, and preprocessing and promoting public education and stakeholder consultation;
 - 9) Coordinate with the Metro Manila Development Authority (MMDA) to facilitate the designation Pioneer WTE Projects as disposal sites for MSW, in coordination with concerned LGUs and in accordance with applicable laws, rules, and regulations;
 - 10) Identify and propose additional incentives for Pioneer WTE Projects in recognition of their dual role in energy generation and waste management; and
 - 11) Coordinate with all relevant government agencies, LGUs, regulators, and industry stakeholders to ensure the smooth implementation of this Circular and to monitor progress toward the integration of WTE into the country's power generation mix.
- 4.2. The Renewable Energy Management Bureau-Biomass Energy Management Division (REMB-BEMD) of the DOE, or any subsequent or successor entities or bodies, shall, in addition to its respective mandate under existing laws, guidelines, and regulations, have the following responsibilities:

xxx xxx xxx

- 4) Coordinate with other relevant agencies and entities, beyond those explicitly mentioned in this Circular, including but not limited to the DENR, NSWMC, DILG, and LGUs, to support the implementation of WTE-related policies and address cross-cutting challenges;
- 5) Lead, in coordination with the DENR-Environmental Management Bureau, and/or collaborate with development partners in the conduct of capacity-building activities for relevant agencies and stakeholders on WTE technologies, environmental and emissions standards, and energy market integration; and
- 6) Perform other duties and functions as may be assigned or delegated by the Secretary in support of the effective implementation of this Circular.

Section 3. Amendment to Rule III, Section 6 of DC No. DC2025-11-0026. – Rule III, Section 6 of DC No. DC2025-11-0026 is hereby amended to read as follows:

Section 6. Incentives in Support of Pioneer WTE Projects. The following shall be the incentives in support of Pioneer WTE Projects:

xxx xxx xxx

6.5. **Recognition as Host Beneficiaries.** LGUs supplying MSW feedstock to Pioneer WTE Projects shall also be considered as host beneficiaries for the purpose of receiving the benefits under DC No. DC2025-10-0023.

For clustered LGUs, the benefits shall be allocated proportionately to each LGU based on each LGU's validated contribution to the Pioneer WTE Project's MSW feedstock requirement. LGUs participating in a cluster shall jointly establish a transparent and auditable system to measure the volume, composition, and frequency of MSW delivered to the Pioneer WTE Project.

Developers of Pioneer WTE Projects shall implement a Local Employment Plan that gives clear preference to qualified residents of host communities, including HUCs or individual or clustered LGUs supplying MSW feedstock to Pioneer WTE Projects. Employment mechanisms shall reflect culturally appropriate and inclusive processes where Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) are present.

Benefits shall be shared equitably in accordance with DC No. DC2025-10-0023.

6.6. **Assistance in Negotiations with LGUs and the MMDA.** The DOE shall extend full assistance to developers of Pioneer WTE Projects in every stage of negotiations with the concerned LGUs and, if applicable, the MMDA. Such assistance shall include, but not limited to, conducting Information, Education and Communication campaigns for the procurement of Resolutions of Support/No Objection, supporting efforts that facilitate MSW feedstock for Pioneer WTE Projects under the GEAP, facilitating compliance of DUs and other offtakers with Rule VI, Section 13 of this Circular, and proposing mechanisms to minimize the economic impact of such compliance to consumers, such as through subsidies on electricity bills sourced from the LGUs' or MMDA's savings on tipping fees.

Section 4. Amendment to Rule V, Section 11 of DC No. DC2025-11-0026. – Rule V, Section 11 of DC No. DC2025-11-0026 is hereby deleted. Sections 12 to 17 thereof are renumbered accordingly.

Section 5. Amendment to Rule V, Section 12 of DC No. DC2025-11-0026. – Rule V, Section 12 of DC No. DC2025-11-0026 is hereby amended to read as follows:

Section 11. Supply Delivery Period. Subject to Rule II, Section 3 of this Circular, the Supply Delivery Period of a Pioneer WTE Project under the GEAP shall be twenty-five (25) years from the issuance of COC or PAO from the ERC.

Section 6. Separability. – If, for any reason, any section or provision of this Circular is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Section 7. Repealing Clause. – All other previous issuances, rules, and regulations inconsistent with the provisions of this Circular are likewise repealed or amended accordingly.

Section 8. Effectivity. – This Circular shall take effect immediately following its publication in two (2) newspapers of general circulation or in the Official Gazette. A copy of this Circular be furnished to the University of the Philippines Law Center-Office of National Administrative Register (UPLC-ONAR).

Issued at the Energy Center, Rizal Drive, Bonifacio Global City, Taguig City on _____ 2025.

SHARON S. GARIN
Secretary