

[ERC RESOLUTION NO. 07, S. 2010, March 10, 2010]

RESOLUTION AMENDING THE RULES FOR THE DEFAULT WHOLESALE SUPPLY (DWS) ARRANGEMENTS FOR THE WHOLESALE ELECTRICITY SPOT MARKET (WESM) IN THE LUZON GRID, AS AMENDED

WHEREAS, Section 30 of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA), provides for the establishment by the Department of Energy (DOE) of the Wholesale Electricity Spot Market (WESM);

WHEREAS, DOE issued Circular No. 2006-06-009 designating the National Power Corporation (NPC) and the Power Sector Assets and Liabilities Management Corporation (PSALM) as the Default Wholesale Suppliers (DWS) of the Philippine WESM for a period of one (1) year from the start of both the WESM commercial operations in Luzon, for Luzon customers and in Visayas, for Visayas customers;

WHEREAS, Resolution No. 18, Series of 2007 extended the period of effectivity of the DWS until June 26, 2007 or until such time that these are superseded by another Resolution of the Energy Regulatory Commission (ERC), whichever comes earlier;

WHEREAS, on June 25, 2008, the ERC promulgated Resolution No. 11, Series of 2008 entitled "Rules for the Default Wholesale Supplier Arrangements (DWSA) for the Wholesale Electricity Spot Market, As Amended";

WHEREAS, it has become necessary to clarify the effectivity of the Rules which emanated from said DOE Circular;

NOW THEREFORE, the ERC, after thorough and due deliberation, hereby **RESOLVES**, as it is hereby **RESOLVED**, to **AMEND** Section 6.1, Article 6 of the Rules for the Default Wholesale Supplier Arrangements (DWSA) for the Wholesale Electricity Spot Market (WESM) in the Luzon Grid, As Amended, to read as follows:

**ARTICLE 6
PERIOD OF EFFECTIVITY**

Section 6.1. These Rules shall be implemented in Luzon from 26 June 2008 until one (1) year after the start of open access and retail competition, **unless the arrangements are earlier discontinued by the Department of Energy (DOE).**

Let copies of this Resolution be furnished the University of the Philippines Law Center-Office of the National Administrative Register (UPLC-ONAR) and all entities engaged in the transmission and distribution of electricity.