

**[ ERC RESOLUTION NO. 25, S. 2009, December 14, 2009 ]**

**A RESOLUTION AMENDING THE RULES FOR THE AUTOMATIC RECOVERY OF MONTHLY FUEL AND PURCHASED POWER COSTS AND FOREIGN-EXCHANGE RELATED COSTS BY THE NATIONAL POWER CORPORATION (NPC)**

**WHEREAS**, Section 43 of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA) empowers the Energy Regulatory Commission (Commission), in the public interest, to establish and enforce a methodology for the recovery of fuel and purchased power costs and incremental foreign exchange adjustments by the National Power Corporation (NPC);

**WHEREAS**, on September 15, 2009, the Commission issued an Order adopting Resolution No. 19, Series of 2009, entitled "A Resolution Adopting the Rules for the Automatic Recovery of Monthly Fuel and Purchased Power Costs and Foreign Exchange-Related Costs by the National Power Corporation (NPC)";

**WHEREAS**, on November 12, 2009, the Power Sector Assets and Liabilities Management Corporation (PSALM) filed a "Manifestation and Motion for Clarification" seeking clarification pertaining to the following: a) Fuel Cost Base (FCB); b) Base Reference Prices for Fuel Costs; c) Adjusted Fuel Cost; d) Foreign Exchange Rates and Customer Price Indices (CPIs) for Foreign Related-Operation Expenditures; e) Purchased Power Cost Base (PPCB); f) Other Fuel Cost Adjustment (OFCA) and Other Purchased Power Cost Adjustment (OPPCA); g) Foreign Exchange Rate for Debt Service; h) Relevant Billing Period; i) Posting in the Website; j) Copyright and Publication of Mean of Platts Singapore (MOPS) Data; k) Definition of Terms; and l) Implementing Entity;

**WHEREAS**, on December 14, 2009, the Commission issued an Order clarifying the pertinent provisions of Resolution No. 19, Series of 2009;

**NOW THEREFORE**, the Commission, after thorough and due deliberation, **RESOLVED** as it hereby **RESOLVES** to **ADOPT** the "Amended Rules for the Automatic Recovery of Monthly Fuel and Purchased Power Costs and Foreign Exchange-Related Costs by the National Power Corporation (NPC)", to wit:

**ARTICLE II  
SCOPE AND DEFINITION OF TERMS**

**"Mean of Platts Singapore (MOPS)"** is the mean of the high and low components of a Platts assessment for oil cargoes loading from Singapore.

**ARTICLE III  
AUTOMATIC MONTHLY FUEL AND PURCHASED POWER COST ADJUSTMENT**