

[ERC RESOLUTION NO. 13, S. 2011, June 21, 2011]

RESOLUTION ADOPTING THE DISTRIBUTION MANAGEMENT COMMITTEE (DMC) RULES TO GOVERN THE MONITORING OF COMPLIANCE OF DISTRIBUTION UTILITIES WITH THE PHILIPPINE DISTRIBUTION CODE

WHEREAS, Section 43(b) of Republic Act No. 9136, otherwise known as the "Electric Power Industry Reform Act of 2001 or the EPIRA," mandates the Energy Regulatory Commission (ERC) to promulgate and enforce a National Grid Code and a Distribution Code;

WHEREAS, Section 43(t) of the EPIRA further mandates the ERC to perform such other regulatory functions that are appropriate and necessary in order to ensure the successful restructuring and modernization of the electric power industry;

WHEREAS, Section 2.2.5.1 of the Philippine Distribution Code (PDC) provides that the Distribution Management Committee (DMC) shall establish and publish its own rules and procedures relating to the conduct of its business, which include, among others, the monitoring of distribution code enforcement;

WHEREAS, the DMC issued its proposed "Rules to Govern the Monitoring of Compliance of Distribution Utilities with the Philippine Distribution Code" to ensure that the DUs are complying with the Standards prescribed by the PDC;

WHEREAS, on September 22 and 24, 2010, the DMC conducted a series of expository presentation in Visayas and Luzon, respectively, and on October 21, 2010, it conducted a public consultation in Luzon, all intended for the distribution utilities (DUs) to present their comments/inputs on the said proposed Rules which were considered in preparation for the issuance of the "Rules to Govern the Monitoring of Compliance of Distribution Utilities with the Philippine Distribution Code";

WHEREAS, Section 2.2.5.2 of the PDC provides that the rules and procedures of the DMC shall be approved by the ERC;

NOW THEREFORE, be it **RESOLVED**, as the ERC hereby **RESOLVES** to **APPROVE** and **ADOPT**, the Distribution Management Committee's (DMC) "Rules to Govern the Monitoring of Compliance of Distribution Utilities with the Philippine Distribution Code", hereto attached and made integral part of this Resolution as Annex "A".*

This Resolution shall take effect immediately upon its publication in a newspaper of nationwide circulation.

Let copies of this Resolution be furnished the University of the Philippines Law