

[EXECUTIVE ORDER NO. 30, June 28, 2017]

CREATING THE ENERGY INVESTMENT COORDINATING COUNCIL IN ORDER TO STREAMLINE THE REGULATORY PROCEDURES AFFECTING ENERGY PROJECTS

WHEREAS, pursuant to Section 9 Article II of the 1987 Philippine Constitution, the State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all;

WHEREAS, Section 2 of Republic Act (RA) No. 9136 or the Electric Power Industry Reform Act of 2001 states that it is the declared policy of the State to ensure and accelerate that total electrification of the country; to ensure the quality, reliability, security and affordability of the Supply of electric power; and to assure socially and environmentally compatible energy sources and infrastructure;

WHEREAS, RA 7638 or the Department of Energy (DOE) Act of 1992 created the DOE to prepare, integrate, coordinate, supervise, and control all plans, programs, projects, and activities of the Government relative to energy exploration, development, utilization, distribution, and conservation;

WHEREAS, Section 23 of RA 7638 mandates all government agencies, with functions relative to the approval of the projects of the DOE, to immediately act upon and resolve such matters pertaining to these projects upon the request of DOE;

WHEREAS, the Philippine Energy Plan (PEP) was crafted to mainstream access of the larger populace to reliable and affordable energy services to fuel, most importantly, local productivity and countryside development;

WHEREAS, it is a priority of the government to streamline its processes to ensure effective and timely implementation of projects to guarantee the immediate delivery of adequate and reliable government services;

WHEREAS, Section 17, Article VII of the 1987 Philippine Constitution states that the President shall have control of all the executive departments, bureaus, and offices, and shall ensure that the laws be faithfully executed;

WHEREAS, Section 4, Article X of the 1987 Philippine Constitution states that the President shall exercise general supervision over local governments;

WHEREAS, there is an urgent need to construct additional power plants to provide sufficient available electricity capacity of the appropriate power plant category to accelerate and promote rapid economic growth in an open and competitive power market environment;

NOW, THEREFORE I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Declaration of Policy. It is the policy of the State to ensure a continuous, adequate and economic supply of energy. Hence, an efficient and effective administrative process for energy projects of national significance should be developed in order to avoid unnecessary delays in the implementation of the Philippine Energy Plan (PEP).

SECTION 2. Energy Projects of National Significance (EPNS). EPNS are major energy projects for power generation, transmission and/or ancillary services including those required to maintain grid stability and security, identified and endorsed by the DOE as "projects of national significance" that are in consonance with the policy thrusts and specific goals of the PEP, and which possess any of the following attributes:

- a) significant capital investment of at least P3.5 Billion;
- b) significant contribution to the country's economic development;
- c) significant consequential economic impact;
- d) significant potential contribution to the country's balance of payments;
- e) significant impact on the environment;
- f) complex technical processes and engineering designs; and/or
- g) significant infrastructure requirements.

SECTION 3. Energy Investment Coordinating Council (EICC). There is hereby created an EICC that will spearhead and coordinate national government efforts to harmonize, integrate and streamline regulatory processes, requirements and forms relevant to the development of energy investments in the country, primarily with regard to EPNS, to uphold transparency and accountability among concerned agencies.

SECTION 4. Composition. The EICC shall be chaired by a representative from the DOE and shall be composed of representatives from the following agencies as members:

- a) Department of the Environment and Natural Resources (DENR)
 - a.1) Biodiversity Management Bureau
 - a.2) Environmental Management Bureau
 - a.3) Forest Management Bureau
 - a.4) Land Management Bureau
- b) National Electrification Administration
- c) National Grid Corporation of the Philippines
- d) National Power Corporation
- e) National Transmission Corporation
- f) Department of Finance
 - f.1) Bureau of Customs
 - f.2) Bureau of Internal Revenue
- g) Department of Justice