

[ERC RESOLUTION NO. 06, S. 2011, January 31, 2011]

A RESOLUTION ADOPTING THE AMENDMENTS TO THE RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO. 7832

WHEREAS, Section 41 of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA), empowers the Energy Regulatory Commission (ERC) to issue the rules and regulations as may be necessary to ensure the efficient and effective implementation of the said Act;

WHEREAS, the Energy Regulatory Board (ERB), the predecessor of ERC, promulgated the Implementing Rules and Regulations (IRR) of Republic Act No. 7832, otherwise known as the "Anti-Electricity and Electric Transmission Line/Materials Pilferage Act of 1994";

WHEREAS, the said IRR, among others, govern the rights and obligations of distribution utilities and consumers with respect to electricity pilferages and provide the methodologies for computing the amount of electricity illegally used;

WHEREAS, recognizing the need to amend the IRR in order to address current issues and to incorporate recent jurisprudence and newly adopted policies and procedures, the ERC drafted certain amendments to the IRR;

WHEREAS, the ERC's initial draft amendments were posted in December 16, 2009 in the ERC website, after which they were subjected to expository hearings and public consultation;

WHEREAS, a second draft was prepared and posted on November 22, 2010 in the ERC website for additional comments from the industry stakeholders;

WHEREAS, the ERC considered the comments and proposals from the industry stakeholders in finalizing the amendments to the IRR;

NOW, THEREFORE, the ERC, after thorough and due deliberation, RESOLVED, as it is hereby RESOLVES to ADOPT the amendments to the Rules and Regulations Implementing Republic Act No. 7832, hereto attached as Annex "A"*.

This Resolution shall take effect fifteen (15) days following its complete publication in a newspaper of general circulation.

Let copies of this Resolution be furnished the University of the Philippines Law Center Office of the National Administrative Register (UPLC-ONAR).