

[ERC RESOLUTION NO. 15, S. 2011, July 06, 2011]

**A RESOLUTION ADOPTING THE AMENDED RULES FOR THE
APPROVAL OF THE SALE AND TRANSFER OF TRANSCO'S
SUBTRANSMISSION ASSETS THE ACQUISITION BY QUALIFIED
CONSORTIUMS**

WHEREAS, on October 17, 2003, the Energy Regulatory Commission (ERC) issued the *"Guidelines to the Sale and Transfer of the TRANSCO's Subtransmission Assets and the Franchising of Qualified Consortiums"* (Subtransmission Guidelines);

WHEREAS, on March 17, 2005, the ERC amended the said guidelines in *Resolution No. 03, Series of 2005, entitled "In the Matter of Amending the Guidelines for the Sale and Transfer of the TRANSCO's Subtransmission Assets and the Franchising of Qualified Consortiums"*;

WHEREAS, on January 26, 2009, the ERC further amended the said Guidelines in Resolution No. 01, Series of 2009, entitled *"A Resolution Adopting the Amendments to the Guidelines to the Sale and Transfer of TRANSCO's Subtransmission Assets and the Franchising of Qualified Consortiums"*;

WHEREAS, on December 15, 2010, the ERC issued *Resolution No. 27, Series of 2010* amending pertinent provisions of ERC Resolution No. 48, Series of 2006, entitled *"A Resolution Summarizing the Applicable Legal Principles and Policies of the ERC on End-Users Connections"* which addressed the concerns of directly connected end-users;

WHEREAS, on December 29, 2010, Manila Electric Company (MERALCO) and Philippine Electric Power Operators Association, Inc. (PEPOA) filed a joint petition docketed as ERC Case No. 2010-012 RM to amend the Subtransmission Guidelines;

WHEREAS, on January 19, 2011, Davao Light and Power Company, Inc. (DLPC) and Davao Del Sur Electric Cooperative, Inc. (DASURECO) filed a "Petition to Initiate Rule-Making" docketed as ERC Case No. 2011-001 RM to amend Section 2(c) of the Subtransmission Guidelines;

WHEREAS, on January 24, 2011, the ERC posted at its official website the instant petitions to solicit comments from interested parties not later than February 11, 2011;

WHEREAS, on various dates, the National Grid Corporation of the Philippines (NGCP), MERALCO and Engr. Robert F. Mallillin filed their respective comments on the said petitions;

WHEREAS, after considering all the comments received from interested parties, the