

**[ ERC RESOLUTION NO. 20, S. 2008, December 08, 2008 ]**

**RESOLUTION MODIFYING THE RULES FOR SETTING  
DISTRIBUTION WHEELING RATES FOR PRIVATELY OWNED  
DISTRIBUTION UTILITIES ENTERING PERFORMANCE BASED  
REGULATION (RDWR)**

WHEREAS, Section 43 (f) of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA) and 5(a), Rule 15 of its Implementing Rules and Regulations (IRR), authorize the Commission to adopt alternative forms of internationally accepted rate-setting methodology;

WHEREAS, on December 10, 2005, the Commission adopted a performance-based rate setting methodology for setting distribution wheeling rates of private distribution utilities embodied in document denominated as the "Distribution Wheeling Rates Guidelines" (DWRG);

WHEREAS, on April 11, 2006, the Commission adopted Resolution No. 16, Series of 2006, "Adopting a Policy That Entry to the Performance Based Regulation (PBR) by Private Utilities Under the Distribution Wheeling Rates Guidelines (DWRG) be Made Mandatory".

WHEREAS, on July 26, 2006, the Commission adopted Resolution No. 39, series of 2006 entitled, "Adopting the Rules for Setting the Distribution Wheeling Rates (RDWR) for Privately Owned Distribution Utilities Entering Performance Based Regulation (First Entry Point)";

WHEREAS, on December 13, 2006, the Commission adopted Resolution No. 54, Series of 2006 entitled, "Adopting the Rules for Setting the Distribution Wheeling Rates (RDWR) for Privately Owned Distribution Utilities Entering Performance Based Regulation (Second and Later Entry Points)";

WHEREAS, under Section 1.9 of the RDWR, the Commission is authorized to amend from time to time the said Rules;

WHEREAS, from the first entry processes, the Commission has identified a number of required changes to the RDWR;

WHEREAS, on September 26, 2008, the Commission posted in its official website at [www.erc.gov.ph](http://www.erc.gov.ph) the proposed modifications to the RDWR;

WHEREAS, on September 29, 2008, the Commission issued a Notice of Public Consultation informing the public where they can secure a copy or access said proposed modifications to the RDWR and set the same for public consultation on October 28, 2008;