



Republic of the Philippines
DEPARTMENT OF ENERGY

Department Circular No. DC2020 - __ - _____

ADOPTING A GENERAL FRAMEWORK GOVERNING THE TEST AND
COMMISSIONING OF NEW GENERATION FACILITIES FOR ENSURING
READINESS TO DELIVER ENERGY TO THE GRID OR DISTRIBUTION
NETWORK

WHEREAS, Section 2 of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA), declared as the policy of the State to ensure the quality, reliability, security and affordability of the supply of electric power;

WHEREAS, Section 37 of the EPIRA further mandates the Department of Energy (DOE) to supervise the restructuring of the electricity industry, and in addition thereto, to a) *ensure the reliability, quality and security of supply of electric power*, b) *jointly with the electric power industry participants, establish the wholesale electricity spot market and formulate the detailed rules governing the operations thereof*, and c) *monitor private sector activities relative to energy projects in order to attain the goals of the restructuring, privatization, and modernization of the electric power sector as provided for under existing laws*;

WHEREAS, Republic Act No. 11234, otherwise known as the Energy Virtual One-Stop Shop Act ("EVOSS") and its Implementing Rules and Regulations, provides for specific time frame for mother agencies and its attached bureaus to act upon all applications involving power generation, transmission or distribution projects, upon submission of complete documentary evidence, and imposes corresponding penalties for non-compliance thereof;

WHEREAS, Section 6 of the EPIRA states that a Generation Company shall, before it operates, secure from the Energy Regulatory Commission (ERC) a Certificate of Compliance (COC);

WHEREAS, Article I, Section 2 (iii) of the 2014 Revised Rules for the Issuance of Certificates of Compliance (COCs) for Generation Companies and Entities with Generation Facilities prescribed a maximum period of two (2) months for the conduct of Test and Commissioning for new Generation Facilities;

WHEREAS, generating units under regulatory and commercial testing are scheduled and dispatched in the Wholesale Electricity Spot Market (WESM) through imposition of over-riding constraints and are considered price takers, pursuant to Section 7.6 of the WESM Dispatch Protocol Manual Issue 12.0;

WHEREAS, in 2018, the Philippine Electricity Market Corporation flagged to the DOE that several Variable Renewable Energy plants were recorded to have exceeded the

52 two-month Test and Commissioning period as part of its presentation on the 2017
53 annual forecast accuracy performance of must-dispatch generating units;

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55 **WHEREAS**, for the period 26 March to 25 April 2020, the Market Surveillance
56 Committee reported that 97.1% of instances of imposition of over-riding constraints in
57 the WESM can be attributed to test and commissioning of generating units;

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59 **WHEREAS**, based on data provided by the Independent Electricity Market Operator
60 of the Philippines, thirty-eight (38) plants were recorded to be on Test and
61 Commissioning status in the WESM for more than 2 months, the longest period being
62 5 years, as of 01 April 2020;

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64 **WHEREAS**, the extended Test and Commissioning of generation facilities pose
65 material effect to WESM outcomes by displacing scheduled generators while not being
66 required to comply with the mandatory requirements in the submission of offers or
67 projected outputs;

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69 **WHEREAS**, determining the definite status of power plants intending to transition to
70 commercial operations is crucial information in planning for short and medium-term
71 supply;

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73 **WHEREAS**, there is a need among various agencies involved in the processing of
74 requirements for commercial operations of Generation Companies to harmonize their
75 procedures and monitoring activities;

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77 **WHEREAS**, the DOE, cognizant of the need to address any policy gaps and to ensure
78 the optimal utilization of available capacities in the Grid, conducted review of all
79 relevant policies and guidelines and drafted a circular which was subjected to focus
80 group discussions and virtual public consultations on various dates as follows:

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Activity	Leg	Date	Venue/Platform
Focus Group Discussion	Luzon	11 November 2019	Metro Manila
	Visayas	14 November 2019	Cebu City
	Mindanao	21 November 2019	Davao City
Public Consultation	Luzon	29 June 2020	Microsoft Teams
	Visayas	01 July 2020	
	Mindanao	03 July 2020	

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83 **NOW, THEREFORE**, pursuant to its authority and mandate under the EPIRA and its
84 Implementing Rules and Regulations (IRR), and after due consideration of the inputs
85 from various stakeholders, the DOE hereby issues, adopts and promulgates the
86 following:

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88 **Section 1. General Principles**

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90 1.1 No Generation Company and its Generation Facility/ies shall commercially
91 operate and participate in the WESM unless it has secured a Certificate of
92 Compliance (COC) from the ERC;

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- 94 1.2 All Generation Companies intending to conduct Test and Commissioning of
95 their Generation Facility/ies shall comply with the requirements provided under
96 this Circular and the applicable ERC guidelines for the issuance of the COC or
97 any equivalent documents;
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- 99 1.3 Test and Commissioning completion duly certified by the Transmission
100 Network Provided, the Distribution Utility in the case of Embedded Generators,
101 shall serve as an instrument manifesting the readiness of a Generation Facility
102 to deliver energy to the Grid or distribution network in accordance with its
103 declared capacity and capabilities. As such, any modification to the facility
104 resulting to change in its declared capacity and capabilities shall be subject to
105 Test and Commissioning;
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- 107 1.4 The conduct of Test and Commissioning shall not adversely affect the security
108 and reliability of the grid operations as well as the competitiveness of market
109 outcomes; and
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- 111 1.5 Processing of applications submitted to relevant agencies or entities relative to
112 the implementation of this policy shall not exceed the timeframes as prescribed
113 in EVOSS Act and its Implementing Rules and Regulations and shall adhere to
114 the principles and procedures embodied therein.
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116 **Section 2. Scope and Application.** This Circular shall apply to the following:
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- 118 a) Generation Companies intending to operate new Generation Facilities
119 including:
120 i. Grid-connected Generation Facilities; and
121 ii. Embedded Generators mandated to register to the WESM
122 pursuant to Department Circular No. DC2019-02-0003;
123 b) Generation companies with existing Generation Facilities which are
124 subject of expansion, upgrading, rehabilitation and similar treatment that
125 may materially change the technical specifications and capability
126 thereof. These include:
127 i. Grid-connected Generation Facilities; and
128 ii. Embedded Generators mandated to register to the WESM
129 pursuant to Department Circular No. DC2019-02-0003;
130 c) System Operator (SO);
131 d) Market Operator (MO); and
132 e) Network Service Providers (NSPs) including the Transmission Network
133 Provider (TNP) and Distribution Utilities (DUs).
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135 Entities operating Self-Generation Facilities are excluded from the Scope of this
136 Circular. Notwithstanding, the NSPs shall be responsible to ensure that connection of
137 Self-Generation Facilities shall be done in accordance with applicable guidelines in
138 the PGC and the PDC and shall not result to degradation of the power system.
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140 **Section 3. Definition of Terms.** The terms as used in this Circular shall have their
141 respective meanings as follows:
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- 143 a) **“Certificate of Compliance” or “COC”** refers to a license issued by

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the ERC in favor of a person or entity to operate a power plant or other facilities used in the generation of electricity pursuant to Section 6 of R.A. 9136 and Section 4 of the Implementing Rules and Regulations of R.A.9136.

- b) **“Commercial Operations”** refer to the generation of electricity for sale or disposition upon achievement by the generation facility of operational and capability criteria in accordance with standard engineering practice for Generation Facilities.
- c) **“Electromechanical Completion”** shall mean that the generating unit including all substation and other facilities for grid or distribution system connections are in place but not yet connected and the generating unit is ready for test and commissioning, and upon completion thereof, can immediately proceed to commercial operations.
- d) **“Embedded Generator”** refers to generating units that are indirectly connected to the Grid through the distribution system that supplies power to its host DU or the Grid.
- e) **“Final Certificate of Approval to Connect” or “Final CATC”** refers to the certification issued by the TNP or DU to a Generation Company attesting that its Generation Facility/ies is ready to deliver energy to Grid or distribution network in accordance with the Philippine Grid Code (PGC), Philippine Distribution Code (PDC) and other relevant guidelines and specifications.
- f) **“Generation Company”** refers to any person or entity authorized by ERC to operate Generation Facilities.
- g) **“Generation Facility”** refers to a facility for the production of electricity.
- h) **“Provisional Certificate of Approval to Connect” or “Provisional CATC”** refers to the certification issued by the TNP or DU to a Generation Company, allowing the conduct of Test and Commissioning with respect to its Generation Facility/ies.
- i) **“Test and Commissioning”** refers to the conduct of procedures to determine and certify that a generating unit was connected to the grid in accordance with the Philippine Grid Code (PGC), Philippine Distribution Code (PDC) and other relevant guidelines and specifications and to determine readiness to deliver energy to Grid or distribution network for the purpose of securing a COC from the ERC.

For the purpose of this policy, Test and Commissioning includes the conduct of capability tests as specified in the PGC, PDC and other relevant issuances such as the Grid Compliance Test and Ancillary Services Capability Test and all other activities which require synchronization to the Grid or distribution network.

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All other terms used but not defined in this Circular shall have the same meaning as defined in the EPIRA, its IRR, PGC, PDC, WESM Rules and its Market Manuals, and other DOE and ERC issuances.

Section 4. General Test and Commissioning Procedures. The following procedures are designed to achieve an orderly and expedient Test and Commissioning for all types of Generation Facilities as illustrated in the flowcharts in Annex A for grid-connected Generation Facilities) and Annex B for Embedded Generators.

4.1 Conditions and Timeline for Test and Commissioning

4.1.1 A Generation Company shall commence Test and Commissioning only upon attainment of Electromechanical Completion of its Generation Facility.

4.1.2 The maximum period for Generation Facilities identified under Section 2 to conduct Test and Commissioning for the purpose of securing a COC from the ERC shall be two (2) months from the approved schedule by the TNP or DU. The same maximum period shall also apply to Generation Facilities applying for Feed-in-Tariff (FIT) COC.

4.1.3 The Test and Commissioning shall commence on the date within the two (2) months period indicated in the Provisional CATC issued by the TNP or DU.

4.2 Procedures Before Test and Commissioning

4.2.1 The Generation Company shall submit application conduct Test and Commissioning at least three (3) months before target date thereof:

4.2.1.1 The SO and the TNP with respect to a grid-connected Generation Facility; and

4.2.1.2 The SO, the TNP, and the DU with respect to an Embedded Generator.

4.2.2 The actual schedule of Test and Commissioning shall be subject to confirmation of the TNP or DU, provided, that the commencement of Test and Commissioning shall not be later than three (3) months from the requested schedule by the Generation Company. In scheduling the Test and Commissioning, the TNP or the DU shall take into consideration the resource availability for Variable Renewable Energy (VRE) Generation Facilities to ensure favorable conditions are present to attain declared capacity and capabilities during conduct of Test and Commissioning.

4.2.3 The Provisional CATC issued by the TNP or the DU shall serve as a certification to commence Test and Commissioning.

4.2.4 Within eighteen (18) calendar days from the submission of complete requirements, the TNP or DU shall issue a Provisional CATC indicating the start and end date of Test and Commissioning not exceeding the maximum period specified in Section 4.1.1 of this Circular. The requirements shall include the following:

- 243
244 4.2.4.1 Scheduled date of Test and Commissioning, as coordinated by the
245 Generation Company with the following:
246 4.2.4.1.1 TNP and SO for grid-connected Generation Facilities;
247 4.2.4.1.2 TNP, SO and DU for Embedded Generators;
248 4.2.4.2 For Generation Facilities not applying under the FIT system:
249 Certification under oath that Electromechanical Completion has been
250 achieved as attested by the Generation Company's Engineering,
251 Procurement and Construction (EPC) or Third Party Contractor/s;
252 4.2.4.3 For Generation Facilities applying under the FIT system: Endorsement
253 by the DOE confirming Electromechanical Completion in accordance
254 with Department Circular No. DC2013-05-0009;
255 4.2.4.4 Proof of WESM Registration for the conduct of Test and
256 Commissioning issued by the MO; and
257 4.2.4.5 Other requirements as may be determined by the TNP or the DU
258 pursuant to their respective guidelines .
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260 To this end, the Generation Company shall be responsible to ensure timely
261 application for obtaining the above requirements to ensure scheduled date of
262 Test and Commissioning will not be compromised. Likewise, concerned
263 agencies or entities shall ensure timely issuance of above requirements to the
264 Generation Company in accordance with their applicable guidelines.
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- 266 4.2.5 Within three (3) working days upon receipt, the Generation Company shall
267 furnish a copy of the Provisional CATC to the following:
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- 269 4.2.5.1 The MO and SO with respect to a grid-connected Generation Facility;
270 4.2.5.2 The MO, SO and the DU with respect to an Embedded Generator.
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- 272 4.2.6 Prior to Commercial Operations, no injection to the Grid or distribution network
273 shall be allowed without a valid Provisional CATC.
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- 275 4.2.7 The Generation Company shall be responsible in coordinating with the TNP or
276 the DU as applicable or with any other authorized entity that will conduct Test
277 and Commissioning, to ensure the foregoing's availability for the duration of
278 the Test and Commissioning period indicated in the Provisional CATC.
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280 4.3 ***Procedures During Test and Commissioning***

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282 4.3.1 For the duration of the validity of the Provisional CATC:
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284 4.3.1.1 The TNP shall witness the Test and Commissioning activities of grid-
285 connected Generation Facilities to be undertaken by a third-party
286 testing entity. The TNP may also conduct the Test and Commissioning
287 activities in the event that a third-party testing entity is not available.
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289 4.3.1.2 The concerned DU shall witness the Test and Commissioning activities
290 of Embedded Generators to be undertaken by a third-party testing
291 entity. The DU may also conduct the Test and Commissioning
292 activities in the event that a third-party testing entity is not available.

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The DU shall coordinate with the SO in case of any Test and Commissioning activity that may result to material impact to Grid operations.

4.3.1.3 Ancillary Service Capability Test. The SO shall witness the conduct of Ancillary Service Capability Test of grid-connected Generation Facilities and Embedded Generators pursuant to Department Circular No. DC2019-12-0018. The SO may also conduct the procedure in the event that a third-party testing entity is not available.

4.3.1.4 The SO shall submit to the MO over-riding constraints with respect to energy injections of Generation Facilities undergoing Test and Commissioning for inclusion in the Market Dispatch Optimization Model (MDOM).

In the case of Embedded Generators, the Embedded Generators shall coordinate with the host DU to determine the readiness of the distribution system in terms of the dispatching of the Embedded Generator. The Embedded Generator shall likewise coordinate with the SO on over-riding constraints, incorporating the inputs from the host DU, for the submission to the MO.

4.3.1.5 Any injected or withdrawn energy during Test and Commissioning of a Generation Facility, less any energy offtake from a bilateral contract counterparty, if any, shall be settled at WESM prices.

4.3.2 The MO shall notify the Generation Company of the expiration of its Provisional CATC fifteen (15) calendar days prior to the date of expiry.

4.3.3 Immediately upon expiry of the Provisional CATC or upon certification that the Generation Facility has completed the allowable period of Test and Commissioning, the following shall be observed:

- a) The SO shall cease to submit over-riding constraints in the MDOM to prevent continuous injection of the Generation Facility while awaiting approval to commence Commercial Operations.
- b) Should energy injections still be recorded from the Generation Facility, the Generation Company shall not be allowed to declare any bilateral contract quantity and shall not be entitled to any WESM payments for any injected energy but shall be charged for any energy withdrawn from the grid or distribution network. The TNP or the DU in case of Embedded Generator shall immediately cause the disconnection of the Generation Company to prevent further injection in the grid.

4.4 **After Test and Commissioning**

4.4.1 Within seven (7) calendar days upon completion of the conduct of Test and Commissioning and validation that the Generation Facility is ready to deliver energy to the Grid or distribution network, the following shall issue the Final

342 CATC to the Generation Company which signifies successful conduct of Test
343 and Commissioning and that the Generation Facility can operate in accordance
344 with applicable parameters of the PGC or PDC:
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346 4.4.1.1 the TNP for a grid-connected Generation Facility;
347 4.4.1.2 the DU for an Embedded Generator.
348
349 4.4.2 The TNP shall issue the Final CATC regardless if the Generation Facility has
350 passed the Ancillary Service Capability Test or not. The SO shall issue a
351 separate certification to Generation Facilities that are tested to have Ancillary
352 Service capabilities.
353
354 4.4.3 The TNP or DU shall furnish a copy of the Final CATC to ERC and the MO.
355
356 4.4.4 The ERC, within sixty (60) calendar days upon receipt of the final CATC and
357 satisfaction of other applicable requirements, shall issue the COC or any
358 equivalent document to the Generation Company with respect to its Generation
359 Facility.
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361 4.4.5 The Generation Company shall immediately submit the COC or any equivalent
362 document issued by the ERC to the MO for completion of WESM registration
363 for Commercial Operations.
364
365 4.4.6 Within fifteen (15) calendar days upon receipt of the COC or any equivalent
366 document issued by the ERC and full compliance to other WESM registration
367 requirements, the MO shall enable full access to the Market Participant
368 Interface and reflect WESM registration of the Generation Company with
369 respect to its Generation Facility as under Commercial Operations.
370
371 4.5 **Failed Test and Commissioning**
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373 4.5.1 If during the 60-day validity of the Provisional CATC, the TNP or the DU attested
374 that the Generation Facility failed to satisfy the grid connectivity parameters
375 required by the PGC or PDC, the TNP or the DU shall advise the Generation
376 Company and the MO on the results thereof and shall immediately terminate the
377 validity of the Provisional CATC.
378
379 4.5.2 If the 60-day validity of the Provisional CATC has not lapsed, the Generation
380 Company may seek the approval of the TNP or DU for its extension to continue
381 the conduct of Test and Commissioning. The TNP or DU may allow the
382 extension for a period not exceeding 30 days from the expiration of the
383 Provisional CATC in accordance with the applicable provisions of this Circular.
384
385 4.5.3 If the validity of the Provisional CATC has lapsed, including the extended period
386 of validity duly approved by the TNP or DU, and the Generation Facility failed to
387 satisfy the grid connectivity parameters required by the PGC or PDC, the
388 process for the conduct of Test and Commissioning shall be reset.
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- 392 4.6 **Extension of Provisional CATC Validity due to Reasons Beyond the**
393 **Control of the Generation Facility, TNP or the DU**
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- 395 4.6.1 The TNP or the DU may extend the validity of the Provisional CATC up to one
396 (1) month from expiry thereof on the following grounds:
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- 398 a) Test and commissioning procedures cannot be done due to various grid
399 or distribution network conditions resulting from:
400 i. Alerts or emergency state; or
401 ii. Transmission or distribution line congestion or limitation.
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- 403 b) Force majeure events.
404
- 405 4.6.2 The TNP or the DU shall issue the revised Provisional CATC to the Generation
406 Company and furnish a copy of the same to the SO and the MO.
407
- 408 4.6.3 Unless the revised Provisional CATC was submitted by the Generation
409 Company to the SO and the MO before the original date of expiry of the
410 Provisional CATC, Section 4.3.3 shall still apply.
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- 412 4.7 **Extension of Provisional CATC Validity due to Technical or Other Issues**
413 **Related to the Generation Facility**
414
- 415 4.7.1 In case of unsatisfactory Test and Commissioning results arising from technical
416 issues internal to the Generation Facility, the TNP or the DU may extend the
417 validity of the Provisional CATC for a period of not more than one (1) month
418 from the expiry thereof subject to availability of a Test and Commissioning
419 schedule, as confirmed by the TNP or DU.
420
- 421 4.7.2 During the extended period of Test and Commissioning, the Generation
422 Company shall undertake corrective measures and necessary modifications to
423 address the technical issues.
424
- 425 4.7.3 If there is an available Test and Commissioning schedule within the 1-month
426 period immediately after the expiry date of the Provisional CATC:
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- 428 4.7.3.1 The TNP or the DU shall extend the validity of the Provisional CATC
429 originally issued to the Generation Company and furnish a copy of the
430 same to the SO and the MO.
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- 432 4.7.3.2 Unless the extended Provisional CATC was submitted to the SO and
433 the MO before the original date of expiry of the Provisional CATC,
434 Section 4.3.3 shall still be observed.
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- 436 4.7.4 If a) there is no available Test and Commissioning schedule within the 1-month
437 period immediately after the expiry of the Provisional CATC or b) Test and
438 Commissioning activities are still not completed by the date of expiry of the
439 extended Provisional CATC for reasons beyond the control of the Generation
440 Company:
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- 442 4.7.4.1 The Provisional CATC shall be deemed on suspended status.
443
444 4.7.4.2 The TNP or the DU shall inform the MO and the SO immediately that
445 the Test and Commissioning was not completed within the prescribed
446 period.
447
448 4.7.4.3 The Generation Company shall secure a new schedule for Test and
449 Commissioning in accordance with Section 4.2.1 of this Circular.
450
451 4.7.4.4 The Generation Company shall apply for the reactivation of the
452 Provisional CATC.
453
454 4.7.5 Reactivation of Provisional CATC. The TNP or DU shall reactivate the
455 Provisional CATC on the following conditions:
456
457 4.7.5.1 The Generation Company shall disclose to the TNP, SO, MO and DU
458 (for Embedded Generators) of any changes in capacity and
459 capabilities of its Generation Facility.
460 4.7.5.2 The Generation Company shall secure proof of Electromechanical
461 Completion in accordance with Section 4.2.4.2 or 4.2.4.3 reflecting the
462 completion of the modifications undertaken to the Generation Facility
463 and submit the same to the TNP or DU.
464 4.7.5.3 The maximum allowable period for Test and Commissioning shall be
465 in accordance with Section 4.1.2.
466

467 **Section 5. Additional Responsibilities of the System Operator.** The SO shall:
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- 469 5.1 Submit, as necessary, revised process flow to the EVOSS Steering Committee
470 and ensure timely processing of applications and issuance of permits and
471 certificates in relation to Test and Commissioning;
472
473 5.2 Ensure reliability of grid operations during Test and Commissioning of
474 Generation Facilities;
475
476 5.3 Recommend to the Rules Change Committee, as necessary, improvements to
477 the WESM Dispatch Protocol to clarify real-time dispatch of Generation
478 Facilities on Test and Commissioning;
479
480 5.4 Develop or update existing procedures for witnessing or conducting Test and
481 Commissioning for grid-connected Generation Facilities in line with the policies
482 provided herein;
483
484 5.5 On a monthly basis, submit list of Generation Facilities scheduled for Test and
485 Commissioning with corresponding status to the MO, ERC and the DOE;
486
487 5.6 Notify the DOE, ERC and the Generation Company, in a timely manner, any
488 concerned instances when the Test and Commissioning has adverse impacts
489 to grid operations; and
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491 5.7 In consultation with the ERC, the MO and the electric power industry

492 participants, shall review the effectiveness and applicability of the maximum
493 allowable period t for the conduct of Test and Commissioning for each type of
494 technology, and recommend to the DOE revisions on the same, as
495 necessary,. The review shall consider factors such as resource, technical and
496 procedural limitations as may be encountered during the implementation of
497 this Circular.

498
499 **Section 6. Additional Responsibilities of the Transmission Network Provider.**
500 The TNP shall:

- 501
502 6.1 Submit, as necessary, revised process flow to the EVOSS Steering Committee
503 and ensure timely processing of applications and issuance of permits and
504 certificates in relation to Test and Commissioning;
505
506 6.2 Ensure timely processing of applications and issuance of permits and
507 certificates in relation to Test and Commissioning;
508
509 6.3 Closely coordinate with Distribution Utilities with respect to Test and
510 Commissioning of Embedded Generators; and
511
512 6.4 Ensure adherence to the maximum allowable period for Test and
513 Commissioning and report to the DOE, ERC and the Generation Company, in
514 a timely manner, any instances of violation by Generation Facilities.
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516 **Section 7. Additional Responsibilities of the DUs.** The DUs shall:

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518 7.1 Ensure timely processing of applications and issuance of permits and
519 certificates in relation to Test and Commissioning of Embedded Generators;
520
521 7.2 Develop or update existing procedures for witnessing or conducting Test and
522 Commissioning for Embedded Generators in line with the policies provided
523 herein;
524
525 7.3 Report to the MO any Embedded Generator within its franchise area that are
526 mandated to register in the WESM and assist the same in registering in the
527 WESM;
528
529 7.4 Closely coordinate with the Embedded Generators within its franchise area,
530 with respect to Test and Commissioning; and
531
532 7.5 Ensure adherence to the Maximum Allowable Period for Test and
533 Commissioning and report to the DOE, ERC and the Generation Company, in
534 a timely manner, any instances of violation by Generation Facilities.
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536 **Section 8. Additional Responsibilities of the Market Operator.** The MO shall:

- 537
538 8.1 Prepare and submit to the Rules Change Committee proposed changes to the
539 WESM Rules and relevant Market Manuals in accordance with the policy
540 provided herein as necessary;
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- 542 8.2 Submit, as necessary, revised process flow to the EVOSS Steering Committee
543 and ensure timely processing of applications and issuance of permits and
544 certificates in relation to Test and Commissioning;
545
- 546 8.3 Closely coordinate with the ERC, SO, NSPs and Generation Companies to
547 reflect the actual status of Generation Facilities in the WESM registered
548 capacity list for regular submission to the DOE and for the proper
549 implementation of this circular; and
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- 551 8.4 Ensure adherence to the maximum allowable period for Test and
552 Commissioning and report in a timely manner to the DOE, ERC and the
553 Generation Company, in a timely manner, any instances of violation by
554 Generation Facilities.
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556 **Section 9. Regulatory Support.** The ERC shall:
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- 558 9.1 Review, update and harmonize, as necessary, all pertinent resolutions and
559 regulations relevant to the implementation of the policies stated under this
560 Circular and promulgate guidelines on the same, which shall include, but not
561 limited to:
562
- 563 9.1.1 Rules for Issuance of COC;
564 9.1.2 Guidelines for the Recovery of Costs for the Generation Component of
565 the Distribution Utilities' Rates with respect to transactions during Test
566 and Commissioning; and
567 9.1.3 Accreditation Guidelines for Third-Party Testing Entities.
568
- 569 9.2 Closely monitor and maintain an updated inventory of Generation Facilities
570 undergoing Test and Commissioning; and
571
- 572 9.3 Implement enforcement and penalty mechanisms in cases of non-compliance
573 with this Circular by any electric power industry participant identified herein.
574

575 **Section 10. Transitory Provisions.** Generation Companies already on Test and
576 Commissioning upon the effectivity of this Circular may continue to conduct Test and
577 Commissioning for a maximum of two (2) months after the effectivity date.
578

579 Thereafter, the MO and SO shall immediately implement measures under Section
580 4.3.3. Sections 4.4, 4.5 or 4.6 of this Circular shall be implemented depending on the
581 status of the Generation Facility.
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583 **Section 11. Separability Clause.** If for any reason, any section or provision of this
584 Circular is declared unconstitutional or invalid, such parts not affected shall remain
585 valid and subsisting.
586

587 **Section 12. Repealing Clause.** Any department circular or issuance, contrary to or
588 inconsistent with this Circular is hereby repealed, modified or amended accordingly.
589

590 **Section 13. Effectivity.** This Circular shall take effect fifteen (15) days after
591 publication in at least two (2) newspapers of general circulation. Let copy of this

592 Circular be furnished the University of the Philippines Law Center - Office of National
593 Administrative Register (UPLC-ONAR).

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596 Issued this _____ 2021 at the DOE, Energy Center, Rizal Drive, Bonifacio
597 Global City, Taguig City, Metro Manila.

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ALFONSO G. CUSI
Secretary

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