

Republic of the Philippines
DEPARTMENT OF ENERGY

DEPARTMENT ORDER NO. DO2003-12-018

**REQUIRING THE NATIONAL POWER CORPORATION, THE NATIONAL
TRANSMISSION CORPORATION AND DISTRIBUTION UTILITIES
TO ENSURE ADEQUATE AND RELIABLE ELECTRIC POWER SUPPLY
DURING THE MAY 2004 ELECTION PERIOD**

WHEREAS, it is the policy of the State to ensure quality, reliability, security and affordability of electric power;

WHEREAS, it is policy of the State to protect the public interest as it is affected by the rates and services of electric utilities and other providers of electric power;

WHEREAS, it is the policy of the State to ensure free, orderly, honest, peaceful and credible elections, and assure the secrecy and sanctity of the ballot in order that the results of elections, plebiscites, referenda, and other electoral exercises shall be fast, accurate and reflective of the genuine will of the people;

WHEREAS, Article 7, Section 52 of the Omnibus Election Code stated that the Commission on Elections shall have exclusive charge of the enforcement and administration of all laws relative to the conduct of elections for the purpose of ensuring free, orderly and honest elections;

WHEREAS, Article 7, Section 52 (f) of Omnibus Election Code states that the Commission on Elections shall enforce and execute its decisions, directives, orders and instructions which shall have precedence over those emanating from any other authority;

WHEREAS, Department Circular 2003-12-011, Section 1, reiterates that the distribution utilities must take cognizance and assume full responsibility to forecast, assure and contract for the supply of electric power in their respective areas to meet their obligations;

WHEREAS, COMELEC Resolution No. 6420 declares May 10, 2004 as the day of local and national elections;

WHEREAS, COMELEC Resolution No. 6389 states that partial automation will be implemented in selected areas: National Capital Region, Cebu, Iloilo, Negros Occidental, Rizal and Pampanga, ARMM including the cities of Isabela and Cotabato, Chartered Cities of Baguio, Bacolod, Iloilo and Cagayan de Oro;

WHEREAS, the aforementioned automation of the May 2004 elections will require stable and reliable power supply to ensure smooth flow of casting and counting of votes and eliminate doubts in the integrity of results;

WHEREAS, Rule 350(j) states that Congress may, upon recommendation of the DOE and/or ERC, revoke franchise or privilege granted to the party who violated the provisions of the Electric Power Industry Reform Act;

NOW, THEREFORE, the Department of Energy in collaboration with the COMELEC and ERC is issuing this Order.

Section 1. Compliance. All electric power utilities and service providers (National Power Corporation, private power producers, National Transmission Corporation, Electric Cooperatives and privately-owned distribution utilities) shall be

responsible to ensure that there will be no occurrence of any power interruptions in their respective areas/jurisdictions during the May 2004 election period.

Section 2. Coordination with Other Local Entities. The electric power utilities and service providers, through provision of adequate and reliable power supply, shall perform the tasks in close coordination with the COMELEC, Local Government Units and community organizations to ensure the integrity of the election proceedings and results.

Section 3. Enforcement. The COMELEC shall conduct investigation in case of any report of non-compliance to Section 1 of this Order. Sanctions/punishments or fines/penalties consistent with existing laws shall be imposed to any power utilities and service providers who are proven non-compliant to this Order,

This Department Order shall be effective during the period May 1 to 31, 2004.

Fort Bonifacio, Taguig, Metro Manila, 16 December 2003.

(Sgd.) **Vincent S. Pérez**
Secretary