Republic of the Philippines Department of Environment and Natural Resources

Visayas Avenue, Diliman, Ouezon City

Tel Nos. (632) 929-6626 loc. 2113; 1070 Fax (632) 926-2567

E-mail: officeofuseccuna@denr.gov.ph; website www.denr.gov.ph

MEMORANDUM

TO

THE REGIONAL EXECUTIVE DIRECTOR

DENR-Region IV-B MIMAROPA 1515 Roxas Blvd., Ermita, Manila

FROM

THE UNDERSECRETARY

Field Operations – Luzon, Visayas and Environment

SUBJECT

COPY OF PROVINCIAL RESOLUTION NOS. 17877, 17878 AND 17882

SERIES OF 2023 OF THE SANGGUNIANG PANLALAWIGAN,

PROVINCE OF PALAWAN

DATE

MAY 3 1 2023

Referred to your office is the letter dated 3 May 2023 of Raymundo G. Padrones Jr., Supervising Administrative Officer of Provincial Government of Palawan, addressed to the Office of the Secretary regarding the above-mentioned subject.

For information and further appropriate action in accordance with the existing laws, rules and regulations on the matter. Furnish this office and the parties concerned of by action taken citing document tracking number DENRCO - AS RMD -2023-013323 for record and monitoring purposes.

For compliance.

ATTY. JVAN MIGUEL T. CUNA, CESO I





Time:

Provincial Government of Palawa OFFICE OF THE SECRETARY TO THE SANGGUNIANG PANLAL Received by:

Records Control No.03121-23

May 3, 2023

MS. MARIA ANTONIA YULO-LOYZAGA Secretary Department of Environment and Natural Resources 2/F DENR Bldg., Visayas Avenue, Diliman Quezon City

Madam:

We are forwarding herewith a copy of Provincial Resolution Nos. 17877, 17878, and 17882 series of 2023 of the Sangguniang Panlalawigan of Palawan, for information and appropriate action.

Very truly yours,

BY AUTHORITY OF THE SANGGUNIANG PANLALAWIGAN:

RAYMUNDO G. PADRONES JR. Supervising Administrative Officer



Republic of the Philippines Provincial Government of Palawan

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Puerto Princesa City

EXCERPT FROM THE MINUTES OF THE 37TH REGULAR SESSION OF THE 44TH SANGGUNIANG PANLALAWIGAN HELD ON MARCH 28, 2023 AT THE SANGGUNIANG PANLALAWIGAN SESSION HALL, ** CITY OF PUERTO PRINCESA

PRESENT:

Hon. Leoncio N. Ola,

Hon. Winston G. Arzaga,

Hon. Roseller S. Pineda,

Hon. Marivic H. Roxas,

Hon. Rafael V. Ortega, Jr.,

Hon. Juan Antonio E. Alvarez,

Hon. Maria Angela V. Sabando,

Hon. Nieves C. Rosento,

Hon. Ryan D. Maminta,

Hon. Al-Nashier M. Ibba,

Hon. Ferdinand P. Zaballa,

Hon. Purita J. Seguritan,

Hon. Al-Shariff W. Ibba,

Vice Governor

Sangguniang Panlalawigan Pro-Tempore

Floor Leader

Assistant Floor Leader –2nd District

Assistant Floor Leader –3rd District

S.P. Member – 1st District

S.P. Member – 1st District

S.P. Member – 1st District

S.P. Member – 2nd District

S.P. Member – 2nd District

S.P. Member - Pres., Liga ng mga Barangay

S.P. Member – *IPM Representative*

S.P. Member - Interim PCL Federation President

ABSENT:

Hon. Ariston D. Arzaga,

Hon. Anyatika R. Rodriguez,

S.P. Member – 2nd District

S.P. Member – SK Federation President

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PROVINCIAL RESOLUTION NO. 17877

Series of 2023

ENDORSING AND SUPPORTING ARCHIPELAGO RENEWABLES CORPORATION, THE AWARDED QUALIFIED THIRD PARTY (QTP) PROVIDER FOR ENERGY DEVELOPMENT AND UTILIZATION TO DEVELOP, OPERATE AND MAINTAIN HYBRID MICROGRIDS IN VARIOUS AREAS IN THE PROVINCE OF PALAWAN

Authored by:

HON. RYAN D. MAMINTA AND HON. JUAN ANTONIO E. ALVAREZ

WHEREAS, Section 9 of the 1987 Philippine Constitution declares as a policy that the "State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all;"

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Republic of the Philippines Provincial Government of Palawan

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Puerto Princesa City

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Hon. Nieves C. Rosento,

Hon. Ryan D. Maminta,

Hon. Al-Nashier M. Ibba.

Hon. Ferdinand P. Zaballa,

Hon. Purita J. Seguritan,

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Vice Governor

Sangguniang Panlalawigan Pro-Tempore

Floor Leader

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S.P. Member – I^{st} District

S.P. Member – *1st District*

S.P. Member – 1st District

S.P. Member – 2^{nd} District

S.P. Member – 2nd District

S.P. Member - Pres., Liga ng mga Barangay

S.P. Member – *IPM Representative*

S.P. Member - Interim PCL Federation President

ABSENT:

Hon. Ariston D. Arzaga,

Hon. Anyatika R. Rodriguez,

S.P. Member – 2nd District

S.P. Member – SK Federation President

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PROVINCIAL RESOLUTION NO. 17882

Series of 2023

RESPECTFULLY ENDORSING TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) THROUGH THE HONORABLE SECRETARY ANTONIA YULO-LOYZAGA, THE APPLICATION OF ARCHIPELAGO RENEWABLES CORPORATION (ARC) FOR THE ISSUANCE OF ENVIRONMENTAL COMPLIANCE CERTIFICATE TO ESTABLISH AND OPERATE HYBRID MICROGRIDS IN THE PROVINCE OF PALAWAN

Authored by:

HONORABLE RYAN D. MAMINTA

WHEREAS, Section 2 (f) and (h) of the Electric Power Industry Reform Act (EPIRA) states that it is the 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; and, to promote the utilization of indigenous and new and renewable energy resources in power generation in order to reduce dependence on imported energy;

WHEREAS, Section 20 of the same Constitution provides that the State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments;

WHEREAS, Section 2 (f) and (h) of the Electric Power Industry Reform Act (EPIRA) states that it is also the 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; and, to promote the utilization of indigenous and new renewable energy resources in power generation in order to reduce dependence on imported energy;

WHEREAS, pursuant to Section 59 (Alternative Electric Service for Isolated Villages) of the EPIRA and Rule 14 (Provision of Electricity by Qualified Third Parties) of its Implementing Rules and Regulations), (EPIRA IRR), which recognizes the provision of electric service by qualified third parties in remote and unviable areas that a franchised utility is unable to service, the Department of Energy (DOE) issued Circular No. DC2019-11-0015 "Revised Guidelines on Qualified Third Party (QTP);"

WHEREAS, under Department Circular 2019-11-0015, the DOE shall identify and declare unserved and underserved areas which shall then undergo a Competitive Selection Process by the Distribution Utilities under the supervision of the National Electrification Administration (NEA);

WHEREAS, Palawan Electric Cooperative (PALECO), an electric cooperative authorized to operate a distribution system in the Province of Palawan has waived its rights in the declared unserved and underserved areas to open participation of eligible parties, to provide electrical services through a competitive selection process;

WHEREAS, Archipelago Renewables Corporation (ARC) successfully participated and won the PALECO competitive selection process for sixteen (16) QTP sites for which they have been given the official award to proceed with the said projects;

WHEREAS, on 01 September 2022, ARC and PALECO executed a QTP Service Contract (QSC) to provide electricity service requirements for the sixteen (16) awarded areas;

WHEREAS, ARC, as a QTP providing electrification in the unserved and underserved areas of the country through its hybrid microgrid projects is requesting for the guidance, support and assistance from different government agencies for the following matters:

- 1. To secure the Right of Way (ROW) for all the sites where the hybrid microgrids will be located and along the power distribution lines;
- 2. To facilitate the plan of securing land for the four (4) sites in: (1) Barangay Bantulan in the Municipality of Taytay; (2) Sitio Linao; (3) Main Sitio of Barangay Taburi; and (4) Barangay Latud, all in the Municipality of Rizal, Palawan;
- 3. To grant consideration and approval of a Consent of Merit Use for the land where the hybrid microgrid will be built in barangays located within a public domain.

WHEREAS, the Local Government of Bataraza, Dumaran, El Nido, Quezon, Rizal, San Vicente and Taytay shall adopt the Provincial Resolution No. 14929 entitled: "Respectfully requesting all municipal engineers in all municipalities of Palawan to issue electrical permits and connections to all existing structure, especially for houses, its typical sections and those built with light materials and to those occupying lots which are still classified as timberland within their territorial jurisdictions for purposed of general welfare and human considerations;"

WHEREAS, the following barangays are the QTP service areas for the development of hybrid microgrids by ARC and stand to benefit from clean, reliable, and affordable 24/7 electricity service:

- 1. Barangay Sarong, Bataraza
- 2. Barangay Taratak, Bataraza
- 3. Barangay Bohol, Dumaran
- 4. Barangay Sto. Tomas, Dumaran
- 5. Barangay Bebeladan, El Nido
- 6. Barangay Kalatagbak, Quezon
- 7. Barangay Canipaan, Rizal
- 8. Sitio Linao, Barangay Taburi, Rizal
- 9. Sitio Proper, Barangay Taburi, Rizal
- 10. Barangay Latud, Rizal
- 11. Sitio Gawid, Barangay Caruray, San Vicente
- 12. Barangay Binga, San Vicente
- 13. Barangay Caruray, San Vicente
- 14. Barangay Alacalian, Taytay
- 15. Barangay Bantulan, Taytay
- 16. Barangay Silanga, Taytay

WHEREAS, the Local Government of Bataraza, Dumaran, El Nido, Quezon, Rizal, San Vicente and Taytay are expected to provide guidance and support to ARC in their application for Road Access and Right of Way (ROW) for the areas affected by the hybrid microgrid development – the power plant and areas along the power distribution lines;

WHEREAS, the enumerated municipalities and its affected local barangay units are expected to inform and assist the residential and commercial establishments within the QTP service areas in the preparation of their premises to ensure connection readiness with the electricity grid of the hybrid microgrid;

WHEREAS, the Local Government of Barangay Bantulan in Taytay, Barangays Taburi and Latud in Rizal are both encouraged to assist in identifying potential land suitable and feasible land for the hybrid microgrid sites, and to support ARC in the lease or acquisition of these sites;

WHEREAS, the Local Government of Taytay and Rizal are encouraged to take affirmative measures in facilitating the processes which include granting a Consent of Merit Use for the land in Barangay Bantulan, Taytay, which was found to be within the public domain, where the hybrid microgrid will be built;

WHEREAS, the Local Government of Rizal is also encouraged to guide and support ARC in the coordination with and application of necessary permits for the sites within the ancestral land/domain with the National Commission on Indigenous Peoples such as but not limited to Free and Prior Informed Consent, Certificate Precondition, Certificate of Non-Overlap, among others;

WHEREAS, the Local Government of Palawan is encouraged to support the application of ARC for the permits and licenses necessary for the hybrid microgrid development including but not limited to:

- 1. Barangay, Municipal and Provincial Endorsements
- 2. Protected Areas Management Board Endorsements and Special Use Agreement in Protected Areas

- 3. Palawan Council for Sustainable Development Strategic Environmental Plan Clearance
- 4. Environmentally Critical Areas Network (ECAN) Board Resolution/Endorsement
- 5. Department of Environment and Natural Resources: Environmental Compliance Certificate (ECC)

WHEREAS, the collaborative actions from the DOE, ERC, PALECO and concerned Local Government Units will help shorten the regulatory process of obtaining the necessary permits and approvals from the relevant government agencies, consistent with the State's policy and mandate to attain 100% electrification in the country while promoting the utilization of indigenous and new and renewable energy resources in power generation;

NOW, THEREFORE, on motion of the Honorable Ryan D. Maminta, duly seconded, be it

RESOLVED, as it is hereby resolved, to endorse and support Archipelago Renewables Corporation (ARC), the awarded Qualified Third Party (QTP) provider for energy development and utilization to develop, operate and maintain hybrid microgrids in various areas in the province of Palawan;

RESOLVED FURTHER, that a copy of this resolution be furnished to the Honorable Raphael P. M. Lotilla, Secretary, Department of Energy, Energy Center, 34th St., Rizal Drive, Bonifacio Global City, Taguig City; Atty. Monalisa C. Dimalanta, Chairperson, Energy Regulatory Commission, Exquadra Tower 1 Jade Drive, Ortigas Center, Brgy. San Antonio, Pasig City 1605, Metro Manila; Mr. Fernando Martin Y. Roxas, President and Chief Executive Officer, National Power Corporation, BIR Road corner Quezon Avenue, Diliman, Quezon City; the Honorable Secretary, Department of Environment and Natural Resources, 2/F DENR Bldg., Visayas Avenue, Diliman, Quezon City; Mr. Antonio Mariano C. Almeda, Administrator, National Electrification Administration, 57 NIA Road, Quezon City; the Honorable Ramon Lopez, DTI Secretary and Chairman, Philippine Board of Investments, BOI One Stop Action Center, Industry and Investment Bldg., 385 Sen. Gil J. Puyat Avenue, Makati City, Atty. Teodoro Jose S. Matta, Executive Director, Palawan Council for Sustainable Development, Bgy. Sta. Monica, this City, and Mr. Quintin Jose V. Pastrana, President of Archipelago Renewables Corporation (ARC), WEnergy Global, 37th Floor Cyberscape, Gamma Topaz Road, Ortigas Center, Pasig, 1600, for their information and appropriate action.

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I CERTIFY to the correctness of the above-quoted Provincial Resolution.

ANGELA RODRIGUEZ-PEÑA

Secretary to the Sanggunian

ATTESTED:

WINSTON G. ARZAGA

Sangguniang Panlalawigan Pro-Tempore



Republic of the Philippines Provincial Government of Palawan

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

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EXCERPT FROM THE MINUTES OF THE 37TH REGULAR SESSION OF THE 44TH SANGGUNIANG PANLALAWIGAN HELD ON MARCH 28, 2023 AT THE SANGGUNIANG PANLALAWIGAN SESSION HALL, CITY OF PUERTO PRINCESA

PRESENT:

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Hon. Winston G. Arzaga,

Hon. Roseller S. Pineda,

Hon. Marivic H. Roxas,

Hon. Rafael V. Ortega, Jr.,

Hon. Juan Antonio E. Alvarez,

Hon. Maria Angela V. Sabando,

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Vice Governor

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S.P. Member - Pres., Liga ng mga Barangay

S.P. Member – *IPM Representative*

S.P. Member – Interim PCL Federation President

ABSENT:

Hon. Ariston D. Arzaga,

Hon. Anyatika R. Rodriguez,

S.P. Member – 2nd District

S.P. Member - SK Federation President

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PROVINCIAL RESOLUTION NO. 17878

Series of 2023

EARNESTLY REQUESTING THE NATIONAL GOVERNMENT THROUGH THE DEPARTMENT OF ENERGY (DOE), ENERGY REGULATORY COMMISSION (ERC), NATIONAL POWER CORPORATION (NPC), DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT (PCSD), PHILIPPINE BOARD OF INVESTMENTS (BOI) AND THE NATIONAL ELECTRIFICATION ADMINISTRATION (NEA), TO FACILITATE AND EXPEDITE THE ISSUANCE OF NECESSARY PERMITS AND OTHER PROCESSES FOR THE ESTABLISHMENT OF HYBRID MICROGRIDS IN PALAWAN

Authored by:

HONORABLE RYAN D. MAMINTA

WHEREAS, Section 2 (f) and (h) of the Electric Power Industry Reform Act (EPIRA) states that it is the 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; and, to promote the utilization of indigenous and new and renewable energy resources in power generation in order to reduce dependence on imported energy;

WHEREAS, pursuant to Section 59 (Alternative Electric Service for Isolated Villages) of the EPIRA and Rule 14 (Provision of Electricity by Qualified Third Parties) of its Implementing Rules and Regulations), the Department of Energy issued DOE Circular No. DC2019-11-0015 "Revised Guidelines on Qualified Third Party" whereby the Department of Energy (DOE) shall identify and declare unserved and underserved areas which shall then undergo the Competitive Selection Process by the National Electrification Administration (NEA);

WHEREAS, Palawan Electric Cooperative (PALECO), an electric cooperative authorized to operate a distribution system in the Province of Palawan has waived its rights in the declared unserved and underserved areas to open participation of eligible parties, to provide electrical services through a competitive selection process, thus, Archipelago Renewables Corporation (ARC) successfully participated and won the PALECO competitive selection process for sixteen (16) QTP sites for which they have been given the official award to proceed with the said projects;

WHEREAS, Republic Act No. 11646 entitled "An Act Promoting the Use of Microgrid Systems to Accelerate the Total Electrification of Unserved and Underserved Areas Nationwide" also known as "Microgrid Systems Act" (Act) and its implementing rules and regulations provides the procedure for electrification of unserved and underserved areas;

WHEREAS, the following departments and government agencies are respectfully requested to facilitate and expedite the application of ARC for the permit and licenses required under RA No. 11646 and other relevant laws and regulations, necessary for the hybrid microgrid development in Palawan including but not limited to:

- 1. Certificate of Compliance from the Energy Regulatory Board (ERC);
- 2. Approval of the availment of the Universal Charge for Missionary Electrification (UCME) as determined by ERC;
- 3. Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources;
- 4. Strategic Development Plan Clearance from the Palawan Council for Sustainable Development (PCSD);
- 5. Other processes under the Department of Energy (DOE), ERC, National Power Corporation (NPC), DENR, PCSD, and BOI;

WHEREAS, the collaborative actions from the DOE, ERC, NPC, DENR, PCSD, BOI, NEA and concerned agencies and departments in the National Government will help shorten the regulatory process of obtaining the necessary permits and approvals to establish hybrid microgram in the Province of Palawan, consistent with the State's policy and mandate to attain 100% electrification in the country while promoting the utilization of indigenous and new and renewable energy resources in power generation;

NOW, THEREFORE, on the motion of Honorable Ryan D. Maminta duly seconded, be it;

RESOLVED, as it is hereby resolved, to earnestly request the national government thru the Department of Energy (DOE), Energy Regulatory Commission (ERC), National Power Corporation (NPC), Department of Environment and Natural Resources (DENR), Palawan Council for Sustainable Development (PCSD), the Philippine Board of Investments (BOI) and National Electrification Administration (NEA), to facilitate and expedite the issuance of necessary permits and other processes for the establishment of hybrid microgrids in the Province of Palawan;

RESOLVED FURTHER, that a copy of this resolution be furnished to the Honorable Raphael P. M. Lotilla, Secretary, Department of Energy, Energy Center, 34th St., Rizal Drive, Bonifacio Global City, Taguig City; Atty. Monalisa C. Dimalanta, Chairperson, Energy Regulatory Commission, Exquadra Tower 1 Jade Drive, Ortigas Center, Brgy. San Antonio, Pasig City 1605, Metro Manila; Mr. Fernando Martin Y. Roxas, President and Chief Executive Officer, National Power Corporation, BIR Road corner Quezon Avenue, Diliman, Quezon City; the Honorable Secretary, Department of Environment and Natural Resources, 2/F DENR Bldg., Visayas Avenue, Diliman, Quezon City; Atty. Teodoro Jose S. Matta, Executive Director, Palawan Council for Sustainable Development, Bgy. Sta. Monica, this City; the Honorable Ramon Lopez, DTI Secretary and Chairman, Philippine Board of Investments, BOI One Stop Action Center, Industry and Investment Bldg., 385 Sen. Gil J. Puyat Avenue, Makati City; Mr. Antonio Mariano C. Almeda, Administrator, National Electrification Administration, 57 NIA Road, Quezon City and Mr. Quintin Jose V. Pastrana, President of Archipelago Renewables Corporation (ARC), WEnergy Global, 37th Floor Cyberscape, Gamma Topaz Road, Ortigas Center, Pasig, 1600, for their information and appropriate action.

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I CERTIFY to the correctness of the above-quoted Provincial Resolution.

ANGELA RODRIGUEZ-PEÑA Secretary to the Sanggunian

ATTESTED:

WINSTON G. ARZAGA

Sangguniang Panlalawigan Pro-Tempore

APPROVED:

V. DENNIS M. SOCRATES

APR 1, 9, 2019

Date

This document is not valid without the Sangguniang Panlalawigan Seal

WHEREAS, pursuant to Section 59 (Alternative Electric Service for Isolated Villages) of the EPIRA and Rule 14 (Provision of Electricity by Qualified Third Parties) of its Implementing Rules and Regulations), the Department of Energy issued DOE Circular No. DC2019-11-0015 "Revised Guidelines on Qualified Third Party" whereby the Department of Energy (DOE) shall identify and declare unserved and underserved areas which shall then undergo the Competitive Selection Process by the National Electrification Administration (NEA);

WHEREAS, Palawan Electric Cooperative (PALECO), an electric cooperative authorized to operate a distribution system in the Province of Palawan has waived its rights in the declared unserved and underserved areas to open participation of eligible parties, to provide electrical services through a competitive selection process and Archipelago Renewables Corporation (ARC), participated and successfully won the PALECO competitive selection process for sixteen (16) QTP sites for which they have been given the official award to proceed with the said projects;

WHEREAS, the Department of Environment and Natural Resources (DENR) is respectfully requested to facilitate and expedite the application of ARC for the issuance of Environmental Compliance Certificate;

WHEREAS, the collaborative actions from the DENR will help shorten the regulatory process of obtaining the necessary permits and approvals to establish hybrid microgram in the Province of Palawan, consistent with the State Policy and mandate to attain 100% electrification in the country while promoting the utilization of indigenous and new and renewable energy resources in power generation;

NOW, THEREFORE, on the motion of Honorable Ryan D. Maminta duly seconded, be it;

RESOLVED, as it is hereby resolved, to respectfully endorse to the Department of Environment and Natural Resources (DENR) thru the Honorable Secretary Antonia Yulo-Loyzaga, the application of Archipelago Renewables Corporation (ARC) for the issuance of Strategic Environmental Compliance Certificate (ECC) to establish and operate hybrid microgrids in the province of Palawan;

RESOLVED FURTHER, that a copy of this resolution be furnished to Honorable Antonia Yulo-Loyzaga, Secretary, Department of Environment and Natural Resources (DENR), 2/F DENR Bldg., Visayas Avenue, Diliman, Quezon City and Mr. Quintin Jose V. Pastrana, President of Archipelago Renewables Corporation (ARC), WEnergy Global, 37th Floor Cyberscape, Gamma Topaz Road, Ortigas Center, Pasig, 1600, for their information and appropriate action.

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ANGELA RODRIGUEZ-PEÑA Secretary to the Sanggunian

I CERTIFY to the correctness of the above-quoted Provincial Resolution.

ATTESTED:

WINSTON G. ARZAGA

Sangguniang Panlalawigan Pro-Tempore

APPROVED:

V. DENNIS M. SOCRATES

- Governor

Date

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VDMS/WGA/ARP/art - Res. No. 17882-23