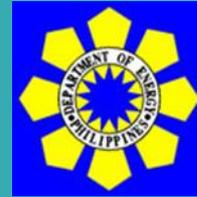


DILG-DOE Joint Memorandum Circular No. 2020-01



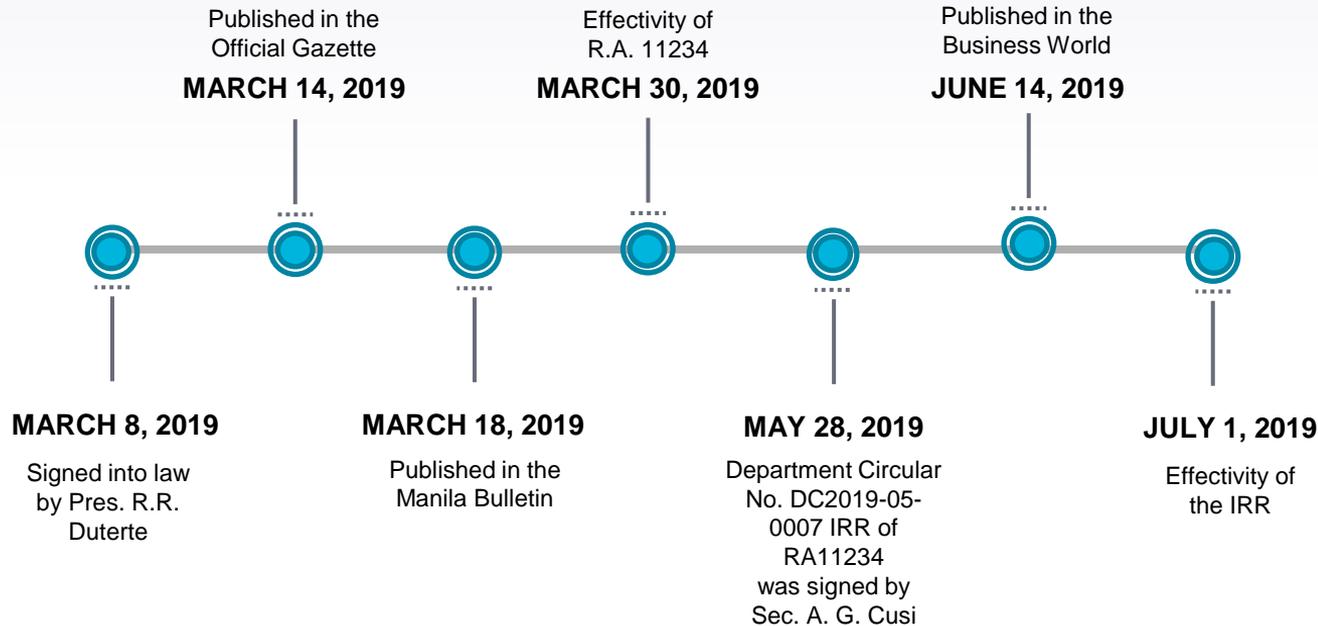
**Guidelines for LGUs to Facilitate the
Implementation of Energy Projects**

DILG-DOE

Joint Memorandum Circular No. 2020-01



Energy Virtual One-Stop Shop (EVOSS) Act



DILG-DOE Joint Memorandum Circular No. 2020-01

March 3

March- April

April - May

June 5

June 20



Conducted public consultation



Consolidated inputs
(DILG Regional offices, energy generation companies, distribution utilities, and other stakeholders)



Signed by:

- DOE Sec. Alfonso G. Cusi
- DILG Sec. Eduardo M. Año



Published in the Business World



Effectivity



Purpose

- Establish, strengthen, and integrate the national energy plans, programs, policies and mechanisms into the local development plans



Energy Safety Practices



Energy Efficiency and Conservation



Energy Resiliency



Energy Planning

Purpose

- **Harmonize and fast-track the implementation of the EVOSS Act, EODB Act, EO 30 and AO 23 with the establishment of unified and streamlined permitting process**



Purpose

- Maximize benefits from energy projects to the host communities

The LGUs may implement the following:



Educational & Scholarship Programs



Health, Safety, and Environmental Programs



Electrification



Economic & Local Development

Purpose

- ❑ **Implement other energy programs and projects to spur total LGU development**



Legal Bases

- ❑ DILG Laws
- ❑ Energy-Related Laws
- ❑ Private Sector Participation Laws
- ❑ Regulatory Reform Laws/Orders Issued
- ❑ Supporting Policies Issued

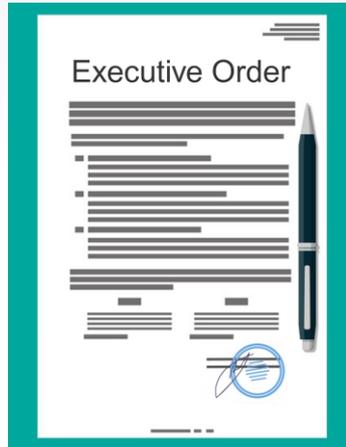


DILG Laws



1. **Executive Order No. 292**, series of 1987 (Reorganization Act of the Department of Local Government and for Other Purposes)
2. **Republic Act No. 6975**, An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and for Other Purposes (Department of the Interior and Local Government of 1990)
3. **Republic Act No. 7160**, An Act Providing for a Local Government Code of 1991 (Local Government Code of 1991)

Energy – Related Laws



1. **Presidential Decree No. 87**, Amending Presidential Decree No. 8 Issued on October 2, 1972 and Promulgation of an Amended Act to Promote the Discovery and Production of Indigenous Petroleum and Appropriate Funds Therefor (The Oil Exploration and Development Act of 1972)
2. **Presidential Decree No. 972**, Promulgating an Act to Promote an Accelerated Exploration, Development, Exploitation, Production and Utilization of Coal (The Coal Development Act of 1976)
3. **Republic Act No. 7638**, An Act Creating the Department of Energy, Rationalizing the Organization and Functions of Government Agencies Related to Energy, and for Other Purposes (Department of Energy Act of 1992)
4. **Republic Act No. 8479**, An Act Deregulating the Downstream Oil Industry and for Other Purposes (Downstream Oil Industry Deregulation Act of 1998)
5. **Republic Act No. 9136**, An Act Ordaining Reforms in the Electric Power Industry, Amending for the Purpose Certain Laws and for Other Purposes (Electric Power Industry Reform Act of 2001)

Energy – Related Laws



- 6. Republic Act No. 9367**, An Act to Direct the Use of Biofuels, Establishing for this Purpose the Biofuel Program, Appropriating Funds Therefor, and for Other Purposes (Biofuels Act of 2006)
- 7. Republic Act No. 9513**, An Act Promoting the Development, Utilization and Commercialization of Renewable Energy Resources and for Other Purposes (Renewable Energy Act of 2008)
- 8. Republic Act No. 10623**, An Act Amending Certain Provisions of Republic Act No. 7581 (An Act Providing Protection to Consumers by Stabilizing the Prices of Basic Necessities and Prime Commodities and by Prescribing Measures Against Undue Price Increases During Emergency Situations and like Occasions and for Other Purposes)
- 9. Republic Act No. 11285**, An Act Institutionalizing Energy Efficiency and Conservation, Enhancing the Efficient Use of Energy, and Granting Incentives to Energy Efficiency and Conservation Project (Energy Efficiency and Conservation Act)
- 10. Republic Act No. 11361**, An Act Ensuring the Continuous and Uninterrupted Transmission and Distribution of Electricity and the Protection of the Integrity and Reliability of Power Lines, and Providing Penalties for Violations Thereof (Anti-Obstruction of Power Lines Act)

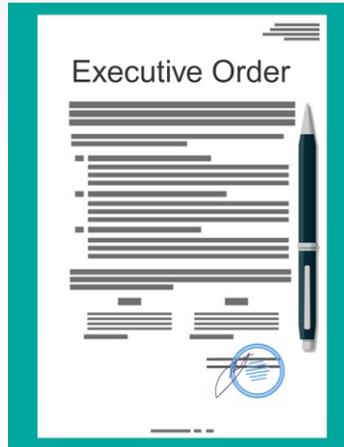
Private Sector Participation Law



1. **Republic Act No. 7718**, An Act Amending Certain Sections of Republic Act No. 6957 (An Act Authorizing the Financing, Construction, Operation, and Maintenance of Infrastructure Projects by the Private Sector, and for Other Purposes)

Regulatory Reform Laws/

Orders Issued



1. **Republic Act No. 11234**, An Act Establishing the Energy Virtual One-Stop Shop for the Purpose of Streamlining the Permitting Process of Power Generation, Transmission, and Distribution Projects (Energy Virtual One-Stop Shop Act)
2. **Republic Act No. 11032**, Ease of Doing Business and Efficient Government Service Delivery Act of 2018 (Ease of Doing Business Act of 2018)
3. **Executive Order No. 30**, Creating the Energy Investment Coordinating Council (EICC) in order to Streamline the Regulatory Procedures Affecting Energy Projects (EO 30)
4. **Administrative Order No. 23 Series of 2020**, Eliminating Overregulation to Promote Efficiency of Government Processes (AO 23)



Coverage



Coverage

- Governors
- Vice Governors
- City and Municipal Mayors
- City and Municipal Vice Mayors
- Punong Barangays
- Members of the Sangguniang Panlalawigan/
Panlungsod/Bayan/Barangay
- Local Development Councils (LDCs)



Coverage

- ❑ DILG Regional/Provincial/City Directors
- ❑ DILG BARMM Minister
- ❑ Cluster Leaders
- ❑ City/Municipal Local Government Operation Officers (C/MLGOOS)



Policy Content



Policy Content

□ Energy Sector Committee

- Will be activated by the Local Development Council to implement the Joint Memorandum Circular



Policy Content



□ Spatial Plans

- The Cities and Municipalities shall:
 - ❖ Identify upstream conventional and/or renewable energy resources within its area of jurisdiction which shall be posted on its website, if available
 - ❖ Plot existing upstream and downstream energy facilities with coordinates in accordance with the Philippine Reference System 1992 (PRS 92)
 - ❖ Coordinate with existing private sector stakeholders on expansion plans of the existing upstream and downstream energy facilities

Policy Content



□ Spatial Plans

- The Cities and Municipalities shall:
 - ❖ Submit the data to their respective Provinces for consolidation and submission to the concerned DILG Regional Office. The Independent Component Cities and Highly Urbanized Cities shall submit the data directly to the concerned DILG Regional Office
 - ❖ Submit all the data to the DILG – Bureau of Local Government Development and DOE – Investment Promotion Office
 - ❖ Coordinate with the PPP Center for investment opportunities and potential private-public partnerships

Policy Content



□ Development Plans

- Shall monitor and collect the benefits of energy projects and incorporate these benefits in its comprehensive development plan
 - ❖ Benefits from ER 1-94 fund
 - ❖ National Wealth Tax
- Shall include:
 - ❖ Local plans energy policies, plans and programs covering energy safety and best practices, energy efficiency and conservation, and energy resiliency
- Shall be submitted to the Regional Development Council and integrated to its respective Regional Development Plan

Policy Content



❑ **Energy Regulatory Reforms** (RA 11234, Sec. 14 - Local Government Units)

- LGU shall implement a unified streamlined and transparent permitting process and corresponding fees
- LGU shall process permits within the prescribed time
- Deemed approval of application
- Duly received/stamped as received application form shall serve as the relevant permit if the LGU fails to act on the application within the provided time frame
- LGU shall designate an EVOSS Focal Person, office or unit

Policy Content

❑ **Time Frame** (RA 11234, Sec. 14 - Local Government Units)

- Upon submission of the **complete documents** by the energy project applicant, the concerned LGU shall issue the corresponding permit within **fifteen (15) calendar days** for the proposed generation, transmission, or distribution project.
- Within ninety (90) calendar days from the lifting of Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines, the DILG Regional Offices shall report the compliance of all LGUs under their jurisdiction and quarterly report thereafter.

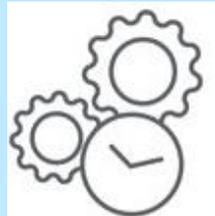
EVOSS Time Frame

Calendar Days:

Barangay = 15

City/Municipality = 15

Province = 15



RA 11234: Prohibited Acts and Penalties



Administrative Offense	Penalties	
	Government Officials/Employees	Private Entity
a. Willful refusal to participate in the EVOSS	1 st offense – 30 days suspension without pay 2 nd offense – 3 months suspension without pay 3 rd offense – Dismissal and perpetual disqualification from public service.	In cases of violation by the system operator and market operator of (a), (b), and (c), the ERC shall impose a fine of One hundred thousand pesos (P100,000.00) for every day of delay.
b. Willful acts which delay the operationalization of the EVOSS		
c. Failure to comply with the mandated time frames as provided in this Act, or as imposed by the EVOSS Steering Committee	1 st offense – 30 days suspension without pay and mandatory attendance in Values Orientation Program; 2 nd offense – 3 months suspension without pay; 3 rd offense – Dismissal and perpetual disqualification from public service, and forfeiture of retirement benefits.	
d. Tampering with EVOSS or any part or component thereof.	Dismissal and perpetual disqualification from public services.	
e. Divulging information or releasing any aspect of a document submitted by a project proponent to anyone other than an authorized person or agency.		



Policy Content

- ❑ **Consumer's participation to ensure energy security**
- ❑ **Information, Education, Communication Campaign**
 - Energy Safety Practices
 - Energy Efficiency and Conservation
 - Energy Resiliency
 - Energy Planning (Energy Access and Resource Development, Energy Programs, Policies, and Projects)
 - Energy Investment Fora, Dialogues and Consultations



DILG-DOE JMC No. 2020-01



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DEPARTMENT OF ENERGY

JOINT MEMORANDUM CIRCULAR NO.: 2020 - 01
Date: APR 30 2020

TO : ALL PROVINCIAL GOVERNORS, CITY AND MUNICIPAL MAYORS, PUNONG BARANGAYS, DILG REGIONAL/ PROVINCIAL/ CITY DIRECTORS, DILG BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO (BARMM) MINISTER, CLUSTER LEADERS, AND CITY/MUNICIPAL LOCAL GOVERNMENT OPERATION OFFICERS (C/MLGOOS)

SUBJECT : GUIDELINES FOR LGUs TO FACILITATE THE IMPLEMENTATION OF ENERGY PROJECTS

1.0 BACKGROUND

- 1.1 The National Economic and Development Authority (NEDA) launched **AmBisyon 2040** which envisions *Filipinos to enjoy a strongly rooted comfortable and secure life in all aspects by 2040.*
- 1.2 The Philippine Development Plan (PDP) 2017-2022 intends to accelerate all infrastructure development projects, including the energy sector.
- 1.3 The Philippine Energy Plan (PEP) seeks to unify with government partners and the private sector to meet the country's electricity and fuel requirements through improvements in the energy market, simplification of government procedures, promotion of resiliency in energy systems and infrastructures, and the enhancements of the consumers' power of choice.
- 1.4 The Philippine Power Development Plan forecasts that the country will need 43,765 megawatts (MW) additional capacity by 2040. With an average annual growth rate of 5.7%, power demand will continue to move in an upward trend.
- 1.5 President Rodrigo R. Duterte, in adopting a whole-of-government approach for the needs of the energy sector, issued Executive Order No. 30 (EO 30) to streamline regulatory procedures affecting Energy Projects of National Significance.
- 1.6 The Congress of the Philippines passed Republic Act (RA) 11032 entitled, "Ease of

Annex A - Draft Ordinance

ANNEX A Draft Ordinance

Ordinance No. __ Series of __

AN ORDINANCE ADOPTING THE GUIDELINES TO FACILITATE THE IMPLEMENTATION OF ENERGY PROJECTS

WHEREAS, The National Economic and Development Authority (NEDA) launched **AmBisyon 2040** which envisions *Filipinos to enjoy a strongly rooted comfortable and secure life in all aspects by 2040.*

WHEREAS, The Philippine Development Plan (PDP) 2017-2022 intends to accelerate all infrastructure development projects, including the energy sector.

WHEREAS, The Philippine Energy Plan (PEP) seeks to unify with government partners and the private sector to meet the country's electricity and fuel requirements through improvements in the energy market, simplification of government procedures, promotion of resiliency in energy systems and infrastructures, and the enhancements of the consumers' power of choice.

WHEREAS, The Philippine Power Development Plan forecasts that the country will need 43,765 megawatts (MW) additional capacity by 2040. With an average annual growth rate of 5.7%, power demand will continue to move in an upward trend.

WHEREAS, President Rodrigo R. Duterte, in adopting a whole-of-government approach for the needs of the energy sector, issued Executive Order No. 30 (EO 30) to streamline regulatory procedures affecting Energy Projects of National Significance.

WHEREAS, The Congress of the Philippines passed Republic Act (RA) 11032 "Ease of Doing Business and Efficient Government Service Delivery (EODB) Act of 2018" and RA 11234 "Energy Virtual One-Stop Shop (EVOSS) Act" to establish the inter-operability of government processes through an online system that streamlines the permitting processes of power generation, transmission, and distribution projects.

WHEREAS, The Department of Energy (DOE), in implementing the pertinent energy laws, sees the Local Government Units (LGUs) as indispensable stakeholders and reiterates the existing and potential benefits for host communities of energy projects, such as Energy Regulation 1-94, national wealth tax or government share, job creations, and other social and economic development programs.

WHEREAS, The Department of the Interior and Local Government (DILG), in support of the DOE, enjoins all LGUs to implement the directive of the President on the implementation of energy projects.

WHEREAS, Section 3 of Administrative Order No. 23 Series of 2020, for processes applicable to energy-related projects, the timelines provided by RA 11234 shall be complied with.

WHEREAS, The DILG and the DOE issued Joint Memorandum Circular _____ providing for the Guidelines for LGUs to Facilitate the Implementation of Energy Projects.

THANK YOU

For inquiries, please contact:

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Local Government**

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