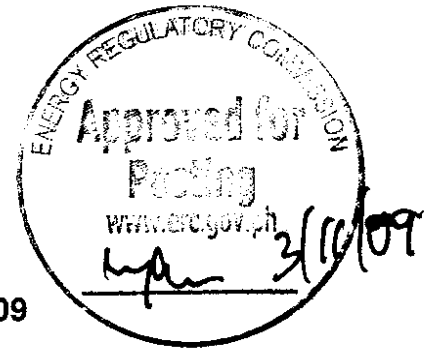


Republic of the Philippines
ENERGY REGULATORY COMMISSION
 San Miguel Avenue, Pasig City



RESOLUTION NO. 04, Series of 2009

A RESOLUTION SETTING THE INSTALLED GENERATING CAPACITY PER GRID, NATIONAL GRID AND THE MARKET SHARE LIMITATIONS PER GRID AND THE NATIONAL GRID FOR 2009 PURSUANT TO THE "GUIDELINES FOR THE DETERMINATION OF INSTALLED GENERATING CAPACITY IN A GRID AND THE NATIONAL INSTALLED GENERATING CAPACITY AND ENFORCEMENT OF THE LIMITS OF CONCENTRATION OF OWNERSHIP, OPERATION OR CONTROL OF INSTALLED GENERATING CAPACITY UNDER SECTION 45 OF REPUBLIC ACT NO. 9136"

WHEREAS, pursuant to Section 45(a) of Republic Act No. 9136 (EPIRA) and Section 4(a), Rule 11 of its Implementing Rules and Regulations (IRR), the Energy Regulatory Commission (ERC) formulated and adopted the Guidelines for the Determination of Installed Generating Capacity in a Grid and the National Installed Generating Capacity and Enforcement of the Limits of Concentration of Ownership, Operation or Control of Installed Generating Capacity;

WHEREAS, the subject Guidelines took effect on February 22, 2006;

WHEREAS, under Section 3, Article II of the said Guidelines, ERC set the 2008 installed generating capacity per Grid, National Grid and the Market Share Limitations per Grid and the National Grid as per Resolution No. 04, series of 2008 dated March 12, 2008, as follows:

Grid	Installed Generating Capacity (kW)	% Market Share Limitation as per RA 9136	Installed Generating Capacity Limit (kW)
Luzon	10,060,904.00	30%	3,018,271.20
Visayas	1,637,270.40	30%	491,181.12
Mindanao	1,703,348.00	30%	511,004.40
National	13,401,522.40	25%	3,350,380.60

WHEREAS, the foregoing installed generating capacity per Grid and National Grid and market share limitations determination shall be adjusted by the ERC on or before the 15th day of March of the succeeding years and/or as often as may be necessary.

WHEREAS, there is a need to publish the adjusted installed generating capacity per Grid and National Grid and market share limitations per Grid and National Grid set by the ERC for 2009;

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WHEREAS, as part of its monitoring activities, the ERC finds that no generation company nor any other entity has violated the market share limitations per Grid and National Grid for the year 2009;

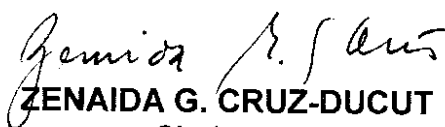
NOW, THEREFORE, pursuant to its mandate to promote free and fair competition in the generation and supply of electricity to achieve greater operational and economic efficiency and to ensure consumer protection and enhance the competitive operation of the markets for generation and supply of electricity, the ERC **RESOLVED**, as it hereby **RESOLVES** to set the 2009 installed generating capacity per Grid and National Grid and Market Share Limitations per Grid and National Grid. The same shall remain and shall be strictly enforced and implemented until the next adjustment thereto which may be on or before the 15th day of March of 2010 and every year thereafter and/or as the need arises, as follows:

Grid	Installed Generating Capacity (kW)	% Market Share Limitation as per RA 9136	Installed Generating Capacity Limit (kW)
Luzon	10,664,228.00	30%	3,199,268.40
Visayas	1,645,315.40	30%	493,594.62
Mindanao	1,729,576.00	30%	518,872.80
National	14,039,119.40	25%	3,509,779.85

This Resolution and the Appendix "A" hereto attached and made as an integral part of this Resolution shall take effect immediately following their publication in a newspaper of general circulation in the Philippines.

SO ORDERED.

Pasig City, March 09, 2009.


ZENAIDA G. CRUZ-DUCUT
 Chairperson


RAUF A. TAN
 Commissioner


ALEJANDRO Z. BARIN
 Commissioner


MARIA TERESA A. R. CASTAÑEDA
 Commissioner


JOSE C. REYES
 Commissioner

A. LUZON GRID**10,664,228.00 KW****I. NPC Owned and Operated Power Plants**

	Name of Plant	Number of Units	Location	Fuel Type	Nameplate Rating (kW)	Installed Generating Capacity (kW)
1	Angat HEPP	9	Norzagaray, Bulacan	Hydro	246,000	246,000
2	Tiwi GPP	5	Tiwi, Albay	Geothermal	330,000	140,250
3	Mak-Ban GPP	10	Bitin, Laguna	Geothermal	410,000	308,750
4	Bac-Man GPP	4	Bacon, Sorsogon	Geothermal	150,000	36,320
5	Calaca Coal I & II	2	Calaca, Batangas	Coal	600,000	287,000
6	Navotas I (on preservation status)	3	Navotas, Metro Manila	Diesel	210,000	-
7	Navotas II (on preservation status)	1	Navotas, Metro Manila	Diesel	100,000	-
8	Ambukiao HEPP (mothballed)			Hydro	75,000	-
	TOTAL				2,121,000	1,018,320

II. NPC Owned and Operated by Independent Power Producers

1	KEPCO Ilijan Corporation	1	Ilijan, Batangas City, Batangas	Natural Gas	1,271,000	1,200,000
2	Limay Combined Cycle	8	Limay, Bataan	Blended Fuel Oil	655,535	614,535
3	TeaM Pagbilao Corp.	2	Isla Grande, Ibabang Polo, Pagbilao, Quezon	Coal	764,000	735,000
4	TeaM Sual Corp.	2	Pangascasan, Sual, Pangasinan	Coal	1,294,000	1,218,000
5	Subic Power Corp. (formerly ENRON Power Corp.)	1	Subic Bay Freeport Zone, Olongapo City	Bunker C/Diesel	120,000	116,000
7	HEDCOR (Northern Mini-Hydro PP + Bakun)	13	Tuba, Itogon, La Trinidad, Bakun, all in Benguet	Hydro	33,750	33,750
8	CBK Botocan	3	Bakya, Majayjay, Laguna	Hydro	23,000	22,253
9	CBK Caliraya	2	Bagong Silang, Lumban, Laguna	Hydro	40,000	35,771
10	CBK Kalayaan	4	San Juan, Kalayaan, Laguna	Hydro	739,240	734,618
11	CE Casecan Water and Energy Company, Inc.	2	Pelaway, Alfonso Castaneda, Nueva Ecija	Hydro	165,000	150,000
12	San Roque Power Corporation	3	Lower Agno River, San Roque, San Manuel, Pangasinan	Hydro	411,000	411,000
13	KEPHILCO (Malaya TPP)	2	Malaya, Piliia, Rizal	Bunker Oil	650,000	650,000
14	Bauang Private Power Corp.	21	Km. 255, Payocpoc Sur, Bauang, La Union	Bunker C	235,200	225,000
15	Luzon Hydro Corporation (HEDCOR)	2	Pilpil, Amilongan, Aliem, Ilocos Sur	Hydro	70,000	74,000
16	Binga HEPP	4	Itogon, Benguet	Hydro	100,000	99,590
	TOTAL				6,571,725	6,319,517

III. DU Owned IPPs and other IPPs

1	FGP Corp.	2	Sta. Rita, Batangas City	Natural Gas	549,100	523,992
2	First Gas Power Corp.	4	Sta. Rita, Batangas City	Natural Gas	1,047,051	1,047,051
5	Angeles Power, Inc.	5	Angeles Industrial Park (SEZ), Bo. Calibutbut, Bacolor, Pampanga	Diesel/ Bunker C	30,000	27,500
6	Quezon Power Phils. Ltd.	1	Cagsiay-1, Mauban, Quezon	Coal Thermal	511,000	511,000
7	Tarlac Power Corporation	3	Sto. Niño, Tarlac	Bunker C	18,900	18,600
8	First Cabanatuan Ventures Corp.	4	Mampulog, Bitas, Cabanatuan City	Bunker Oil	25,600	25,600
9	Trans-Asia Power Generation Corp.	1	Matictic, Norzagaray, Bulacan	Bunker C/Diesel	52,000	50,000
10	Northwind Power Corporation	15	Bangui, Ilocos Norte	Wind	33,000	33,000
11	INEC-Agua Grande Mini-HEPP				4,550	1,820
12	Bicol Hydropower Corporation	3	Panicuason, Naga City	Hydro	960	960
13	Angeles Electric Corporation	5	Puliung Maragul, Angeles City	Diesel/ Bunker	9,260	6,900
14	Cawayan HEPP (SORECO II)	1	Guinlajan, Sorsogon City	Hydro	448	448
15	Barit HEPP (People's Energy Services, Inc.)		Buhi, Camarines Sur	Hydro	1,800	1,800
16	PNOC-EC	1	San Antonio, Echague, Isabela	Natural Gas	3,200	3,200
17	ISELCO I (Magat A & B MHPP)	7	Villa Beltran, Ramon, Isabela	Hydro	2,520	2,520
18	First Gen Hydro Power Corporation (Pantabangan and Masiway HEPP)	3	Pantabangan, Nueva Ecija	Hydro	112,000	112,000
19	SN Aboitiz Power Corp. (Magat HEPP)	4	Aguinaldo, Ramon, Isabela	Hydro	360,000	360,000
20	Mansinloc Coal I & II	2	Masinloc, Zambales	Coal	600,000	600,000
	TOTAL				2,761,389	3,326,391

INSTALLED CAPACITY (LUZON GRID)

10,664,228 KW

B. VISAYAS GRID**1,645,315.40 KW****I. NPC Owned and Operated Power Plants**

	Name of Plant		Location	Fuel Type	Nameplate Rating (kW)	Installed Generating Capacity (kW)
1	Amlan	2	Amlan, Negros Oriental	Hydro	800	400
2	Palinpinon GPP	3	Puhagan, Valencia, Negros Oriental	Geothermal Steam	112,500	106,440
3	Palinpinon II GPP	4	Sitio Nasuji, Puhagan, Valencia, Negros Oriental	Geothermal Steam	112,500	79,940
4	Leyte GPP	3	Lim-ao, Kananga, Leyte	Geothermal Steam	112,500	103,850
6	Bohol Diesel PP	4	Dampas, Tagbilaran City, Bohol	Bunker & Diesel	22,000	18,500
7	Panay DPP I	5	Tinocuan, Dingle, Iloilo	Bunker & Diesel	36,500	19,640
8	Panay DPP III	4	Tinocuan, Dingle, Iloilo	Bunker & Diesel	108,000	45,150
9	Power Barge 101	4	Muelle Osmena, Lapu-lapu City	Industrial Fuel Oil	32,000	30,400
10	Power Barge 102	4	Obrero, Iloilo City	Bunker	32,000	24,000
11	Power Barge 103	4	Botongan, Estancia, Iloilo	Heavy fuel	32,000	10,000
	TOTAL				600,800	438,320

II. NPC owned and operated by Independent Power Producers

1	Naga Coal I and II (CTPP-Salcon)	2	Colon, Naga, Cebu	Coal, Bunker-C	109,300	95,800
2	Naga Diesel I (CDPP-Salcon)	6	Colon, Naga, Cebu	Bunker C	37,800	36,000
3	Land Base Gas Turbine (Salcon)	2	Colon, Naga, Cebu	Diesel Oil	55,000	54,000
4	EDC-Mahagnagdong (formerly CE Luzon GP Company, Inc.)	4	Mahanagdong, Tongonan, Ormoc City	Geothermal Steam/ Diesel	200,000	182,000
5	EDC-EDC (Upper Mahiao)	4	Lim-ao, Kananga, Leyte	Geothermal Steam	132,000	129,860
6	EDC Malitbog (formerly Visayas GP Company, Inc.)	3	Malitbog, Tongonan, Kananga, Leyte	Geothermal Steam	232,500	233,900
7	EDC Leyte Optimization Power Plant	7	PNOC-EDC Geothermal Reservation Area, Tongonan, Leyte	Geothermal Steam	53,900	53,900
	TOTAL				820,500	785,460

III. DU Owned IPPs and other IPPs

1	Cebu Private Power Corp.	10	VECO Compound, Ermita, Cebu City	Bunker C	73,000	70,000
2	East Asia Utilities Corp.	4	Ibo, MEPZ 1, Lapu-lapu City	Bunker C	50,000	49,600
3	Toledo Power Corp.	8	Sangi and Sigpit, Toledo City, Cebu	Bunker C/ Coal	134,750	112,400
4	BOHECO I - Janopol Mini-HEPP/SevillaHP	1	Janopol, Balilihan, Bohol	Hydro	7,500	7,500
5	SAMELCO I - Ton-ok Mini-HEPP	4	Barral, Calbayog City	Hydro	1,080	1,080
6	Panay Electric Corp. (PECO)	4	Gen. Luna St., Iloilo City	LSFO (Bunker)	18,580	18,580
7	Avon River Power Holdings Corp.	4	Unidos, Nabas, Akian; Mabilo, New Washington, Akian	Bunker C	37,500	37,500
8	CEBECO I (Mantayupan, Matutinao, Basa)	7	Barili, Cebu; Badian, Cebu	Hydro	1,720	1,720
9	Loboc HEPP (Sta. Clara Power Corporation)	3	Gotozon, Loboc, Bohol	Hydro	1,200	1,200
10	SOLECO (Henabian MHPP)	2	Calmon, St. Bernard, Southern Leyte	Hydro	540	540
11	PNOC-EDC NNGP		Brgy. Mailum, Bago City, Negros Occidental	Geothermal	50,915	50,915
12	Panay Power Co.	6	Brgy. Ingore, La Paz Iloilo	Oil	70,500	70,500
	TOTAL				447,285	421,535

INSTALLED CAPACITY (VISAYAS GRID)**1,645,315 KW**

C. MINDANAO GRID

1,729,576.00 KW

I. NPC Owned and Operated Power Plants

	Name of Plant	Number of Units	Location	Fuel Type	Nameplate Rating (kW)	Installed Generating Capacity (kW)
1	Iligan DPP					
		11	Mapalad, Dalipuga, Iligan City	Diesel/ Bunker	62,700	54,500
3	Power Barge 104		Holcim Wharf, Iligan, Davao City	Diesel/ Bunker	32,000	24,500
4	Agus 1 HEPP	4	Marawi City	Hydro	80,000	80,000
5	Agus 2 HEPP	2	Pawak, Saguiaran, Lanao del Sur	Hydro	180,000	180,000
6	Agus 4 HEPP	3	Baloi, Lanao del Norte	Hydro	158,100	148,730
7	Agus 5 HEPP	2	Ditucalan, Iligan City	Hydro	55,000	54,980
8	Agus 6 HEPP	5	Fuentes, Maria Cristina, Iligan City	Hydro	200,000	160,320
9	Agus 7 HEPP	2	Fuentes, Maria Cristina, Iligan City	Hydro	54,000	47,750
10	Pulangui IV	3	Maramag, Bukidnon	Hydro	255,000	190,018
	TOTAL				1,076,800	940,798

II. NPC Owned and Operated by Independent Power Producers

1	Power Barge 117	1	Nasipit, Agusan del Norte	Heavy Fuel Oil	100,000	100,000
2	Power Barge 118	1	Maco, Compostela Valley, Agusan del Norte	Heavy Fuel Oil	100,000	100,000
3	Western Mindanao Power Corp.	10	Sangali, Zamboanga City	Bunker-C Diesel	113,000	113,400
4	Southern Philippines Power Corp.	6	Baluntay, Alabel, Sarangani	Bunker-C Diesel	55,000	62,578
5	Mindanao I Geothermal Partnership	1	Mindanao (Mt. Apo) Geothermal Reservation, Kidapawan City, North Cotabato	Geothermal Steam	54,240	54,240
6	Mindanao II Geothermal Partnership	1	Mindanao (Mt. Apo) Geothermal Reservation, Kidapawan City, North Cotabato	Geothermal Steam	54,240	54,240
7	Mindanao Coal (STEAG State Power Inc.)	2	Balacanas, Villanueva, Misamis Oriental	Coal	232,000	210,000
	TOTAL				708,480	694,458

III. DU Owned IPPs and other IPPs

1	Mindanao Energy Systems, Inc.	1	Tablon, Cagayan de Oro City, Misamis Oriental	Bunker C	18,900	18,900
2	Bubunawan Power Company (BPC), Inc.	1	Imbatug, Baungon, Bukidnon	Hydro	7,000	7,000
3	CEPALCO (Solar Photovoltaic)	1	Indahag, Cagayan de Oro City	Solar	950	950
4	DALIGHT - Bajada Power Plant	12	Bajada, Davao City	Diesel/ Bunker blended (SFO)	53,470	53,300
5	FG Bukidnon Power Corporation (Agusan Mini-HEPP)	2	Damilag, Manolo Fortich, Bukidnon	Hydro	1,800	1,600
6	Cotabato Light and Power Company	6	Sinsuat Ave., Cotabato City	Diesel/Bunker	9,860	8,000
7	HEDCOR (Talomo MHEPP)	5	Tugbok Dist., Pequeno, Calinan, Davao City	Hydro	4,570	4,570
	TOTAL				96,550	94,320

INSTALLED CAPACITY (MINDANAO GRID)

1,729,576 KW

D. NATIONAL GRID (KW)

14,039,119.40 KW