



**02**  
RESOLUTION NO. \_\_\_\_\_, Series of 2019

**A RESOLUTION EXTENDING THE SETTING OF THE 2019  
INSTALLED GENERATING CAPACITY AND  
MARKET SHARE LIMITATION PER GRID  
AND THE NATIONAL GRID**

**WHEREAS**, pursuant to Section 45 (a) of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act (EPIRA) and Section 4 (a), Rule 11 of its Implementing Rules and Regulations (IRR), no company or related group can own, operate or control more than thirty percent (30%) of the installed generating capacity (IGC) of a grid and/or twenty-five percent (25%) of the national IGC;

**WHEREAS**, on 14 December 2005, the Commission adopted and promulgated Resolution No. 26, Series of 2005 entitled “A Resolution Adopting the Guidelines for the Determination of IGC in a Grid and the National IGC and Enforcement of the Limits on Concentration of Ownership, Operation or Control of IGC under Section 45(a) of the EPIRA” (Market Share Guidelines);

**WHEREAS**, the ERC issues a Resolution every 15<sup>th</sup> day of March setting the annual installed generating capacity and market share limitation (MSL) per grid and for the national grid based on the maximum capacity of the power plants submitted by the generation companies and other entities required to submit the Generation Company Management Report (GCMR);

**WHEREAS**, upon evaluation of the submission of the generation companies of the maximum capacity, the Commission saw the need to further validate the submitted data contained in the GCMR to be able to come up with a realistic and accurate IGC for MSL calculation;

**WHEREAS**, the ERC perceives the need to extend the setting of the 2019 IGC and MSL per grid and national grid from 15 March 2019 to 30 June 2019 to provide the Commission ample and sufficient time to do the said validation;

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<sup>1</sup> Section 3, Article II of the Guidelines for the Determination of Installed Generating Capacity in a Grid and the National Installed Generating Capacity and Enforcement of the Limits on Concentration of Ownership, Operation or Control of Installed Generating Capacity under Section 45(a) of the EPIRA.

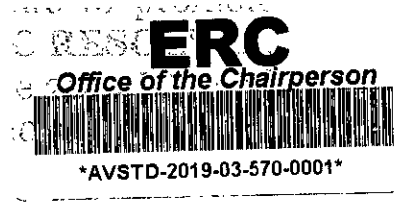
**NOW, THEREFORE**, pursuant to its mandate to promote competition and ensure consumer protection, the ERC **RESOLVES**, to **EXTEND** the issuance of the Resolution setting the 2019 IGC and MSL per grid and the national grid from 15 March 2019 to 30 June 2019.

Let copies of this Resolution be furnished to the University of the Philippines Law Center-Office of the National Administrative Register (UPLC-ONAR) and all parties concerned.

This Resolution shall take effect immediately following its publication in a newspaper of general circulation.

SO ORDERED.

Pasig City, 14 March 2019.



*[Signature]*  
**AGNES VST DEVANADERA**  
Chairperson

*[Signature]*  
**JOSEFINA PATRICIA A. MAGPALE-ASIRIT**  
Commissioner

(On Leave)

**ALEXIS M. LUMBATAN**  
Commissioner

*[Signature]*  
**CATHERINE P. MACEDA**  
Commissioner

*[Signature]*  
**PAUL CHRISTIAN M. CERVANTES**  
Commissioner