



**RESOLUTION NO. 01, Series of 2022**

**A RESOLUTION SETTING THE INSTALLED GENERATING CAPACITY AND MARKET SHARE LIMITATION PER GRID AND NATIONAL GRID FOR 2022**

**WHEREAS**, pursuant to Section 45 (a) of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (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” (MSL Guidelines) in its Resolution No. 26, Series of 2005;

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

**WHEREAS**, under Section 3, Article II of the said MSL Guidelines, the ERC set the 2021 Installed Generating Capacity (IGC) and the Market Share Limitation (MSL) per Grid and National Grid as per Resolution No. 5, Series of 2021 dated 11 March 2021, as follows:

Table 1. 2021 IGC and MSL

<b>Grid</b>	<b>IGC (kW)</b>	<b>% MSL as per RA 9136</b>	<b>IGC Limit (kW)</b>
Luzon	15,974,881.86	30%	4,792,464.56
Visayas	3,381,608.00	30%	1,014,482.40
Mindanao	4,065,849.00	30%	1,219,754.70
National	23,422,338.86	25%	5,855,584.82

**WHEREAS**, the foregoing IGC and MSL per Grid and National Grid determination shall be adjusted by the ERC on or before the 15<sup>th</sup> day of March of the succeeding years and/or as often as may be necessary;

**WHEREAS**, pursuant to Resolution No. 5, Series of 2019, the ERC adopted the use of Pmax as a standard basis for identifying the maximum capacity for generation facilities in the determination of IGC;

**WHEREAS**, the 2014 Revised Rules for the Issuance of Certificates of Compliance (COCs) for Generation Companies, Qualified End-Users and Entities with Self-Generation Facilities, adopted under ERC Resolution No. 16, Series of 2014, defined Pmax as the “maximum demand in MW that a generating unit, or generating block or module, in case of a combined cycle power plant, can reliably sustain for an indefinite period of time, based on the generator capability tests”;

**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 2022 IGC and MSL per Grid and National Grid using Pmax as the maximum capacity adopted for generation facilities. The same shall remain and shall be strictly enforced and implemented until the next adjustment thereto which may be on or before the 15<sup>th</sup> day of March of 2023, and every year thereafter, and/or as the need arises, as follows:

Table 2. 2022 IGC and MSL

<b>Grid</b>	<b>IGC (kW)</b>	<b>% MSL as per RA 9136</b>	<b>IGC Limit (kW)</b>
Luzon	17,077,537	30%	5,123,261
Visayas	3,372,640	30%	1,011,792
Mindanao	4,201,042	30%	1,260,313
<b>National</b>	<b>24,651,219</b>	<b>25%</b>	<b>6,162,805</b>

This Resolution and its 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.

*(This part is intentionally left blank)*

Let copies of this Resolution be furnished the University of the Philippines Law Center-Office of the National Administrative Register (UPLC-ONAR) and all industry stakeholders, as well as published in the ERC website and such other online platform available to the Commission under the current circumstances.

**SO ORDERED.**

Pasig City, 09 March 2022.



  
**AGNES VST DEVANADERA**  
*Chairperson and CEO*

  
**ALEXIS M. LUMBATAN**  
*Commissioner*

  
**CATHERINE P. MACEDA**  
*Commissioner*

  
**FLORESINDA G. BALDO-DIGAL**  
*Commissioner*

  
**MARKO ROMEO L. FUENTES**  
*Commissioner*