



Republic of the Philippines
DEPARTMENT OF ENERGY

JTD

SEP 09 2009

DEPARTMENT ORDER NO. D02009-09-0013 *gcs*

**CREATING THE DEPARTMENT OF ENERGY INTERIM NEGOTIATING
PANEL FOR RENEWABLE ENERGY SERVICE/OPERATING CONTRACTS**

WHEREAS, by virtue of Department Order No. 2003-05-005 dated 16 May 2003, the DOE Negotiating Panel was created to institutionalize and provide procedural guidelines in the negotiations/approval of Petroleum Service Contracts, Coal Operating Contracts, Geothermal Service Contracts, and Ocean/Solar/Wind Contracts;

WHEREAS, Republic Act No. 9513 or the Renewable Energy Act of 2008 (Act) which took effect on 30 January 2009 provides that the exploration and development of geothermal, solar, wind, ocean, hydropower, biomass and other renewable energy resources and harnessing the same for power and non-power use shall now be undertaken through a Renewable Energy Service/Operating Contract (or RE Contract) entered into by the government through the Department of Energy (DOE) with an RE Developer;

WHEREAS, Section 32 of said Act established the Renewable Energy Management Bureau (REMB) which organizational structure and staffing complement is still undergoing consultation with the Department of Budget and Management (DBM);

WHEREAS, pursuant to Department Circular No. 2009-07-011 dated 10 August 2009 providing for the Guidelines Governing a Transparent and Competitive System of Awarding Renewable Energy Service/Operating Contracts and Providing for the Registration Process of Renewable Energy Developers (or Guidelines), the Department shall award the RE Contract based on the legal qualification, and technical and financial capabilities of the RE applicant;

WHEREAS, there is a need to create an Interim Negotiating Panel for RE Contracts to ensure due evaluation/negotiation of increasing number of pending RE applications within the period set by the Guidelines while awaiting the finalization of the REMB structures;

NOW THEREFORE, from the foregoing premises, the Department of Energy Interim Negotiating Panel for Renewable Energy Service/Operating Contracts is hereby created with the following members:

- Chairperson - Undersecretary, in charge of Renewable Energy Management Bureau (REMB)
- Vice-Chairperson - Assistant Secretary and Director of REMB

Co-Vice-Chairperson - Director, Legal Services

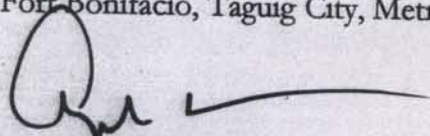
- Members
- OIC, Assistant Director of REMB
 - OIC, Proposed Geothermal Energy Management Division for Geothermal Contracts
 - OIC, Proposed Hydropower and Ocean Energy Management Division for Ocean and Hydropower Contracts
 - OIC, Proposed Biomass Energy Management Division for Biomass Operating Contracts
 - OIC, Proposed Solar and Wind Energy Management Division for Solar and Wind Contracts
 - Chief, Contracts Division for Legal/Negotiations
 - Chief, Compliance Division for Financial/Negotiations

The Office of the Director of REMB shall be responsible for the flow of documents from receipt of application to processing by the various panel members for legal, technical and financial evaluation.

It is hereby directed that henceforth and until the official compositional structures and staffing components of REMB is established, all applications under RA 9513 [applying pertinent provisions of PD 1442 (geothermal), RA 9367 (biofuels), RA 7156 (hydropower), and EO 462 (ocean, solar and wind)], shall be examined, evaluated and reviewed by the DOE Interim RE Contracts Negotiating Panel which is hereby directed and authorized to negotiate with the applicants, the terms and conditions of contracts pursuant to existing constitutional provisions and applicable laws, circulars, rules and regulations.

Department Order No. 95-08-21 dated 17 August 1995, Department Order No. 2002-02-001 dated February 12, 2002, Department Order No. 2003-05-005 dated 16 May 2003 and any other orders or directives inconsistent herewith are hereby accordingly amended or superseded.

Fort Bonifacio, Taguig City, Metro Manila.


Angelo T. Reyes
Secretary

