



Republic of the Philippines  
 REGION XII  
 Province of Cotabato  
 Municipality of Alamada  
**OFFICE OF THE SANGGUNIANG BAYAN**

OFFICE OF THE VICE GOVERNOR AND  
 SANGGUNIANG PANLALAWIGAN  
 Amas, Kidapawan City  
**RECEIVED**  
 Date: 11/4/2022 Time: 11:42  
 Signature: *[Signature]*

EXCERPT FROM THE MINUTES OF THE 5<sup>TH</sup> REGULAR SESSION OF THE 11<sup>TH</sup> SANGGUNIANG BAYAN OF ALAMADA HELD AT SB SESSION HALL, 2<sup>ND</sup> FLOOR, MUNICIPAL BUILDING, ALAMADA, COTABATO ON AUGUST 1, 2022 AT 9:00 IN THE MORNING.

Present:

- |                                  |   |
|----------------------------------|---|
| Hon. LEONIGILDO A. CALIBARA, JR. | Municipal Vice Mayor /<br>Presiding Officer |
| Hon. TERESA O. DEMETILLO         | SB Member                                   |
| Hon. VICTOR S. SACDALAN          | SB Member                                   |
| Hon. ZAIDAMEN S. PELANDOC        | SB Member                                   |
| Hon. BARTOLOME B. LATAZA, JR.    | SB Member                                   |
| Hon. EDWIN M. FORTUNADO, MPA     | SB Member                                   |
| Hon. SANNY P. PAMLIHAN           | SB Member                                   |
| Hon. ERES C. CONCEPCION          | SB Member                                   |
| Hon. DEMOCRITO D. DIOLA, JR.     | SB Member                                   |
| Hon. JOSE ROMMEL B. DEAROS       | SB Member/ABC President                     |
| Hon. ELMER V. BONA               | SB Member/SKMF President                    |

Absent:

None

**ORDINANCE NO. 2022 – 4**

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

Sponsor:

**Hon. BARTOLOME B. LATAZA, JR.**  
*Chairperson, Committee on Energy Conservation*

Co-sponsors:

**Hon. EDWIN M. FORTUNADO, MPA**  
**Hon. VICTOR S. SACDALAN**  
**Hon. ERES C. CONCEPCION**  
**Hon. DEMOCRITO D. DIOLA, JR.**  
*Members, Finance and Appropriation Committee*

*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 – 2020 intends to accelerate all infrastructure development projects, including the *energy sector*,

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**WHEREAS**, the Philippine Energy Plan (PEP) seeks to unify with government partners and the private sector to meet 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 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 Regulatory 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 No. 2020-01 providing for *the Guidelines for LGUs to Facilitate the Implementation of Energy Projects;*

**NOW, THEREFORE**, in order to establish, strengthen and integrate the energy policies and mechanisms, with respect to energy safety practices, energy efficiency and conservation, energy resiliency, energy planning which includes energy access and resource development, to harmonize and fast-track the implementation of the Ease of Doing Business (EODB) Act, Energy One-Stop Shop (EVOSS) Act, Executive Order (EO) No. 30 and Administrative Order (AO) No. 23, *to maximize benefits from energy projects to the host communities, to implement the necessary energy programs and projects;*

Be it ordained by the Sanggunian Bayan in Regular Session that:



ARTICLE I  
GENERAL PROVISIONS

**Section 1. Title.** – This Ordinance shall be known as the Guidelines to Facilitate the Implementation of Energy Projects, otherwise known as the “Alamada Energy Ordinance of 2022”.

**Section 2. Creation of the Energy Sector Committee under the Local Development Council.** – The Energy Sector Committee is hereby created under the Local Development Council to facilitate the Implementation of energy programs, policies, and projects, in accordance with the following pertinent energy and other regulatory laws, and issuances:

- a. Republic Act No. 7160, An Act Providing for a Local Government Code of 1991 (Local Government Code of 1991);
- b. 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);

**ENERGY-RELATED LAWS**

- c. 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);
- d. Presidential Decree No. 972, Promulgating an Act to Promote an Acceleration Exploration, Development, Exploitation, Production and Utilization of Coal (The Coal Development Act of 1976);
- e. 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);
- f. Republic Act No. 8479, An Act Deregulating the Downstream Oil Industry and for Other Purposes (Downstream Oil Industry Deregulation Act of 1998);
- g. 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);
- h. 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);
- i. Republic Act No. 9513, “Renewable Energy Act of 2008”;
- j. Republic Act No. 106243, 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 Increase During Emergency Situations and like Occasions and for Other Purposes);

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- k. Republic Act No. 11285, An Act Institutionalizing Energy Efficiency and Conservation, Enhancing the Efficiency Use of Energy, and Granting Incentives to Energy Efficiency and Conservation Project (Energy Efficiency and Conservation Act);
- l. 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 LAWS**

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

**REGULATORY REFORM LAWS**

- n. 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);
- o. Republic Act No. 11032, Ease of Doing Business and Efficient Government Service Delivery Act of 2018 (Ease of Doing Business Act of 2018);
- p. Executive Order No. 30 entitled, "Creating the Energy Investment Coordinating Council (EICC) in order to Streamline the Regulatory Procedures Affecting Energy Projects";
- q. Administrative Order No. 23 Series of 2020, Eliminating Overregulation to Promote Efficiency of Government Processes;

**SUPPORTING POLICIES**

- r. DILG-DOLE Joint Circular 95-01 dated 31 October 1995 entitled, "Utilization Of Share from National Wealth";
- s. DOE Department Circular No. DC2003-11-010 entitled, "Rules and Regulations Governing the Business of Retailing Liquid Petroleum Products";
- t. DOE Department Circular No. DC2007-02-0002 entitled, "Providing for the Rules and Regulations Governing the Business of Supplying, Hauling, Storage, Handling, Marketing and Distribution of Liquefied Petroleum Gas (LPG) for Automotive Use";
- u. DOE Department Circular No. DC2014-01-0001 entitled, "Providing for the Rules and Regulations Governing the LPG Industry";
- v. DOE Department Circular NO. DC2017-11-0011 entitled, "Promulgating a Revised Rules and Regulations Governing the Business of Retailing Liquid Fuels";

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- w. DOE Department Circular No. DC2019-05-0007 entitled, "*Rules and Regulations Implementing Republic Act No. 11234 (Energy Virtual One-Stop Shop Act)*";
- x. DOE Department Circular No. DC2019-11-0014 entitled, "*Implementing Rules and Regulations of Republic Act No. 11285 (Energy and Conservation Act)*";
- y. DOE Department Circular No. DC2020-02-0002 entitled, "*The Implementing Rules and Regulations of Republic Act No. 11361, Otherwise known as the "Anti-Obstruction of Power Lines Act"*";
- z. DILG-DPWH-DICT-DTI Joint Memorandum Circular No.2018-01 entitled, "*Guidelines in Streamlining the Processes for the Issuance of Building permits and Certificate of Occupancy*";
- aa. DILG-DOF Joint Memorandum Circular No. 2019-01 entitled, "*Guidelines for the Review, Adjustment, Setting and/or Adoption of Reasonable Regulatory Fees and Charges of Local Government Units*";
- bb. DILG Memorandum Circular No. 2019-117 entitled, "*Guidelines in the Integration of the Issuance of barangay Clearance in the Permitting Processes of Cities and Municipalities*";
- cc. DILG-ARTA Joint Memorandum Circular No. 2019-01 entitled, "*Guideline on the Regulatory Reform for LGUs pursuant to the Ease of Doing Business and Efficient Government Service Delivery (EODB-EGSD) Act of 2018*"; and
- dd. PPC-DILG Joint Memorandum Circular No. 2019-01 entitled "*Supplemental Guidelines for the Implementation of Public-Private Partnership for the People Initiatives for Local Government Unit*"

**ARTICLE II**  
**INCORPORATION OF ENERGY PROJECTS INTO THE MLGU ALAMADA**  
**SPATIAL PLAN AND COMPREHENSIVE DEVELOPMENT**

**Section 3.** *Incorporation to the MLGU Alamada Plans.* – The MLGU shall incorporate the energy programs, policies, and projects into the Spatial Plan (*Comprehensive Land Use Plan*), whichever is applicable.

**SPATIAL PLAN**

**Section 4.** The Municipality, in consultation with concerned stakeholders, shall identify upstream conventional (coal, oil, or natural gas) and/or renewable (biomass, geothermal, solar, hydropower, and wind) energy resources within its area of jurisdiction which shall be posted on its website, if available:

- a. In consultation with concerned stakeholders, shall plot existing upstream and downstream energy facilities with coordinates in accordance with the Philippine Reference System 1992 (PRS'92);
- b. Shall coordinate with existing private sector stakeholders on the expansion plans of the existing upstream and downstream energy facilities;

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- c. Shall submit the data under Section 4 to their respective Provinces for consolidation and submission to the concerned DILG Regional Office;
- d. All data under Section 4 shall be submitted to the DILG – Bureau of Local Government Development and DOE – Investment Promotion Office; and
- e. May coordinate with the *Public-Private Partnership (PPP)* Center for investment opportunities and potential private-public partnerships.

**COMPREHENSIVE DEVELOPMENT PLAN**

**Section 5. *Benefits of Energy Projects Incorporation into the Comprehensive Development Plan.* -**

- a. The MLGU Alamada shall monitor and collect the benefits of energy projects and incorporate these benefits in its comprehensive development plan. The benefits to host communities from energy projects may include among others, funds from the *Energy Regulation 1-94 (ER 1-94)*, and the *National Wealth Tax*, and
- b. The development plan of the Municipality shall include all local energy policies, plans, and programs covering energy safety and best practices, energy efficiency and conservation, and energy resiliency in its comprehensive development plan which shall be submitted to its respective Regional Development Council and integrated to each of its respective Regional Development Plan.

**ARTICLE III  
ENERGY PERMITS REGULATORY REFORMS**

**Section 6. *Implementation of the Energy Virtual One-Stop Shop (EVOSS) Act.* –**  
The MLGU Alamada shall streamline the processes in issuing the necessary permits on energy-related projects in accordance with Section 14 of the EVOSS Act:

- a. Shall prepare, submit and implement a unified streamlined and transparent permitting process and corresponding fees;
- b. Said permitting process and corresponding fees shall be submitted by the MLGU Alamada to the EVOSS Steering Committee through the secretariat, the DOE-Investment Promotion Office and DILG Regional Office;
- c. Shall process permits within the prescribed time frames as stated in the EVOSS Act to fast-track processing of necessary permits to expedite their completion;
- d. Shall *designate a focal person, office or unit* in charge to managing the EVOSS account in the EVOSS System to ensure proper monitoring and updating of electronic documents and implementation of the EVOSS Act and its IRR; and



- e. Upon the submission of the complete documents by the energy project applicant, the MLGU Alamada shall issue the corresponding permit within project; *provided*, that this shall not preclude the EVOSS Steering Committee from imposing a shorter time frame for resolution of applicants should it see the expediency and feasibility of doing so.

**Section 7. Approval.** -

- a. An application which is not acted upon within seven (7) working days from the filing thereof shall be deemed approved: *Provided*, that all requirements have been submitted and all fees and charges indicated in the Citizen's Charter of the MLGU Alamada have been paid; and
- b. The duly received/stamped as received application form of the energy project applicant by the MLGU Alamada shall serve as the *relevant permit* if the LGU fails to act on the application within the provided time frame.

**Section 8. Denial of Application.** – In case of denial of application, the MLGU Alamada shall notify the energy project applicant in writing stating the reason/s for disapproval.

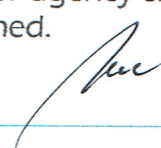
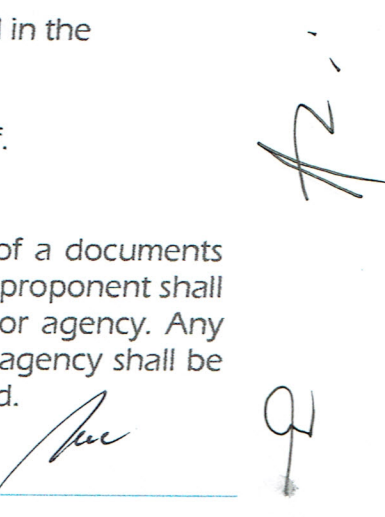
**Section 9. Evaluated Affidavit of Undertaking (AOU).** – Applicant shall submit the Affidavit of Undertaking (AOU) certified by a Municipal Engineer to the Municipal Treasurer's Office stating therein a promissory submission of lacking document/s. The same shall be processed upon payment of fees and charges as provided in the MLGU Alamada Citizen's Charter. MTO shall evaluate the application and stamped evaluated or issue recommendation within two (2) working days.

**ARTICLE IV  
PROHIBITED ACTS AND PENALTIES**

**Section 10. Administrative Offenses.** – The following acts, when committed by a government official and/or employees, shall be considered an administrative offense:

- a. willful refusal to participate in the Energy Virtual One-Stop Stop (EVOSS);
- b. willful acts which delay the operationalization of the EVOSS;
- c. Failure to comply with the mandated time frames as provided in the Ordinance; and
- d. Tampering with the EVOSS or any part or component thereof.

**Section 11. Confidentiality.** – No information or any aspect of a documents submitted by any power generation transmission, or distribution project proponent shall be divulged or released to anyone other than an authorized person or agency. Any document divulged or released to anyone by an authorized person or agency shall be subject to the Freedom of Information Manual of each agency concerned.

**Section 12. Penalties.** - Section 10 of this Ordinance states:

- a. Any person found guilty of committing the acts stated in Section 10 (a) and (b) shall be penalized as follows:
  - i. *First offense* - Thirty (30) days suspension without pay;
  - ii. *Second offense* - Three (3) months suspension without pay; and
  - iii. *Third offense* - Dismissal and perpetual disqualification from public service.
  
- b. Any person found guilty of committing the act stated in Section 10 (c) shall be penalized as follows:
  - i. *First offense* - Thirty (30) days suspension without pay and mandatory attendance in Value Orientation Program;
  - ii. *Second offense* - Three (3) months suspension without pay; and
  - iii. *Third offense* - Dismissal and perpetual disqualification from public service, and forfeiture of retirement benefits.
  
- c. Any person found guilty of committing the act stated in Section 10(d) shall suffer the penalty of dismissal and perpetual disqualification from the public service.

**Section 13. Administrative Jurisdiction.** – The administrative jurisdiction on any violation of this Ordinance shall be vested in the Civil Service Commission.

**Section 14. Civil and Criminality.** – The finding of administrative liability under this Ordinance shall not be a bar to the filing of criminal, civil or other related charges under the existing laws arising from the same act or omission as herein enumerated

**ARTICLE V  
DOWNSTREAM OIL**

**Section 15.** The MLGU Alamada shall assist the DOE through *the LGUs' suspension of Mayor's/Business Permit and stop the actual operation of Liquefied Fuel (LF) Retail Outlets or Gasoline Stations, household Liquefied Petroleum Gas (LPG) Establishment (i.e Refiller, Dealer, and/or Retailer), Auto LPG Dispensing Stations which do not have the Department of Energy (DOE) Certificate of Compliance (COC) and Standards Compliance Certificate (SCC):*

- a. Shall enforce its mandates to calibrate instruments of weights and measures of dispensing pump meters in LFG Retail Outlets and weighing devices in LPG Establishments; and

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- b. Shall implement price freeze of house LPG and kerosene upon the declaration of state of calamity in the locality. The price freeze will be implemented for a maximum of thirty (30) days, starting from the day of the official declaration and conduct regular price monitoring of LPG and kerosene that will serve as basis for the price freeze.

**ARTICLE VI  
POWER DISTRIBUTION DEVELOPMENT**

**Section 16.** For all applicants for Building Permits, the MLGU Alamada shall inform or coordinate with the Distribution Utilities for the inclusion of the additional supply and demand of energy in the Distribution Development Plan (DDP), Furthermore, *the LGU shall ensure compliance with RA 11361 (Anti-Obstruction of Power Lines Act).*

**ARTICLE VII  
ENERGY EFFICIENCY AND CONSERVATION**

**Section 17. *Energy Efficiency and Conservation Office (EECO).* –**

- a. The MLGU Alamada, except the barangays, shall establish the respective EECOs, which may be part of the *planning and development office*, using *appropriations from the General Funds* established under the Local Government Code;
- b. The Department of Energy (DOE), in accordance with the Department of Interior and Local Government (DILG), *shall issue the necessary guidelines and templates* for the reports and updates to assist the MLGU Alamada in the development and implementation of the Local Energy Efficiency and Conservation Plans; and
- c. Within three (3) years from the effectivity of the Energy Efficiency and Conservation- Internal Rules and Regulations (EEC-IRR), the respective *planning and development offices* of the covered LGUs shall be considered as the *Energy Efficiency and Conservation Office (EECO)* of such MLGU Alamada.

**Section 18. *Energy Efficiency and Conservation Officer.* –**

- a. Appointment/Designation of the EEC Officer. The EEC Officer, who shall head the EECO, must be at least a college graduate and may be designated by the Local Chief Executive from the existing personnel of the MLGU Alamada or hired through external recruitment. The EEC Officer shall ensure the LGU's compliance with the EEC Act and its IRR, the Local EECC Plan and all energy conservation issuance. Within three (3) years from the effectivity of the EEC-IRR, the head of respective planning and development office of the MLGU Alamada shall be considered as the EEC Officer; and
- b. Funding for Remuneration of the EEC Officer. – Funding requirements for the remuneration of the EEC Officer's service shall be charged from the existing fund of the MLGU Alamada.



**Section 19. *Municipal Energy Efficiency and Conservation Office (MEE&C) Office.*** – To support the *National Energy Efficiency and Conservation Coordinating Officer* (NEECCO), the MEE&C Office is hereby established. The MEE&C Office shall support the NEECCO designed in the integration of the Local EE&C Plans and assist the NEECCO in participating on matters pertaining to the Government Energy Management Program (GEMP) for the MLGU Alamada in the Inter-Agency Energy Efficiency and Conservation Committee (IAEECC).

**Section 20. *Local Energy Efficiency and Conservation Plan.*** - MLGU Alamada, except barangays, through the EECOs and planning development office, with the assistance of the DOE and in coordination with the DILG, shall develop and implement the Local EE&C Plans and incorporate these in the local development plans. The DOE, in coordination with the DILG, shall issue the necessary guidelines and templates for reports and updates to assist the LGU in the development and implementation of the Local EE&C Plan.

**ARTICLE VIII  
PRIVATE SECTOR PARTICIPATION**

**Section 21. *Local Investment Incentives Plan (LIIP).*** – In coordination with the Public Private Partnership (PPP) Center, the MLGU Alamada shall explore energy development projects with the private sector:

- a. Pursuant to Section 109 of RA 7160 and in the interest of promoting energy efficiency in the local setting, the LGU, through the *Local Development Council*, may include energy efficiency projects in the Investment Priority Area (IPA) and shall grant applicable incentives, including assistance or *fast-tracking of permits and relative documents* indicated in the LIIP to establishments with energy efficiency projects upon registration and compliance with the requirements of the LGU; and
- b. Furthermore, the LGU *shall encourage the participation of the private sector* on opportunities provided by the upstream and downstream laws enumerated in this Ordinance.

**ARTICLE IX  
FINAL PROVISIONS**

**Section 22. *Information Education Communication Campaign.*** – The MLGU Alamada, in coordination with the DILG and the DOE, shall disseminate and capacitate its concerned stakeholders and constituents on energy safety practices, energy efficiency and conservation, energy resiliency, energy planning which includes energy access and resource development, energy programs, policies, and projects.

**Section 23. *Budget.*** – The budget requirement necessary for the effective implementation of *Alamada Energy Virtual One-Stop Shop* (AEVOSS) shall be taken from the current appropriation of the MLGU Alamada. Thereafter, the funding for the operation of AEVOSS shall be included in the Annual Appropriation Ordinance.



**Section 24. Separability Clause.** – If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional, other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.


**Section 25. Repealing Clause.** – All previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed or modified accordingly.

**Section 26. Effectivity Clause.** – This Ordinance shall take effect after its approval.

ENACTED by the Sangguniang Bayan in its Regular Session held on August 1, 2022.

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CERTIFIED CORRECT:

  
RINA MARIE C. IGLORIA, MPA  
Secretary to the Sanggunian

ATTESTED AND CERTIFIED  
TO BE DULY ENACTED:

  
LEONIGILDO A. CALIBARA, JR.  
Municipal Vice Mayor / Presiding Officer

APPROVED:

  
JESUS NONATO SACDALAN  
Municipal Mayor  
Date: 9-30-22