



Republic of the Philippines
PROVINCE OF ISABELA
City of Ilagan
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Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 66th REGULAR SESSION OF THE 10th SANGGUNIANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON FEBRUARY 09, 2021.

PRESENT:

FAUSTINO G. DY III	Vice Governor & Presiding Officer
DELFINITO EMMANUEL L. ALBANO	Member (1 st District) & Floor Leader
EMMANUEL JOSELITO B. AÑES	Member (1 st District)
ED CHRISTIAN S. GO	Member (2 nd District)
EDGAR R. CAPUCHINO	Member (2 nd District)
RAMON JUAN N. REYES, JR.	Member (3 rd District)
RANDOLPH JOSEPH P. ARREOLA	Member (3 rd District)
CLIFFORD R. RASPADO	Member (4 th District)
ABEGAIL V. SABLE	Member (4 th District)
FAUSTINO U. DY IV	Member (5 th District)
EDWARD S. ISIDRO	Member (5 th District)
ALFREDO V. ALILI	Member (6 th District)
MARCO PAOLO A. MERIS	Member (6 th District)
ANTONIO S. HUI	Member, PCL Federation President
DANTE G. HALAMAN	Member, LnB Federation President
DAX PAOLO C. BINAG	Member, SK Federation President
ADRIAN PHILIP S. BAYSAC	Member, Agricultural /Industrial Workers Labor Sector Representative
VENUS T. BAUTISTA	Member, Women's Sectoral Representative
GRETCHEN F. VALDEZ	Member, Indigenous Cultural Communities Sector Representative

RESOLUTION NO. 2021-06-02 SERIES OF 2021

A RESOLUTION AUTHORIZING THE PROVINCIAL GOVERNOR, HONORABLE RODOLFO T. ALBANO III, TO SIGN ON BEHALF OF THE PROVINCIAL GOVERNMENT OF ISABELA A MEMORANDUM OF AGREEMENT WITH BKS GREEN ENERGY CORPORATION FOR THE RECEIPT OF THE PROVINCE'S ER 1-94 ENTITLEMENTS DUE FROM THE LATTER'S POWER GENERATION OPERATIONS IN THE PROVINCE OF ISABELA

Sponsor: HON. ALFREDO V. ALILI
Chairperson, Committee on Ways and Means

WHEREAS, Section 5(i) of Republic Act No. 7638, otherwise known as the "Department of Energy Act of 1992" mandates the Department of Energy (DOE) to devise ways and means of giving direct benefits to the province, city or municipality, especially the community and people affected and equitable and preferential benefit to the region that Hosts the energy resource and/or energy-generating facility;

WHEREAS, Energy Regulations No. 1-94 (ER 1-94) was promulgated by the DOE to operationalize the implementation of Section 5(i) of DOE Act of 1992;

Nagkaisa para sa Isabela

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WHEREAS, Section 66 of Republic Act No. 9136 otherwise known as Electric Power Industry Reform Act of 2001 mandates the Generation Companies (GenCos) and/or Energy Resources Developers to provide financial benefits under ER 1-94 equivalent to one centavo per kilowatt-hour (P0.01/kWh) of its total electricity sales to the Host region, province, city or municipality and barangay;

WHEREAS, Rule 29(A) of the Implementing Rules and Regulations of the EPIRA provides that Generation and/or Energy Resource Development Facilities, are required to provide Financial Benefits under ER 1-94 equivalent to one centavo per kilowatt-hour (P0.01/kWh) of its total electricity sales to the Host region, province, city or municipality, and barangay;

WHEREAS, Section 4 of Rule 29 (A) of the EPIRA-IRR states that the benefits provided under ER 1-94 shall be allocated for the Electrification Fund (EF), Development and Livelihood Fund (DLF) and for the Reforestation, Watershed Management, Health and/or Environment Enhancement Fund (RWMHEEF);

WHEREAS, the BKS Green Energy Corporation (BKS), a corporation duly-registered with the Securities and Exchange Commission, aspires to carry out power generation operations in the Municipality of San Pablo, Isabela;

WHEREAS, pursuant to the Department of Energy Circular No. DC2018-08-0021, a Memorandum of Agreement must be entered into between GenCos and Host LGUs for the receipt of the financial benefits under ER 1-94;

WHEREAS, presented before this Honorable Body for its consideration and approval is a Memorandum of Agreement (MOA) between the Provincial Government of Isabela and BKS to enable and facilitate the receipt of the Province's ER 1-94 benefits;

WHEREAS, Section 465, par. VI of the Local Government Code empowers the Provincial Governor to represent the Province in all its business transactions and sign in its behalf all contracts and such other documents upon authority of the Sangguniang Panlalawigan;

WHEREAS, after perusal of the MOA, this Honorable Body deems it just, lawful, reasonable, and advantageous to the Provincial Government of Isabela;

WHEREFORE, premises considered, upon motion of Honorable Alfredo V. Alili, duly approved and seconded in a session duly assembled, it was –

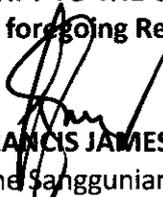
RESOLVED, AS IT HEREBY RESOLVES, TO PASS A RESOLUTION AUTHORIZING THE PROVINCIAL GOVERNOR, HONORABLE RODOLFO T. ALBANO III, TO SIGN ON BEHALF OF THE PROVINCIAL GOVERNMENT OF ISABELA A MEMORANDUM OF AGREEMENT WITH BKS GREEN ENERGY CORPORATION FOR THE RECEIPT OF THE PROVINCE'S ER 1-94 ENTITLEMENTS DUE FROM THE LATTER'S POWER GENERATION OPERATIONS IN THE PROVINCE OF ISABELA;

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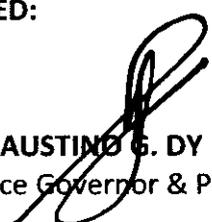
RESOLVED FINALLY, that a copy of this Resolution be furnished to the **Provincial Governor, Honorable Rodolfo T. Albano III**, for his information and further action.

Approved and Adopted, February 09, 2021.

**I HEREBY CERTIFY TO THE CORRECTNESS
of the foregoing Resolution:**


ATTY. FRANCIS JAMES E. MEER
Secretary to the Sangguniang Panlalawigan

ATTESTED/APPROVED:


FAUSTINO G. DY III
Provincial Vice Governor & Presiding Officer