

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 137

THE MINDANAO MODULAR GENERATOR SETS (GENSETS) PROGRAM

WHEREAS, there is a consensus among the members of the Mindanao Power Monitoring Committee (MPMC), created under Executive Order (EO) No. 81 (s. 2012), that there is a need to augment the Interruptible Load Program (ILP) and the Interim Mindanao Electricity Market (IMEM) Program, to address the deteriorating power situation in Mindanao;

WHEREAS, the Department of Energy (DOE), as Co-Chair of the MPMC, proposes the use of modular gensets as an immediate short-term solution to the intermediate electricity needs of Mindanao until baseload power plants come online by 2015; and,

WHEREAS, the collections from Service Contract (SC) 38 constituted as a Special Account in the General Fund – Fund 151 (SAGF–151) of the DOE, more commonly known as the “Malampaya Fund,” shall be used to finance energy resource development and exploration programs and projects of the government and for such other purposes as may be directed by the President of the Philippines pursuant to Section 8 of Presidential Decree No. 910 and EO No. 848 (s. 2009).

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Mindanao Modular Gensets Program. The “Mindanao Modular Gensets Program” (the Program) is hereby established to provide the needed additional power supply to electricity end-users in Mindanao. Under the Program, a loan facility may be extended to participating electric cooperatives (ECs) for the acquisition of modular gensets

Consistent with their respective mandates, the Program shall be implemented by the DOE as Lead, through the National Electrification Administration (NEA).

SECTION 2. Funding. The Department of Budget and Management (DBM) is hereby directed to release the amount of **Four Billion Five Hundred Million Pesos (P4,500,000,000)** for the Program, which shall be sourced from the Malampaya Fund of the DOE.

The release shall be subject to the submission of the Bureau of Treasury (BTr) Certification on the availability of deposited collections with the SAGF–151 of the DOE and to existing laws and the usual government budgetary, accounting, and auditing rules and regulations.



SECTION 3. Implementation. NEA, in consultation with the Mindanao Development Authority (MinDA), may seek the assistance of the Association of Mindanao Rural Electric Cooperatives (AMRECO) and other Mindanao stakeholders to implement the Program.

All the departments, bureaus, offices, agencies or instrumentalities of the Government, including Government-Owned or -Controlled Corporations (GOCCs) and government financial institutions (GFIs) are hereby directed to extend such assistance and support to the Program as may be necessary for its successful implementation.

SECTION 4. Reports. The NEA, through the DOE, shall submit a monthly report on the status of the implementation of the Program, including the actual use and disbursement of the funds for this Program, to the Office of the President, copy furnished MinDA.

SECTION 5. Implementing Guidelines. The DOE shall promulgate the rules and regulations for the implementation of this Order within fifteen (15) days from the effectivity hereof.

SECTION 6. Separability. If any provision of this Order is declared invalid or unconstitutional, the other provisions unaffected shall remain valid and subsisting.

SECTION 7. Repeal. All orders, issuances, proclamations, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Order are hereby repealed or modified accordingly.

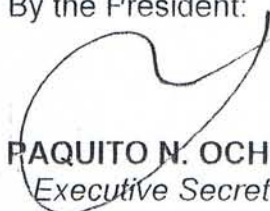
SECTION 8. Effectivity. This Order shall take effect immediately upon publication in two (2) newspapers of general circulation.

DONE, in the City of Manila, this 12th day of July, in the year of our Lord, Two Thousand and Thirteen.



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By the President:



PAQUITO N. OCHOA, JR.
Executive Secretary

