

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Diliman, Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1428

Introduced by:

HON. TEDDY BRAWNER BAGUILAT, JR.

EXPLANATORY NOTE

As provided under Energy Regulation No. 1-94 pursuant to Sec. 5 (i) of R.A. 7638, Sec. 66 of R.A. 9136 and Sec. 291 of R.A. 7160 (the "laws" for brevity), the Government recognizes the need to recompense the contribution made by the host Local Government Units (LGUs) or Regions in the electrification of the country. The purpose of this recompensation is to lessen the conflict of rights among host LGUs, community and people affected, the energy resource developers or power producers, and the appropriate agencies of the national government. It is also meant to promote harmony and cooperation among host local government units, the energy-resource developers or power producers and the appropriate agencies of the national government. Unfortunately, the term "host community" only covers the Barangays, Municipalities, Provinces or Regions where the dams or hydroelectric power generating facilities are located. It fails to consider the critical role of LGUs that protect watersheds that ultimately allow dams or hydroelectric power generating facilities to work. This glaring gap serves as a hurdle in the fulfillment of the principal objectives of the laws. Thus, the need to redefine the term "host community" to cover not only the Barangays, Municipalities, Provinces or Regions where the dams or hydroelectric power generating facilities that provide water supply to the dams or the hydroelectric power generating facilities.

In line with this fundamental importance this bill is most respectfully submitted and requested for early approval.



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AN ACT REDEFINING THE TERM "HOST COMMUNITY" AS FOUND IN THE LOCALGOVERNMENT CODE OF 1991 (RA 7160) AS AMENDED, DEPARTMENT OF ENERGY ACT OF 1992 (RA 7638), AND ELECTRIC POWER INDUSTRY REFORM ACT (EPIRA) OF2001 (RA 9136)

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. The term "host community" as used in Energy Regulation No.1-94 pursuant to Sec. 5 (i) of R.A. 7638, Sec. 66 of R.A. 9136 and Sec. 291 of R.A. 7160 shall include all Barangays, Municipalities, Provinces or Regions that protect and maintain the watersheds that provide water supply to the dam or the hydroelectric power generating facility.

Section 2. The Reforestation, Watershed Management, Health and/or Environment Enhancement Fund (RWMHEEF) at 25% of one centavo per kWh (P0.0025/kWh) pursuant to Energy Regulation No. 1-94 as provided under Section 5 (i) of Republic Act No. 7638, otherwise known as the "Department of Energy Act of 1992" and Section 66 of Republic Act No. 9136, otherwise known as "Electric Power Industry Reform Act (EPIRA) of 2001," as detailed in rule 29, Part A of the Implementing Rules and Regulations of EPIRA shall be equally shared by the Barangays, Municipalities, Provinces or Regions where the hydro reservoir is located and the Barangays, Municipalities, Provinces or Regions that supply the water to a dam.

SEC. 3. Implementing Rules and Regulations. - For purposes of the administration of the host community benefits under Section 5 (i) of Republic Act No. 7638 and Section 66 of Republic Act No. 9136 as detailed in Rule 29, Part A of the Implementing Rules and Regulations of EPIRA, the Department of Energy shall issue the implementing rules and regulations.

Section 4. Repealing Clause. All laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 5. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,
