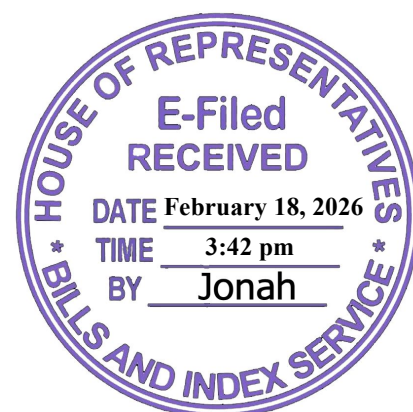


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



HOUSE BILL NO. 7879

Introduced by Honorable Celso G. Regencia

EXPLANATORY NOTE

Section 47(f) of Republic Act No. 9136,¹ otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA), excluded the Agus and Pulangi Hydroelectric Power Complexes from the initial privatization program.

However, the same provision authorizes the Power Sector Assets and Liabilities Management (PSALM) Corporation to determine any future privatization, subject only to consultation with Congress. Under this framework, the disposition of these hydroelectric complexes may proceed without the need for express legislative approval.

Consultation does not require concurrence. It does not require an affirmative act of Congress prior to the transfer of ownership or control.

The Agus and Pulangi complexes are strategic national assets. They were developed through substantial public investment and were intended to advance long-term energy security and regional development in Mindanao. Their continued operation directly affects power stability, electricity pricing, industrial growth, and economic resilience in the region.

Given their scale and strategic importance, decisions concerning their privatization or transfer of control should not rest on administrative

¹ Republic Act No. 9136. (2001). *An act ordaining reforms in the electric power industry, providing for the restructuring of the electric power industry, and for other purposes.*
https://lawphil.net/statutes/repacts/ra2001/ra_9136_2001.html

discretion alone. Such decisions carry policy consequences of national significance and therefore warrant direct legislative authorization.

This measure amends Section 47(f) of EPIRA to provide that any privatization, sale, concession, joint venture, or similar transfer of ownership or control of the Agus and Pulangi Hydroelectric Power Complexes shall require a joint resolution of Congress expressly authorizing such disposition. Express approval of Congress is necessary to ensure that any proposed privatization or disposition is aligned with the State's energy policy, mindful of Mindanao's developmental imperatives, and grounded in the collective judgment of the people's representatives.

The bill thereby restores full legislative oversight over the future of these critical energy assets and ensures that any change in ownership occurs only through deliberate legislative action.

In view of the foregoing, the immediate passage of this measure is earnestly sought.



CELSON GOMERA REGENCIA
Lone District, Iligan City

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**TWENTIETH CONGRESS
First Regular Session**

HOUSE BILL NO. 7879

Introduced by Honorable Celso G. Regencia

**AN ACT
AMENDING SECTION 47(f) OF REPUBLIC ACT NO. 9136,
OTHERWISE KNOWN AS THE ELECTRIC POWER INDUSTRY REFORM
ACT OF 2001, TO REQUIRE AN ACT OF CONGRESS PRIOR TO ANY
PRIVATIZATION OR TRANSFER OF THE AGUS AND PULANGI
HYDROELECTRIC POWER COMPLEXES**

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

SECTION 1. *Amendment to Section 47(f) of Republic Act No. 9136 —*
Section 47(f) of Republic Act No. 9136, as amended, is hereby further
amended to read as follows:

“(F) THE AGUS AND PULANGI HYDROELECTRIC POWER
COMPLEXES IN MINDANAO SHALL REMAIN EXCLUDED FROM THE
INITIAL PRIVATIZATION PROGRAM UNDER THIS ACT. ANY
SUBSEQUENT PRIVATIZATION OR DISPOSITION THEREOF SHALL BE
UNDERTAKEN BY THE POWER SECTOR ASSETS AND LIABILITIES
MANAGEMENT (PSALM) CORPORATION ONLY AFTER PRIOR
CONSULTATION WITH CONGRESS, WHICH SHALL INCLUDE THE
FORMAL SUBMISSION OF THE PROPOSED TERMS AND
JUSTIFICATION OF THE DISPOSITION, AND UPON THE APPROVAL OF
A JOINT RESOLUTION OF CONGRESS.”

SECTION 2. *Repealing Clause —* All laws, decrees, executive orders,
rules and regulations, or parts thereof inconsistent with this Act are hereby
repealed or modified accordingly.

SECTION 3. *Effectivity* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,