



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10549



Introduced by **REPRESENTATIVE ARTHUR C. YAP**

EXPLANATORY NOTE

For decades, the Filipino consumer's response to the high cost of electricity has been constrained by the very structure meant to protect him. Republic Act No. 9136 opened generation to competition and Republic Act No. 9513 promised a green future, yet the ordinary homeowner, small entrepreneur, and cooperative member who wishes simply to put solar panels on his own roof still confronts a maze of local permits, distribution utility (DU) requirements, homeowners' association vetoes, and financing gaps that no single law was designed to resolve. The result is a right that exists on paper but is routinely defeated in practice — by delay, discretion, and cost.

This bill closes that gap. It does not create a new subsidy or a new bureaucracy. It declares, as a matter of law immediately enforceable in every city and municipality, that the right to generate, store, and consume electricity from renewable resources on one's own property is an incident of the constitutional guarantees of liberty and property, and it then builds the narrowest possible administrative machinery - using existing agencies, existing personnel, and existing budgets — to make that right operative within a fixed number of days rather than an indefinite season of processing. The bill's architecture follows six ideas.

First, it fixes time. A small grid-connected system is permitted, inspected, metered, and energized within fifteen calendar days; a medium system, within twenty-five. Every reviewing entity - the local government unit's Sariling Kuryente Window, the DU, and where necessary the Energy Regulatory Commission (ERC) - acts in parallel, not in sequence, and inaction favors the applicant, not the agency, by default. A single consolidated deficiency notice forecloses the practice of successive, piecemeal requirements that has long been the true source of delay.

Second, it substitutes accountability for discretion. Rather than multiplying permits, the bill requires a sealed design from a licensed electrical engineer, a structural certificate for roof-mounted systems, an insured and DOE-accredited installer, and mandatory workmanship and product warranties.

Equipment already certified by internationally recognized bodies - UL, TUV, Intertek, and their counterparts — is pre-approved through a public registry maintained by the DTI-Bureau of Philippine Standards, eliminating duplicative domestic testing that adds cost without adding safety.

Third, it protects the citizen from private as well as public obstruction. Homeowners' association rules, condominium by-laws, and lease provisions that prohibit or unreasonably restrict a rooftop or balcony installation are declared void as against public policy, subject only to a narrow, evidence-based structural or safety exception. A lessee may install a removable system on ten days' deemed consent from the property owner.

Fourth, it makes the ERC a guaranteed forum and a data repository, not merely a rate regulator. Where a local Window has no functioning process, refuses to act, or exceeds the prescribed period, the citizen may file directly with the ERC under the same time-bound guarantee. The ERC's National Portal validates applications, routes them in parallel, and automatically issues a Certificate of Deemed Approval the moment a statutory period lapses — a certificate binding on every agency, DU, and private association concerned.

Fifth, it recognizes that a right without financing is theoretical for most Filipino families. The bill requires every government financial, pension, and insurance institution to maintain a standing financing window for distributed renewable energy and storage, backed by a first-loss guarantee facility from the Philippine Guarantee Corporation, without compelling below-market lending or displacing private capital. A DU may offer qualified low-income consumers on-bill repayment tied to their documented savings.

Sixth, it enlists the citizen as enforcer. A Sariling Kuryente Citizens' Consumer Protection Council - unpaid, publicly disclosed, and free of industry funding — audits Windows and DUs, publishes an annual compliance report card, and appears as of right before the ERC and other agencies. Graduated administrative fines fall on erring public officers and distribution utilities, expressly barred from pass-through to consumers, while installers who falsify certifications or install substandard equipment face criminal liability. A citizen may seek mandamus to compel compliance, and no injunction may issue against a Deemed-Approved energization except by the Supreme Court itself.

Net metering is preserved and strengthened: exported energy is credited at no less than the generation charge, unused credits roll over without expiration and are convertible to cash after twenty-four months, and the Prosumer retains ownership of the associated Renewable Energy Certificates. A grandfathered credit rate for twenty years gives the household or enterprise the payback certainty that any investment decision requires. For those who prefer not to export at all, a zero-export option (SGF-ZESS) allows a citizen to self-supply behind a certified export-limiting device on a lighter, notice-based process.

None of this requires a new office, a new corporation, or a new permanent appropriation. The bill is deliberately built on mandates the DOE, ERC, DTI-BPS,

DILG, DOF, and local governments already hold; it simply compels those mandates to be exercised on a schedule the citizen can rely upon.

The rising cost of electricity is not a problem Congress can solve by decree, but it can and should remove the artificial friction that today stands between a Filipino family and the rooftop already over its head. This bill does exactly that, and its immediate passage is earnestly requested.



HON. ARTHUR C. YAP
Murang Kuryente Party-List

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10649

Introduced by **HONORABLE ARTHUR C. YAP**

AN ACT DECLARING AND GUARANTEEING THE RIGHT OF EVERY FILIPINO TO GENERATE, STORE AND CONSUME ELECTRICITY FROM RENEWABLE ENERGY RESOURCES ON PROPERTY THEY OWN OR LAWFULLY OCCUPY, ESTABLISHING A GUARANTEED PERMITTING AND ENERGIZATION PROCESS, DESIGNATING THE ENERGY REGULATORY COMMISSION AS ALTERNATIVE VENUE AND NATIONAL REPOSITORY OF PERMIT DATA, PROVIDING FOR THE PRE-APPROVAL OF INTERNATIONALLY CERTIFIED EQUIPMENT AND FOR ZERO-EXPORT SELF-GENERATION, MANDATING FINANCING WINDOWS IN GOVERNMENT FINANCIAL INSTITUTIONS, CREATING A CITIZENS' CONSUMER PROTECTION COUNCIL, PROVIDING PENALTIES, AND FOR OTHER PURPOSES

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

CHAPTER I — TITLE, POLICY AND CONSTRUCTION

SEC. 1. Short Title. — This Act shall be known as the “Sariling Kuryente Act.”

SEC. 2. Declaration of Policy. —

It is the policy of the State to:

- (a) declare and make immediately enforceable the right of every Filipino to generate, store and consume electricity from renewable energy resources on property he owns or lawfully occupies, as an incident of the constitutional guarantees of liberty, property and the social function of property;
- (b) give that right operative effect through simple, standardized, single-window, time-bound processes in which governmental inaction favors the citizen, consistent with the Ease of Doing Business and Efficient Government Service Delivery Act of 2018;
- (c) fix personal, professional and insured accountability for safety, rather than multiply discretionary permits, and recognize prevailing international product certifications in lieu of duplicative domestic testing;
- (d) make access to credit for distributed renewable energy a standing service of government financial, pension and insurance institutions, exercised consistently with their fiduciary obligations and designed to mobilize private capital rather than substitute for it;

- (e) locate delivery of this service in the local government unit closest to the citizen, with the Energy Regulatory Commission (ERC) as guaranteed alternative venue, and institutionalize independent citizen monitoring; and
- (f) achieve the foregoing through existing agencies acting within existing mandates, without any new office, bureau, corporation, plantilla position or permanent appropriation.

SEC. 3. Rule of Construction. — This Act shall be liberally construed in favor of the citizen. No administrative or executive issuance, ordinance, utility policy or contract may diminish any right, period or consequence established herein. Furthermore, a benefit under existing law more favorable to the citizen continues to apply.

SEC. 4. Scope. — This Act applies to Distributed Renewable Energy Systems (DRES) and Energy Storage Systems (ESS) of up to one thousand kilowatts (1,000 kW) AC per site, installed primarily to serve the load of the owner or lawful occupant. Larger systems remain governed by existing law.

SEC. 5. Definitions. — As used in this Act:

- (a) Accredited Installer — a person, partnership or corporation registered under Section 13.
- (b) Citizens' Council — the Sariling Kuryente Citizens' Consumer Protection Council established under Section 18.
- (c) Deemed Approval — a permit or approval arising by operation of law upon lapse of a prescribed period without a reasoned written denial, evidenced by an automatically-issued Certificate of Deemed Approval.
- (d) DRES — a generating facility using solar, wind, micro-hydro, biomass or other renewable resource, installed at an End-User's premises on the End-User's side of the metering point, or operated independently of any distribution system.
- (e) DU — a Distribution Utility, including an electric cooperative, holding a franchise to operate a distribution system.
- (f) ESS — an Energy Storage System capable of absorbing, storing and discharging electrical energy, including a battery energy storage system, installed at an End-User's premises.
- (g) End-User — any person who purchases or consumes electricity, including a lessee, usufructuary or beneficial owner of the premises.
- (h) National Portal — the Sariling Kuryente National Portal and Data Repository established under Section 11.
- (i) Plug-In System or Micro-Solar System (MSS) — a plug-and-play DRES consisting of photovoltaic modules not exceeding 1,000 W DC nameplate capacity and a factory-set micro-inverter not exceeding 800 W AC output with automatic anti-islanding disconnection, connected to a standard household outlet without altering the fixed wiring of the premises.
- (j) Prosumer — an End-User who simultaneously consumes and produces electricity from a DRES, whether or not exporting to the distribution system.
- (k) Registry — the Registry of Pre-Approved Renewable Energy and Storage Equipment under Section 13.
- (l) SGF-ZESS — a Self-Generating Facility Zero-Export System: a grid-connected

DRES of any capacity equipped with a certified mechanism preventing export, operated solely for the End-User's own consumption, electing treatment under Section 12.

- (m) Window — the Sariling Kuryente Window established by each city and municipality under Section 11.
- (n) Working Day — a day other than a Saturday, Sunday, or a holiday declared by law or proclamation.

CHAPTER II — DECLARED RIGHTS

SEC. 6. Right to Self-Generation. — Every citizen may procure, install, own, operate, store and consume electricity from renewable energy resources on property he owns or lawfully occupies, for his own use or that of his household, tenants or enterprise, without securing a franchise, certificate of public convenience or authority to operate as a public utility, consistent with Section 6 of Republic Act No. 9136. This right is exercisable as of right, conditioned only on compliance with the safety requirements and procedure of this Act.

SEC. 7. Prosumer Bill of Rights. — The following rights are declared and enforceable under this Act:

- (a) to install a compliant DRES or ESS free from prohibition or discriminatory condition imposed by any private party, association, lessor or ordinance;
- (b) to a single window and a finite, time-bound process;
- (c) to Deemed Approval, evidenced by certificate, on lapse of the periods herein;
- (d) to file directly with the ERC where the local Window has no functioning process, refuses, or fails to act;
- (e) to interconnect, export, and be credited under Section 14;
- (f) to store energy and to backup power under Section 15, free of any charge not imposed on a non-storing or non-generating customer of the same class;
- (g) to disconnect on notice, without exit penalty or stranded-cost charge;
- (h) to a written, specific and separately appealable denial;
- (i) to free electronic access to one's own consumption, generation and export data;
- (j) to reasonable and continued solar access;
- (k) to a sealed professional design, certified structure, listed equipment, minimum warranties and an insured installer; and
- (l) to a remedy through the Citizens' Council, summary administrative relief, citizen suit, or damages.

SEC. 8. Restrictions on Homeowner's Associations and Condominium Corporations. — A deed restriction, covenant, house rule, homeowners' association resolution, condominium by-law, lease provision or ordinance that prohibits or unreasonably restricts installation of a DRES or ESS is contrary to public policy and void. A rule as to placement, appearance or cabling route is valid only if it does not increase installed cost, nor decrease projected annual output, by more than ten

percent (10%), the burden of proving reasonableness thereof rests on the party imposing the rule.

A homeowners' association or condominium corporation shall act on a request under this Act within five (5) working days from receipt thereof. Failure to act within such period shall constitute deemed approval by operation of law, which shall be self-executing and directly enforceable before the appropriate court or administrative agency.

The DOE, in coordination with the Department of Human Settlements and Urban Development (DHSUD), shall promote and facilitate the installation of eligible systems on balconies, windows, building envelopes, rooftops, and other suitable portions of residential and condominium buildings. No homeowners' association or condominium corporation shall prohibit or unreasonably restrict such installations, except upon a showing, supported by competent technical evidence, that the proposed installation poses a structural risk or a direct threat to public safety.

SEC. 9. Rights of Lessees. — A lessee or other lawful occupant may install a Distributed Renewable Energy System (DRES) or Energy Storage System (ESS) with the prior written consent of the property owner. Such consent shall not be unreasonably withheld, conditioned, or delayed. Failure of the property owner to act on a written request within ten (10) working days from receipt thereof shall constitute deemed approval, but only with respect to removable, non-structural installations. Any provision in a lease, contract, or other agreement that waives, limits, or otherwise defeats the rights or protections granted under this Act shall be void and unenforceable.

CHAPTER III — CLASSIFICATION AND THE FIFTEEN-DAY GUARANTEE

SEC. 10. Classification. — For purposes of permitting and interconnection under this Act, Distributed Renewable Energy Systems (DRES) shall be classified as follows:

- (a) **Tier 1 — Exempt Systems** — The following systems shall be exempt from any permit, inspection, prior approval, consent, interconnection requirement, or fee under this Act:
 - i. A Plug-In System or Micro Solar System (MSS), as defined in Section 5;
 - ii. A standalone or off-grid system with an installed alternating current (AC) capacity not exceeding five kilowatts (5 kW) that is not connected to a distribution system; and
 - iii. A non-electrical solar water-heating, drying, pumping, or lighting installation.

The owner shall file with the Department of Energy a one-page electronic notice within thirty (30) days from energization solely for statistical and monitoring purposes. Failure to file such notice shall not give rise to any civil, administrative, or criminal liability and shall not affect the legality or continued operation of the installation.

- (b) **Tier 2 — Small Grid-Connected Systems.** — A grid-connected DRES with an installed AC capacity not exceeding thirty kilowatts (30 kW) shall be permitted, inspected, metered, interconnected, and energized within fifteen (15) calendar days from receipt of a complete application.
- (c) **Tier 3 — Medium Grid-Connected Systems.** — A grid-connected DRES with

an installed AC capacity exceeding thirty kilowatts (30 kW) but not exceeding one thousand kilowatts (1,000 kW) shall be permitted, inspected, metered, interconnected, and energized within twenty-five (25) calendar days from receipt of a complete application.

Where the aggregate installed distributed capacity on the affected feeder exceeds its published hosting capacity, a Distribution Impact Study may be required. Such study shall be completed within, and shall not extend, the foregoing twenty-five (25)-day period.

- (d) **Standalone or Off-Grid Systems Exceeding Five Kilowatts.** — A standalone or off-grid system with an installed AC capacity exceeding five kilowatts (5 kW) shall be classified according to the capacity bands prescribed in this Section but shall be governed by Section 15 of this Act in lieu of the provisions of this Chapter.
- (e) **Connected Zero-Export Systems.** — A grid-connected DRES of any installed capacity may elect to operate as a Connected Zero-Export System (SGF-ZESS) under Section 12 in lieu of Tier 2 or Tier 3, provided that it is equipped with a certified export-limiting mechanism that prevents the export of electricity to the distribution system and is used exclusively for the owner's own consumption.

SEC. 11. The Window and the Guarantee Process. —

- (a) **Parallel processing.** All reviews under this Act shall proceed simultaneously. No reviewing entity may condition its review on another entity's prior action.
- (b) **The Window.** Every city and municipality shall, within one hundred twenty (120) days, designate existing Office of the Building Official personnel as a single Saring Kuryente Window at which an applicant transacts once for every local permit and clearance.
- (c) **Exclusive requirements.** An application for Tier 2 or 3 is complete upon submission of: the national application form; proof of ownership or occupancy; a sealed single-line electrical diagram; a Structural Adequacy Certificate or prescriptive-compliance certification under Section 13; the equipment's Registry listing; the installer's accreditation; and proof of fee payment. No other document, clearance, bond, membership, seminar or fee may be required, and any additional requirement is void. For a Tier 2 application falling entirely within a Standard Design Envelope jointly published by the DOE and DTI-BPS, the Window shall instead issue the permit the same day upon an automated code-compliance check by the National Portal.
- (d) **The National Portal.** The ERC shall operate a free National Portal that hosts the application form; validates completeness within twenty-four (24) hours; routes applications in parallel to the Window and the DU; provides an open interface for authorized installers and lenders and accepts electronic payment only; automatically issues the Certificate of Deemed Approval on lapse of any period; and publishes data monthly in aggregate, machine-readable form, consistent with the Data Privacy Act of 2012.
- (e) **One-strike rule.** A single Consolidated Deficiency Notice, if any, shall be issued within twenty-four (24) hours of filing. No second notice may be issued on a ground existing at the time of the first. Failure to timely issue it renders the application complete as a matter of law.
- (f) **Deemed Approval.** The Window and the DU shall each act within five (5)

working days for Tier 2, or ten (10) working days for Tier 3, of a complete application. Failure to act within the applicable period, without issuing a written denial stating the specific factual and legal grounds therefor, shall constitute **Deemed Approval** by operation of law. Such approval shall be evidenced by an automatically generated certificate, which shall be binding upon and honored by all government agencies, local government units, distribution utilities, homeowners' associations, condominium corporations, and other persons or entities concerned.

A denial shall be valid only if based on a ground identified in the Consolidated Deficiency Notice issued pursuant to this Act. Any denial based on a ground not so identified, or based solely on a policy, moratorium, processing queue, lack of personnel, or other administrative constraint, shall be void and without legal effect.

- (g) **Alternative venue.** Where the Window has no functioning process, refuses to accept an application, demands a requirement outside paragraph (c), or fails to act, the applicant may file directly with the ERC, which acts within the same periods and with the same Deemed Approval consequence.
- (h) **Fees.** Total government fees shall not exceed ₱2,500 for Tier 2, or 0.5% of documented equipment cost or ₱50,000 for Tier 3, whichever is lower; Tier 1 is free. A DU may charge only the documented cost of the bi-directional meter and an interconnection fee not exceeding ₱1,000 for Tier 2. No bond, deposit, standby, membership or energization charge may be imposed. Fees are refunded, with liquidated damages of ₱1,000 per day of delay, where any period under this Act is exceeded.
- (i) **Duties of the DU.** Every DU shall publish a quarterly, machine-readable hosting-capacity map for each feeder — the absence of a published map creates a rebuttable presumption of available capacity — maintain adequate meter stock, and assign a named interconnection officer. A DU's refusal or failure to meter or energize within the prescribed period authorizes the End-User to energize upon the Accredited Installer's sealed certification, without prejudice to the DU's liability under Section 19(b).

CHAPTER IV — SAFETY, EQUIPMENT AND ZERO-EXPORT SYSTEMS

SEC. 12. Zero-Export Systems (SGF-ZESS). —

A Prosumer electing Connected SGF-ZESS status under Section 10(e) is governed by this Section in lieu of Section 11:

- (a) the End-User need only notify the DU through the National Portal before energization. Neither the DU nor the Window may require a permit, clearance, inspection or fee beyond paragraph (b);
- (b) The End-User shall secure: (a) a Building Permit, where required, which requirement shall be deemed satisfied upon the verification by the local government unit (LGU) that an existing Building Permit covering the premises is sufficient for the proposed installation. The LGU shall act on the application or verification request within five (5) working days from receipt of a complete submission; otherwise, the application shall be deemed approved by operation of law; and (b) except for a system intended solely to serve a household, clinic, hospital, or other medical facility, a Certificate of Compliance from the ERC. The

ERC shall act on the application through a single transaction within ten (10) working days from receipt of a complete submission; otherwise, the application shall be deemed approved by operation of law;

- (c) the DU may not reduce the End-User's registered transformer or service-drop capacity on account of the installation, and may study its own system only at its own cost and without delaying or conditioning the installation; and
- (d) Any export of electricity in violation of this Section, including any export by a Plug-In System or Micro Solar System (MSS) in excess of its authorized export limit, shall constitute **Non-Compensated Export**. Such export shall be metered but shall not be eligible for compensation, credit, offset, or payment, without prejudice to the End-User's subsequent enrollment in the net-metering program under Section 14 of this Act.

A Safe Grid Feed Zero Export Solar System (SGF-ZESS) shall comply with all applicable safety, technical, equipment, and installation requirements prescribed under this Act and its implementing rules and regulations in the same manner as any other Distributed Renewable Energy System.

SEC. 13. Professional Accountability, Equipment and the Registry. —

- (a) No person may install, alter or energize a Tier 2 or 3 system unless accredited by the DOE upon a showing of a retained Professional Electrical Engineer, a retained Civil or Structural Engineer, PV/battery-certified technicians, professional liability insurance of not less than ₱5,000,000, and an undertaking to honor the warranties of paragraph (d). The Department of Energy (DOE) shall act on an application for accreditation within five (5) working days from receipt of a complete application. Failure to act within such period shall constitute deemed accreditation by operation of law. An accreditation, whether expressly granted or deemed granted under this Section, shall be valid throughout the Philippines for a period of three (3) years.
- (b) The electrical design of every Tier 2 or 3 system shall be signed and sealed by a Professional or Registered Electrical Engineer certifying compliance with the Philippine Electrical Code. No roof-mounted system may be installed without a Structural Adequacy Certificate signed and sealed by a licensed Civil or Structural Engineer after actual inspection; for a system within prescriptive criteria jointly published by the DPWH and DOE for common roof types, spans and wind zones, the Accredited Installer's own certification of conformity suffices in lieu of a separate engineer's certificate.
- (c) The DTI-BPS shall maintain a free, searchable Registry of equipment pre-approved upon a valid IECEE CB, ILAC or IAF-recognized certification for modules, inverters, batteries and mounting systems under the applicable IEC or UL series, with listings from recognized bodies such as UL Solutions, TÜV, Intertek, SGS, Bureau Veritas, CSA, DEKRA, VDE, JET and KTL honored without further testing. The DTI-BPS shall act within five (5) working days wherein inaction is deemed listing. Registry listing of modules and batteries is conditioned on the manufacturer's registered end-of-life take-back program under the Ecological Solid Waste Management Act.
- (d) Every installation carries, notwithstanding any waiver, a five-year workmanship warranty and the manufacturer's product warranty, not less than ten years for modules and five years for inverters and batteries; the Accredited Installer shall

upload the sealed commissioning report and as-built diagram to the National Portal.

CHAPTER V — NET METERING AND STORAGE

SEC. 14. Net Metering. — Net metering shall be available to an End-User with a Distributed Renewable Energy System (DRES) having an installed capacity of up to one thousand kilowatts (1,000 kW) per End-User site.

Energy exported to the distribution system shall be credited at the applicable blended retail rate, less wheeling charges and other non-bypassable charges; **Provided,** That the resulting credit rate shall in no case be lower than the applicable generation charge.

Unused energy credits shall accumulate and roll over without expiration. Upon the lapse of twenty-four (24) months from the date such credits are earned, the End-User may, at its option, demand payment in cash for any remaining unused credits in accordance with this Act and its implementing rules and regulations.

The Prosumer owns the corresponding Renewable Energy Certificates. No demand, standby or capacity charge may be imposed on a Prosumer that is not imposed on a similarly-situated non-generating customer of the same class, absent clear and convincing proof before the ERC in a hearing in which the Citizens' Council has standing. The credit rate applicable at energization is grandfathered for twenty (20) years; class-wide rate design may still evolve by ERC general rule after hearing, applied prospectively and equally to all customers of a class.

SEC. 15. Storage, Backup Power and Standalone Systems. — An End-User may install and operate an ESS behind the meter without a separate permit. It may be configured with a transfer switch for backup power during a distribution outage without the DU's prior consent, subject to certified anti-islanding protection. Every Tier 2 or 3 inverter shall be capable of responding to an ERC-approved emergency curtailment signal issued for documented system-security reasons; mandatory activation applies only above 30 kW, except where the ERC, after hearing, extends it to a specific island grid. Two or more End-Users of the same DU may share the output of a single DRES through community or virtual net metering. A standalone or off-grid system requires only compliance with the Philippine Electrical Code and, at Tier-3-equivalent capacity, a Structural Adequacy Certificate. A third-party provider — lease, power purchase or energy-service agreement — is accorded the same rights as a directly-owned system, subject to a standard DTI disclosure form and a seven (7)-day cooling-off period.

CHAPTER VI — FINANCING

SEC. 16. Financing. — Every government financial, pension and insurance institution shall maintain a Sariling Kuryente Financing Window to originate or endorse member applications for DRES and ESS financing, on terms no more favorable than its existing consumption loans and consistent with its fiduciary obligations. Nothing herein mandates below-market lending.

The Philippine Guarantee Corporation shall establish a first-loss and portfolio stop-loss guarantee facility for participating private banks and electric cooperatives, and the Bangko Sentral ng Pilipinas is requested to accord preferential risk-weighting to guaranteed loans. A DU may offer a qualified low-income End-User an on-bill

repayment option, tied to the metering point and capped at the End-User's documented savings, recoverable by the DU through ERC-approved rates.

CHAPTER VII — INSTITUTIONS AND CITIZEN PARTICIPATION

SEC. 17. Agencies; Exclusive Enumeration. — Only the following have functions under this Act, each within its existing mandate, and no other agency may require a filing, fee or clearance in connection with a covered system:

- (a) local government units, through the Window;
- (b) the DILG, in supervising Window compliance;
- (c) the ERC, in operating the Portal, direct filing, interconnection, net-metering regulation and penalties on DUs;
- (d) the DOE, in installer accreditation, technical standards, and SGF-ZESS and structural-criteria issuances;
- (e) the DTI-BPS, in the Registry and market surveillance; and
- (f) the DOF, in supervising the Financing Windows.

This enumeration does not diminish the DPWH's or the Bureau of Fire Protection's authority over building and fire safety standards, which continue to govern every installation; but the processing of every permit under this Act remains exclusively with the Window or the ERC under Section 11(g), and no separate filing with the DPWH or BFP is required.

SEC. 18. Implementation Council and Citizens' Council. — A National Implementation Council, chaired by the DOE Secretary and co-chaired by the ERC Chairperson, with the other agencies named in Section 17 and one representative each of the Leagues of Cities and Municipalities, shall meet quarterly to review implementation data and resolve inter-agency questions, without adjudicatory power, a separate secretariat, or a budget of its own.

A Sariling Kuryente Citizens' Consumer Protection Council consisting of not more than fifteen (15) members, accredited by the ERC, drawn from consumer organizations not fewer than three, the electrical and civil engineering professions, academe, independent policy institutes, electric-cooperative member-consumers, MSMEs, labor, women, youth, the rural sector, and persons with disabilities and senior citizens, serving three-year terms — sits in the Implementation Council as a non-voting member. It receives and endorses consumer complaints; audits Windows, DUs and installers, including through anonymous test applications; publishes an annual compliance Report Card by locality and DU; appears as of right in any ERC, DOE, DTI-BPS, DILG or DOF proceeding under this Act; and has free access to Portal data. It has no vote, license or enforcement power, receives no public funds or honoraria, and discloses its funding annually; it may not admit a member funded by a DU, generator, manufacturer or installer; and may be suspended by the ERC, after notice and hearing, only upon proof of such a conflict, never on the content of its findings or advocacy.

CHAPTER VIII — PENALTIES

SEC. 19. Prohibited Acts and Penalties. —

- (a) A public officer who fails to act within a period prescribed herein, without more, is liable for a fine of ₱10,000 to ₱50,000 per violation provided that delay attributable to workload or absent personnel is not itself criminal. One who solicits consideration, falsifies a record, or refuses to honor a valid Certificate of Deemed Approval with evident bad faith is liable for ₱100,000 to ₱500,000, without prejudice to liability, including imprisonment where proven, under the Anti-Graft and Corrupt Practices Act, the Revised Penal Code, or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018.
- (b) Any DU that, without lawful or valid ground, (i) denies an application for interconnection; (ii) fails to install the required meter or energize an approved interconnection within the periods prescribed under this Act; (iii) imposes any fee, charge, or requirement prohibited by this Act; or (iv) obstructs, delays, or otherwise interferes with the exercise of the rights of a Solar Generation Facility under Zero Export Self-Supply (SGF-ZESS) under Section 12 of this Act, shall, after notice and hearing, be liable to an administrative fine to be imposed by the ERC depending on the number of end-users affected, computed for each day of continuing violation, as follows:
- (i) **More than Five Hundred Thousand (500,000) end-users** — One Hundred Thousand Pesos (₱100,000.00) per day, not exceeding Ten Million Pesos (₱10,000,000.00) for each violation;
 - (ii) **One Hundred Thousand (100,000) to Five Hundred Thousand (500,000) end-users** — Fifty Thousand Pesos (₱50,000.00) per day, not exceeding Five Million Pesos (₱5,000,000.00) for each violation;
 - (iii) **Twenty-Five Thousand (25,000) to Ninety-Nine Thousand Nine Hundred Ninety-Nine (99,999) end-users** — Twenty Thousand Pesos (₱20,000.00) per day, not exceeding Two Million Pesos (₱2,000,000.00) for each violation; and
 - (iv) **Less than Twenty-Five Thousand (25,000) end-users** — Five Thousand Pesos (₱5,000.00) per day, not exceeding Five Hundred Thousand Pesos (₱500,000.00) for each violation.

All administrative fines imposed under this Section shall be borne exclusively by the erring Distribution Utility and shall not be recoverable, directly or indirectly, from consumers through any tariff, charge, or rate adjustment. The reasonable cost of establishing and maintaining compliance systems required under this Act may, however, be treated as a recoverable regulatory expense, subject to the approval of the ERC.

A third violation of this Act committed within a period of three (3) years from the date the first violation became final and executory shall constitute sufficient ground for the ERC to recommend to Congress the review of the legislative franchise of the Distribution Utility, without prejudice to the imposition of other administrative, civil, or criminal liabilities provided by law.

- (c) An installer, supplier or professional who installs without accreditation, falsely certifies compliance, installs uncertified or counterfeit equipment, or misrepresents system or financing terms, is liable for ₱200,000 to ₱2,000,000, or six (6) months and one (1) day to six (6) years imprisonment, or both, with revocation of accreditation and, where the offender is licensed, referral to the professional regulatory board. Where the violation causes fire, injury or death,

the maximum penalty applies and the offender shall be solidarily liable for damages.

- (d) A homeowners' association, condominium corporation, lessor, or any other person or entity that performs, enforces, or attempts to enforce any act declared void under Sections 8 or 9 of this Act shall be subject, upon a finding of liability by the proper court, to a fine of Fifty Thousand Pesos (₱50,000.00), without prejudice to an additional fine of Five Thousand Pesos (₱5,000.00) for each day that the violation continues.

Any act committed in violation of Sections 8 or 9 shall be void and without legal effect.

Where the offender is a juridical entity, the directors, trustees, officers, or other responsible officials who authorized, directed, consented to, or knowingly tolerated the commission of the violation shall be jointly and solidarily liable for the penalties imposed under this Section, without prejudice to any other civil, administrative, or criminal liability provided by law.

Fines collected in accordance with foregoing shall accrue to a special fund of the ERC, and shall be used exclusively for the National Portal.

CHAPTER IX — REMEDIES AND FINAL PROVISIONS

SEC. 20. Remedies. — An aggrieved End-User, or the Citizens' Council acting on the End-User's behalf, may file a verified complaint through the National Portal. The complaint shall be resolved by the ERC, the DOE, the Department of the Interior and Local Government (DILG), or the Department of Trade and Industry–Bureau of Philippine Standards (DTI-BPS), as may be appropriate, within fifteen (15) working days from receipt thereof.

Failure of the appropriate agency to resolve the complaint within the prescribed period shall constitute a resolution in favor of the complainant by operation of law, without prejudice to the enforcement of such resolution in accordance with this Act and its implementing rules and regulations.

Any citizen may seek a writ of mandamus to compel compliance, and no injunction may issue against an approved or Deemed-Approved energization except by the Supreme Court; a prevailing citizen-complainant recovers attorney's fees and costs. A Congressional Oversight Committee shall monitor implementation semi-annually for the first three (3) years.

SEC. 21. Implementing Rules and Regulations. — Within sixty (60) days from the effectivity of this Act, the Department of Energy (DOE), the Energy Regulatory Commission (ERC), the Department of Trade and Industry (DTI), the Department of Finance (DOF), and the Department of the Interior and Local Government (DILG) shall, after consultation with the Citizens' Council and the duly recognized leagues of local government units and professional engineering organizations, jointly promulgate the implementing rules and regulations necessary for the effective implementation of this Act. The failure to promulgate such rules within the prescribed period shall not suspend or impair the self-executing provisions of this Act.

SEC. 22. Appropriations. — The amount necessary for the establishment and operation of the National Portal, not exceeding Two Hundred Million Pesos (₱200,000,000.00), shall be charged against the current appropriations of the ERC

and the DOE. Thereafter, such sums as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 23. Transitory Provisions. — All applications pending upon the effectivity of this Act shall be governed by its provisions. Any application that has remained pending for more than fifteen (15) days upon such effectivity shall be deemed approved.

Existing distributed energy systems that have not been registered or enrolled under the applicable regulatory framework may, within one (1) year from the effectivity of this Act, voluntarily declare and register such systems and be admitted to the Net Metering Program without penalty: Provided, That this privilege may be availed of only once and only where the installation has not caused personal injury or property damage.

SEC. 24. Amendments. — Section 23 of Republic Act No. 9136, otherwise known as the *Electric Power Industry Reform Act of 2001*, and Section 10 of Republic Act No. 9513, otherwise known as the *Renewable Energy Act of 2008*, are hereby amended only insofar as they are inconsistent with Sections 6, 7, 11, 14, and 15 of this Act. In case of conflict, the provisions of this Act shall prevail. Nothing herein shall be construed to diminish or impair any right, benefit, or remedy afforded to citizens under any other law that is more favorable to them. This Act may be amended only by a subsequent Act of Congress.

SEC. 25. Separability— If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SEC. 26. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,