**DEPARTMENT CIRCULAR NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**AMENDMENT TO DEPARTMENT CIRCULAR NO. DC2025-03-0004 TITLED, PROVIDING THE REVISED GUIDELINES FOR THE GREEN ENERGY AUCTION PROGRAM IN THE PHILIPPINES**

**WHEREAS,** the Department of Energy (DOE) issued the Revised Guidelines for the Green Energy Auction Program (GEAP) through Department Circular (DC) No. DC2021-11-0036, or the “GEAP Guidelines,” on 03 November 2021;

**WHEREAS,** through the GEAP, DOE instituted a competitive process in the selection of eligible renewable energy (RE) facilities entitled to the Feed-In Tariff Allowance (FIT-All) Fund;

**WHEREAS,** under the GEAP, the Feed-In Tariff (FIT) to be paid to the selected eligible RE facilities is fixed based on the price (in Php/kWh) of the Winning Bidder’s offered capacity in a Green Energy Auction, known as the “Green Energy Tariff” (GET);

**WHEREAS,** DOE amended the GEAP Guidelines through (a) DC2023-09-0027, which clarifies that in the availment of the FIT-All Fund, the GET of a Winning Bidder shall be considered, interpreted, and accepted as the FIT; and (b) DC2025-03-0004, which provides that the GET resulting from auctions under the GEAP shall be subject to indexation as may be determined by the Energy Regulatory Commission (ERC) in accordance with the FIT Rules, among others;

**WHEREAS**, there is a need to clarify the indexation mentioned in DC2025-03-0004;

**NOW, THEREFORE,** pursuant to its authority under Republic Act No. 9513, or the Renewable Energy Act of 2008, the DOE hereby adopts, issues, and promulgates the following amendment to the GEAP Guidelines:

**Section 1.** Section 16 of the GEAP Guidelines is hereby further amended to read as follows:

“16. Adoption of Certain Provisions in the FIT Rules. The GEA adopts the Regulatory Framework and Administration of FITs provided under Resolution No. 16, Series of 2010 **(FIT Rules)**, issued by the ERC. However, the GEA pricing mechanism **and indexation** shall be governed by Section**s** 8 **and 17, respectively,** of this Circular. As such, other entities involved in the implementation of the FIT shall continue to discharge their responsibilities as set forth in the FIT Rules with respect to each auction round.”

**Section 2.** A new provision in the GEAP Guidelines is hereby inserted as Section 17, which states:

“17. Adjustment to the GETs. The GET of a Winning Bidder resulting from the Green Energy Auction conducted after the effectivity of this amendment to the GEAP Guidelines shall include indexation. In such determination, the ERC shall employ a formula for indexation applicable to the foreign exchange components of the capital cost, and a streamlined procedure for the implementation of such adjustment, as may be allowed under applicable laws, rules and regulations: Provided, That, notwithstanding the FIT Rules and other provisions of this Circular to the contrary, the GET of a Winning Bidder shall be adjusted for indexation only once, which shall be applied at any time between the issuance of the Certificate of Award and the commencement of commercial operations of the Winning Bidder’s RE Facility.”

**Section 3. Separability Clause.** If any provision of this Circular is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting**.**

**Section 4. Repealing Clause**. All previous issuances, rules, and regulations inconsistent with this Circular are hereby repealed, amended, or modified accordingly.

**Section 5. Effectivity**. This Circular shall take effect fifteen (15) days following its complete publication in at least two (2) newspapers of general circulation and shall remain in effect until otherwise revoked. A copy of this Circular shall be filed with the University of the Philippines Law Center - Office of the National Administrative Register.

Issued this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_2025 at the DOE, Energy Center, Rizal Drive, cor. 34th Street, Bonifacio Global City, Taguig City, Metro Manila.

**RAPHAEL P.M. LOTILLA**

Secretary