



**JOINT CIRCULAR OF THE DEPARTMENT OF ENERGY  
(DOE) AND THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
(DPWH)**

**NO. \_\_ SERIES OF 2018**

**AMENDING CERTAIN PROVISION OF THE JOINT CIRCULAR OF THE  
DEPARTMENT OF ENERGY (DOE) AND THE DEPARTMENT OF PUBLIC  
WORKS AND HIGHWAYS (DPWH) DC NO. 01 SERIES OF 2017**

**WHEREAS**, pursuant to Section 16 of R.A. 10531, the DOE issued Department Circular DC-2013-07-0015 otherwise known as the "Implementing Rules and Regulations (IRR) of R.A. 10531";

**WHEREAS**, under Section 10(a) of the said IRR, the DOE and the DPWH are mandated to issue within one hundred eighty (180) days from the effectivity of the IRR, a joint circular to carry out the proper compensation for Electric Cooperatives (ECs) in the event that their distribution and/or sub-transmission facilities are relocated as a result of a government project;

**WHEREAS**, on July 10, 2017, the DOE and the DPWH issued the Joint Circular, entitled "Prescribing The Uniform Guidelines and Procedures For The Proper Payment of Compensation and/or Recovery of Cost In the Event of the Need to Relocate The Electric Cooperative Distribution/Sub-transmission Lines For The Primary Purpose of the Government, which became effective upon its publication on 27 July 2017;

**WHEREAS**, the DOE received communications from affected Electric Cooperatives regarding compliance on the provision of Section 13 of the Joint Circular, which provides one (1) year clearing of facilities from existing government projects from its effectivity, which expired on July 27, 2018, to wit:

*"Section 13. Clearing of Facilities From Existing Government Projects – Within one (1) year from the effectivity of this Joint Circular, the NEA and EC shall cause the removal and relocation of any improperly located facility in the government's right -of-way (Obstructing Facility), subject to payment of compensation provided in this Joint Circular.*

*After the lapse of the prescribed one-year period, the NEA shall demand from the concerned EC to relocate an Obstructing Facility at its own expense. Otherwise, the NEA, with the assistance of the DPWH, shall relocate the Obstructing Facility at the expense of the EC, including the imposition of legal sanction, if any. xxxx";*

**WHEREAS**, these affected electric cooperatives manifested their inability to comply with the said provision within the prescribed period due to natural calamities being experienced by them which affected their electric distribution facilities that need to

be promptly addressed, thus requesting for an extension of one (1) year to comply on the same.

**NOW THEREFORE**, for and in consideration of the foregoing, the DOE and the DPWH hereby issue, adopt and promulgate the following amendment to the Joint Circular No. 01, Series of 2017:

**Section 1. Amendment to the Joint Circular of the Department of Energy (DOE) and the Department of Public Works and Highways (DPWH).** The following provision is hereby amended as follows:

Section 13, first paragraph is hereby amended to read –

*Section 13. Clearing of Facilities from Existing Government Projects – Within two (2) years from the effectivity of this Joint Circular, the NEA and EC shall cause the removal and relocation of any improperly located facility in the government's right-of-way (Obstructing Facility), subject to payment of compensation provided in this Joint Circular.*

**Section 2. Separability Clause-** Should any provision of this Joint Circular be declared invalid, the other provisions not affected thereby shall remain valid and subsisting.

**Section 3. Effectivity.** This amendment shall take effect immediately upon its publication in two (2) newspapers of general circulation and shall remain in effect until revoked.

Issued on \_\_\_\_\_ City of Taguig, Philippines.

**DEPARTMENT OF ENERGY**

**DEPARTMENT OF PUBLIC WORKS  
AND HIGHWAYS**

By:

By:

**ALFONSO G. CUSI**  
Secretary

**MARK A. VILLAR**  
Secretary