



DEPARTMENT OF ENERGY

## Process Flow for the Registration of Renewable Energy Developer

(Under R.A. 9513)



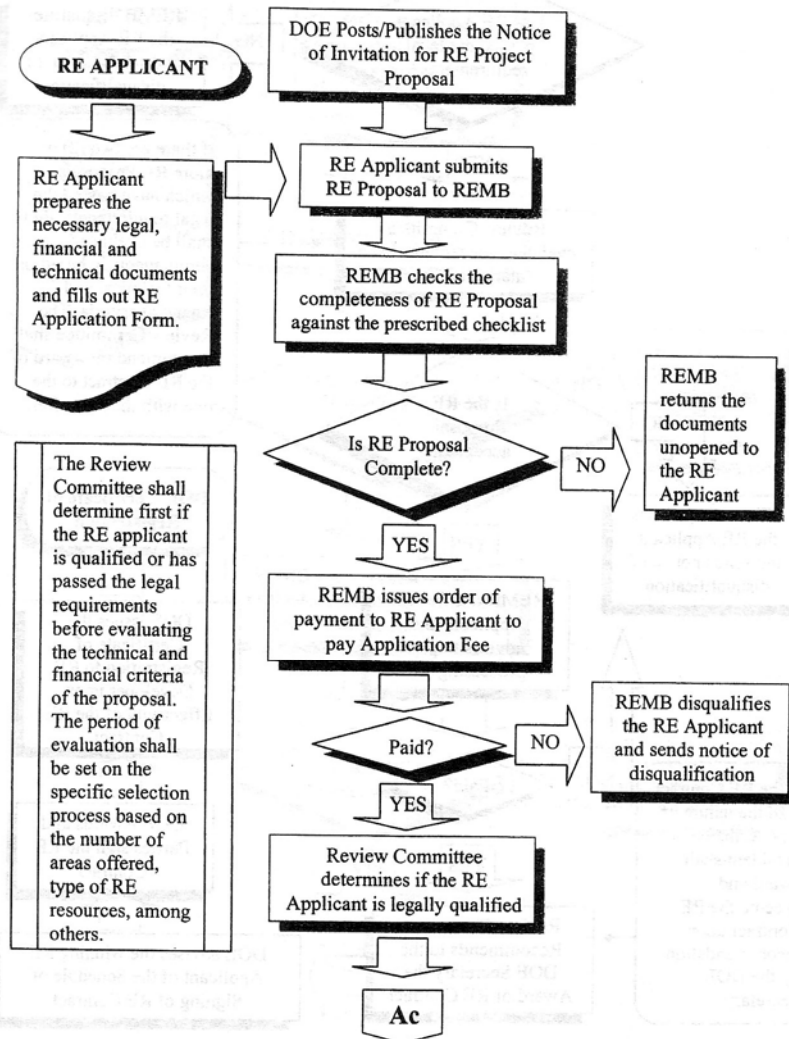
### DEPARTMENT OF ENERGY

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Just type: DOE<space><message> and then  
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(for Globe and Smart subscribers only)  
March 2010

## **REGISTRATION PROCESS OF RENEWABLE ENERGY DEVELOPER (R.A. No.9513)**

### **OPEN AND COMPETITIVE SELECTION**



\*Open and Competitive Selection Process is done for areas already identified by the DOE as potential RE sites, which are posted in the website ([www.doe.gov.ph](http://www.doe.gov.ph))

## **Direct Negotiation:**

Direct negotiation shall only be allowed in the following circumstances subject to the confirmation by REMB:

- In the case of frontier areas—the negotiation shall be subject to the following conditions:
  1. In instances where there is only one applicant for an RE area and the submission is deemed to be incomplete, the applicant shall be given 30 days within which to complete its submission;
  2. In the event that there are 2 or more interested applicants over the same RE area, the REMB shall prioritize and endorse to the Review Committee the application that was first received by the REMB. If the submission is deemed insufficient, the same shall be given 30 days within which to complete its submission.
  3. Should the RE Applicant fail to complete the submission within the prescribed period, it shall be automatically disqualified. In the case of 2 or more applications, it shall lose its right as first proponent and the immediately succeeding application shall be considered;
  4. The RE Application over a specific Frontier Area shall, in the interest of transparency, be posted in the DOE website within 5 working days from the receipt of payment of application/processing fees until the reward of the RE Contract;
  5. Upon submission of the complete documentary requirements, the DOE and RE Applicant shall negotiate the terms and conditions of the RE Contract within a maximum period of 120 days.
- When, during the conduct of open and competitive selection process, the following circumstances exist:
  1. No RE Proposal was received by REMB;
  2. No one among the applicants was able to meet the legal requirements set by the Review Committee; or
  3. When one or more applicants met the legal requirements by after evaluation of technical and financial proposals, no applicant was able to comply, as certified by the Review Committee.

**A Renewable Energy (RE) contract** is a service agreement between the Government, through the President or the DOE, and an RE Developer over an appropriate period as determined by the DOE in which the RE Developer shall have the exclusive right to explore, develop or utilize a particular RE area: Provided, that an agreement between the Government and the RE Developer for the exploration, development or utilization of biomass resources shall be covered by and RE Operating Contract only, subject to the provisions of Section 25 of Department Circular No. 2009-07-0011: Provided, further, that JAO No. 2008-1, series of 2008 under R.A. No. 9367 shall govern the registration and accreditation of biofuel producers, in lieu of an RE Contract.

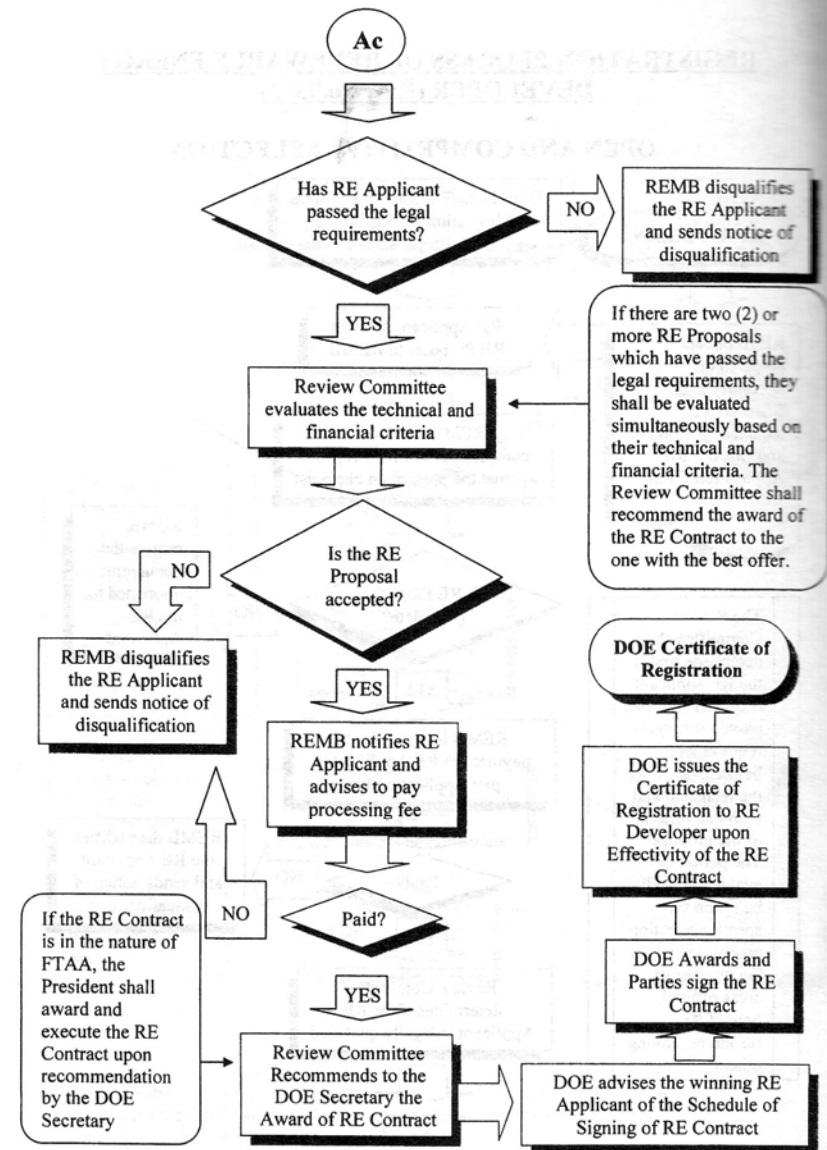
**RE Contracts** shall be awarded through an open and competitive process of selection or by direct negotiation.

### Open and Competitive Selection:

All areas for open and competitive selection shall be posted by the DOE in its website. In the event that new areas have been identified, the DOE shall update its website and may include them in the areas to be published in preparation for the conduct of open and competitive selection of awarding RE Contracts. The publication of areas shall be made as often as practicable depending on the number of identified areas and type of RE resources, among others. Thereafter, invitations for open and competitive selection shall be published once every week for three (3) consecutive weeks in at least two (2) newspapers of general circulation. The DOE shall, likewise, post said invitation and the attachments in its website.

The invitation shall include the following information such as, but not limited to:

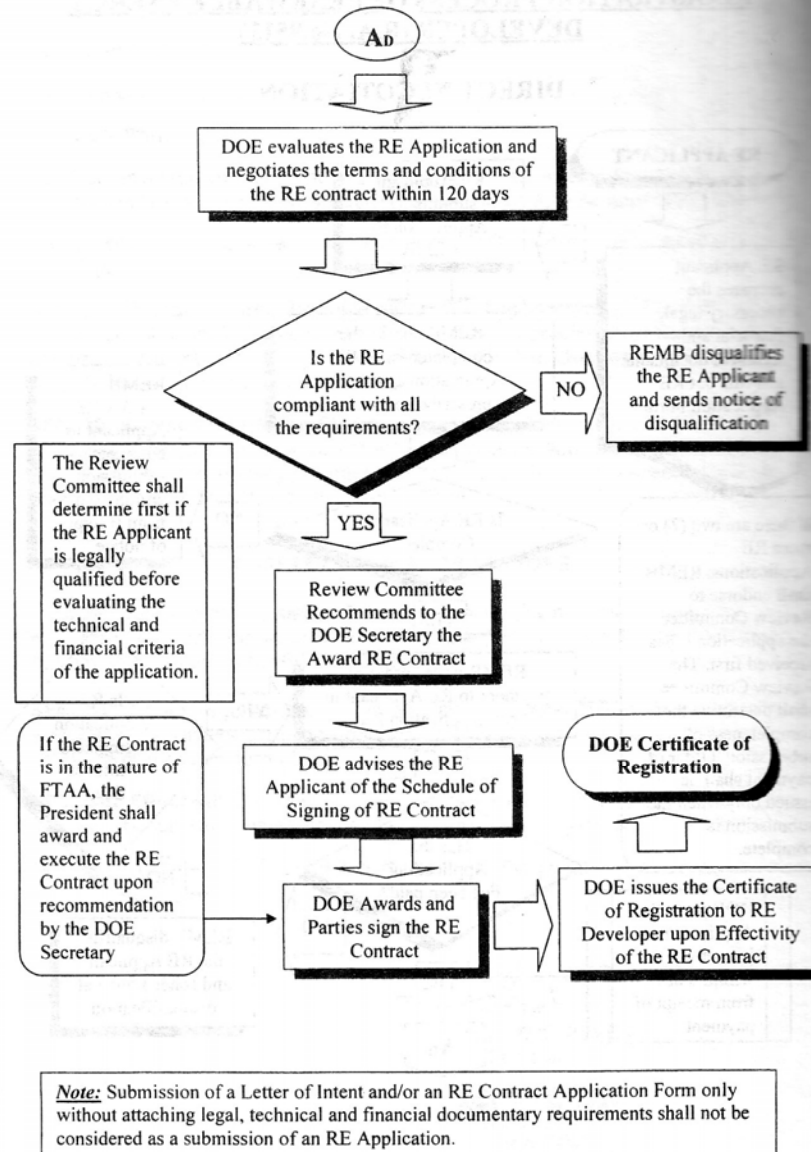
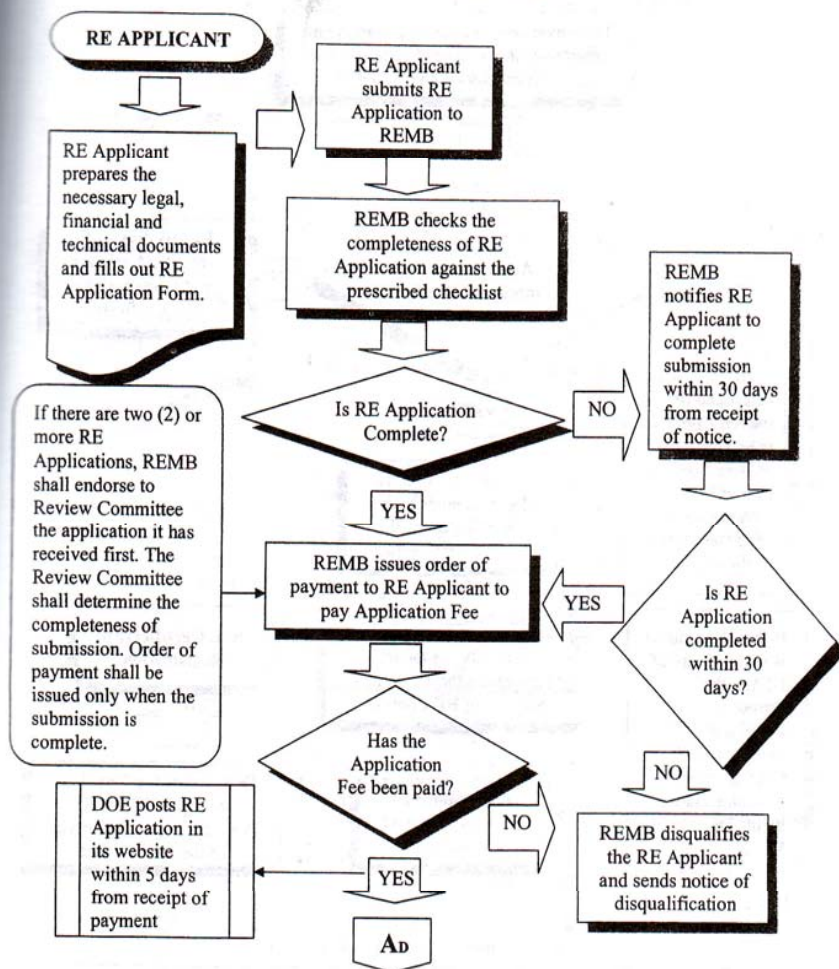
- Map of the area being declared open for RE project proposals;
- Instructions to RE Applicants on the requirements for RE Contract proposal;
- Schedules, including deadline to submit, date of opening, and period of evaluation of RE project proposals; and
- Criteria for evaluation and the corresponding percentage/weight.





## REGISTRATION PROCESS OF RENEWABLE ENERGY DEVELOPER (R.A. No.9513)

### DIRECT NEGOTIATION



\*Direct Negotiation is allowed in the case of frontier areas and if there are no RE proposals received or the parties have not been able to meet and comply with the requirements during open and competitive selection process