



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
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OFFICE OF THE SANGGUNANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on December 4, 2023 at the Session Hall, Capitol Building, Lingayen, Pangasinan, the following provincial resolution was approved:

Authored by SP Member Vici M. Ventanilla

PROVINCIAL RESOLUTION NO. 1012-2023

AUTHORIZING THE PROVINCIAL GOVERNOR, RAMON V. GUICO III, TO ENTER INTO AND SIGN A MEMORANDUM OF AGREEMENT WITH SINOCALAN SOLAR POWER CORP. (SSPC) FOR THE ESTABLISHMENT AND ADMINISTRATION OF SEPARATE TRUST ACCOUNTS FOR DEVELOPMENT AND LIVELIHOOD FUND (DLF) AND REFORESTRATION, WATERSHED MANAGEMENT, HEALTH AND/OR ENVIRONMENT ENHANCEMENT FUND (RWMHEEF)

WHEREAS, Section 5 (i) of Republic Act No. 7638 (R.A. 7638), otherwise known as the “Department of Energy Act of 1992” mandates the Department of Energy (DOE) to devise ways and means of giving direct benefits to the province, city or municipality, especially the community and people affected and equitable and preferential benefit to region that hosts the energy resource and/or the energy-generating facility;

WHEREAS, Energy Regulations No. 1-94 (ER-94) was promulgated by the DOE on August 1, 1994, to operationalize the implementation of Section 5 (i) of R.A. No. 7638 by granting financial benefits to communities hosting energy generating facilities and/or energy resource developers;

WHEREAS, Section 66 of R.A No. 9136, otherwise known as the “Electric Power Industry Reform Act of 2001” or EPIRA and Rule 29 (A) of its Implementing Rules and Regulations require Generation Companies (GenCos) and/or Energy Resource Developers (ERDs) to provide financial benefits equivalent to one centavo per kilowatt-hour (P0.01/kWh) of the total electricity sales of the generation facility to the region, province, city or municipality and barangay that host the generation facility and energy resource facility, as well as the establishment of corresponding trust accounts and the administration thereof by the DOE;



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WHEREAS, DOE issued Department Circular No. DC2018-08-0021 on August 7, 2018, amending for the purpose Rule 29 (A) of the EPIRA-IRR, to accelerate socio-economic development and to have a more effective and efficient utilization of the funds and to enforce the immediate provision of benefits to Host Communities;

WHEREAS, the Santo Domingo Solar Power Project is located in Barangay Sto. Domingo, San Manuel, Pangasinan and the Provincial Government is entitled to regularly receive ER 1-94 funds upon operation of the project which the host communities spend for specific programs and activities defined under ER 1-94;

WHEREAS, pursuant to Department Circular No. DC2018-08-0021 issued by the Department of Energy, the host local government units/beneficiaries are required to establish trust accounts with any authorized government depository bank for the direct remittance of financial benefits under ER 1-94;

WHEREAS, there is a need therefore, for the Province of Pangasinan to establish and administer separate trust accounts from any authorized government depository bank for the Development and Livelihood Fund (DLF) and Reforestation, Watershed Management, Health and/or Environment Enhancement Fund (RWMHEEF) of Sinocalan Solar Power Corp.;

WHEREAS, the fund allocation of financial benefits for the Province will be remitted directly by the DOE through the following account names:

Provincial Government of Pangasinan- Sinocalan Solar Power Corp. –
DLF (ER 1-94)
Provincial Government of Pangasinan- Sinocalan Solar Power Corp. –
-RWMHEEF (ER 1-94)

WHEREAS, for the above purpose, a Memorandum of Agreement shall be entered into and signed between the Province of Pangasinan, represented by Governor Ramon V. Guico III, and Sinocalan Solar Power Corp., represented by its Attorneys-in-Fact, Ms. Anabele R. Natividad and Ms. Janel M. Bea;

NOW THEREFORE, on motion of SP Member Vici M. Ventanilla, duly seconded, it was -

RESOLVED, by the Sangguniang Panlalawigan in session assembled to authorize, as he is hereby authorized, the Provincial Governor, Ramon V. Guico III, to enter into and sign a Memorandum of Agreement with Sinocalan Solar Power Corp. (SSPC) for the establishment and administration of separate trust accounts for Development and Livelihood Fund (DLF) and Reforestation, Watershed Management, Health and/or Environment Enhancement Fund (RWMHEEF);




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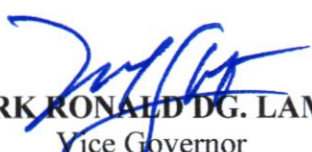
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RESOLVED FINALLY, to furnish copies of this resolution to the Honorable Governor, Ramon V. Guico III, Province of Pangasinan, and Ms. Anabele R. Natividad and Ms. Janel M. Bea, Attorneys-in-Fact of Sinocalan Solar Power Corp., for their information and guidance.

CERTIFIED BY:


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


MARK RONALD DG. LAMBINO
Vice Governor
(Presiding Officer)