



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



RESOLUTION NO. 2022-645

A RESOLUTION AUTHORIZING MAYOR JAIME R. FRESNEDI, IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA, TO ENTER INTO AND SIGN AN AGREEMENT WITH MANILA ELECTRIC COMPANY, REPRESENTED BY MR. JAMES A. MACAGBA, HEAD OF ALABANG BUSINESS CENTER, ON THE INTERCONNECTION AND PARALLEL OPERATION OF THE CITY'S GENERATING PLANT (FOR ZERO EXPORT/OWN-USE CUSTOMER)

- Sponsored by:
- Hon. Coun. Atty. Raul R. Corro
 - Hon. Coun. Alexson V. Diaz
 - Hon. Coun. Paty Katy C. Boncayao
 - Hon. Coun. Louisito A. Arciaga
 - Hon. Coun. Allan Rey A. Camilon
 - Hon. Coun. Ting Niefes
 - Hon. Coun. Stephanie G. Teves
 - Hon. Coun. Ivey Rhia A. Tadea
 - Hon. Coun. Estrellita S. Santiago
 - Hon. Coun. Engr. Marissa C. Rongavilla
 - Hon. Coun. Francis Ian T. Bagatsing
 - Hon. Coun. Mark Lester M. Baes
 - Hon. Coun. Ma. Dhesiree G. Arevalo
 - Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
 - Hon. Coun. Engr. Arlene D. Hilapo
 - Hon. Coun. Cornelio M. Martinez
 - Hon. Coun. Walter A. Arcilla
 - Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, Section 16 of Republic Act No. 7160 also known as the "Local Government Code of 1991," states that "[E]very local government unit (LGU) shall exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, Section 22(c), *supra*, on the General Powers and Attributes of Local Government Units, provides that, "[U]nless otherwise provided in this Code, no contract may be entered into by the local chief executive in behalf of the local government unit without prior authorization by the Sanggunian concerned. Xxx."

WHEREAS, Section 455 (b)(1)(vi), *supra*, states that "[T]he City Mayor shall represent the city in all its business transactions and sign in its behalf all bonds, contracts, and obligations, and such other documents upon authority of the Sangguniang Panlungsod pursuant to law or ordinance;"

WHEREAS, Section 1 of Republic Act No. 9209 grants to the Manila Electric Company (MERALCO) a franchise to construct, operate, and maintain in the public interest and commercial purposes, a distribution system for the conveyance of electric power to the end-users in cities and municipalities which include Muntinlupa City;

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WHEREAS, under the **General Terms and Conditions** governing the **interconnections and parallel operations**, the **City Government of Muntinlupa (CGM)** and **MERALCO** agreed on the following:

- (1) The Generating Facility of the CGM may be interconnected and operated in parallel with the Distribution System of MERALCO.
- (2) The Agreement does not constitute any agreement to (i) purchase the output power or energy of the CGM's Generating Plant to any of the off-takers; or (ii) purchase power or energy from MERALCO. Energy supply, wheeling, and other services that the parties may need from each other shall be covered by separate agreement/s.
- (3) The Connection Point is illustrated in the Fixed Asset Boundary Document (FABD) attached to the Agreement.
- (4) The Metering Facilities shall be installed at a place accessible to MERALCO's personnel for inspection, reading, and maintenance purposes at any time. Meters to be installed are non-reversing.

WHEREAS, under the Agreement, **MERALCO** shall, among others, be fully responsible for the installation, operation, maintenance, repair, and inspection of its facilities as defined in the FABD. MERALCO shall, at its cost and expense, operate and maintain its facilities in accordance with the provisions of the Distribution Services and Open Access Rules, as amended (Amended DSOAR), the Agreement, and the Parties' FABD;

WHEREAS, under the Agreement, it is the duty of the **City Government of Muntinlupa** to ensure that the Parallel Operation/Interconnection of its Generating Plant will not adversely affect or endanger: (a) the safety of MERALCO's employees, agents, contractors, or the general public; or (b) the operation, reliability, power quality, and safety of MERALCO's Distribution System;

WHEREAS, upon review of the proposed Contract, the **City Legal Office**, through its opinion dated **24 March 2022**, *interposed no objection to the Agreement subject to securing of the necessary permits and licenses from the Department of Environment and Natural Resources and other related agencies*;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 9th **Sangguniang Panlungsod of Muntinlupa**, authorizing **City Mayor Atty. Jaime R. Fresnedi**, in behalf of the City Government of Muntinlupa, to enter into and sign an Agreement with **Manila Electric Company**, represented by **Mr. James A. Macagba**, Head of Alabang Business Center, on the Interconnection and Parallel Operation of the City's Generating Plant (for Zero Export/Own-Use Customer).

RESOLVED FURTHER, that necessary permits and licenses from the Department of Environment and Natural Resources, and other requirements under existing and applicable laws, rules, and regulations are complied with.

ADOPTED, by the 9th **Sangguniang Panlungsod of Muntinlupa** this 11th day of **April 2022**, on its 144th **Regular Session**.





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CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO

Member

COUN. ALEXSON V. DIAZ

Member

COUN. PATY KATY C. BONCAYAO

Member

COUN. LOUISITO A. ARCIAGA

Member

COUN. ALLAN REY A. CAMILON

Member

COUN. TING NIEFES

Member

COUN. STEPHANIE G. TEVES

Member

COUN. IVEE RHIA A. TADEFA

Member

DISTRICT 2:

COUN. ESTRELLITA S. SANTIAGO

Member

COUN. ENGR. MARISSA C. RONGAVILLA

Member

COUN. FRANCIS IAN T. BAGATSING

Member

COUN. MARK LESTER M. BAES

Member

COUN. MA. DHEESIREE G. AREVALO

Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.

Member

COUN. ENGR. ARLENE D. HILAPO

Member

COUN. CORNELIO M. MARTINEZ

Member



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COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 18 APR 2022

Norie/9th SP



**YAN ANG TAMA
YAN ANG MUNTINLUPA!**

