



Philippine Electricity
Market Corporation

WESM COMPLIANCE BULLETIN

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Enforcement and Compliance Office Philippine Electricity Market Corporation

28 March 2022

This Wholesale Electricity Spot Market (WESM) Compliance Bulletin is an occasional publication that is prepared and published by the Enforcement and Compliance Office of the Philippine Electricity Market Corporation. The purpose of the WESM Compliance Bulletin is only to provide information and guidance to the participants of the WESM on their obligations in the WESM as well as on various matters relating to enforcement and compliance. This document is not intended as a source of obligation or as authority on relevant WESM Rules and market manuals, and as such, is not binding on the WESM participants or any other person or entity. While the ECO strives to make this document complete and accurate, the actual contents may be incomplete or inaccurate. WESM participants and other readers are encouraged to refer to the official issuance of the WESM Rules, and its amendments and manuals for details.

Questions on this WESM Compliance Bulletin may be addressed to Enforcement and Compliance Office, Philippine Electricity Market Corporation, 18th Floor Robinsons Equitable Tower, ADB Avenue, Ortigas Center, Pasig City 1600 or by email at eco@wesm.ph



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WCO CERTIFICATION IMPLEMENTING GUIDELINES FOR THE WESM COMPLIANCE OFFICERS (CERTIFICATION GUIDELINES 01)

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Document Approval

The WCO Certification Guidelines 01, 02, and 03 were approved and adopted by the Compliance Committee during its 4th Regular Meeting on 16 March 2022 via the **CC Resolution No. 2022-15**.¹

¹ CC Resolution: Adoption of the WESM Compliance Officers (WCO) Certification Guidelines pursuant to DOE Circular DC2021-12-0041

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Document Change History

Version No.	Reason for Change	Effective Date
1.0	New Guidelines	31-Mar-2022

List of Procedural Templates

Template ID	Template Name	Description

Reference Procedure and Work Instructions

Procedure / Work Instruction ID	Procedure / Work Instruction Name	Description

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1.0 Basis and Authority

The Wholesale Electricity Spot Market (WESM) Rules mandate all the WESM Compliance Officers (WCO) to undergo a certification process. (*Clause 7.2.9.2 [e], WESM Rules*).

It is the responsibility of the Compliance Committee to review and approve the guidelines for the WESM Compliance Officers' competency standards and certification program. (*Section 1.8.2 of the WESM Rules, and Section 2.1.3 of the WCO Certification and Registration Manual*).

Thus, the following guidelines are issued by the Compliance Committee to govern the activities associated with the WCO certification and other related affairs of the WCOs, the training service providers, and the Enforcement and Compliance Office (ECO):

- WCO Certification Implementing Guidelines **for WCOs** (CC.CERT.01)
- WCO Certification Implementing Guidelines **for Training Service Providers** (CC.CERT.02)
- WCO Certification Implementing Guidelines **for Enforcement and Compliance Office** (CC.CERT.03)

For brevity and ease of reference, the foregoing guidelines are referred to herein as "**Certification Guidelines 01**," "**Certification Guidelines 02**," and "**Certification Guidelines 03**," respectively.

As the provisions of the three (3) guidelines are interrelated, cross references are provided in the guidelines to avoid duplication of provisions or rules.

2.0 Purpose of the Guidelines

To provide guidance to the WCO with respect to the application for the certification program, participating in the training or activities, accounting and earning of credit units, incident reporting and completing the certification requirements.

3.0 Definition of Terms

Certification Program

Set of components or training programs, courses, lectures or series of lectures, and related activities that are offered by the training service provider intended to meet a level of knowledge within a certain timeline.

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Proposed Annual Certification Program – submitted to the Compliance Committee for its approval

Approved Certification Program – approved by the Compliance Committee

Compliance Period	The three (3)-year period within which the certification requirements are complied with
Course Offering	Each training course, lecture, lecture series, or activity that is included in, or forms part of, the Certification Program
Dummy Participant	A person who represents himself/herself as somebody else during a training or activity by providing credentials or information that pertain to another person or by attending or presenting himself/herself as somebody else, express or implied, for the purpose of securing a certification
Enforcement and Compliance Office (ECO)	The department or office that is mandated to provide administrative and technical support to the Compliance Committee on all WCO certification-related activities or matters
Stakeholders	The party with an interest in the WESM and shall include the WESM Members, Market Operator, WESM Governance Committees, Philippine Electricity Market Board of Directors (PEM Board), the Department of Energy (DOE), the Energy Regulatory Commission (ERC), and other related agencies or entities
Training Modality	Mode of delivery of learning which can take various forms, including Live Instructor-Led Training, eLearning, webinar or virtual training, and other training methods that may be adopted to develop or promote optimal learning
Training Service Providers	The training section, unit, or department of the Independent Electricity Market Operator of the Philippines Inc. (IEMOP) and the Philippine Electricity Market Corporation (PEMC) which are mandated by the WCO Certification and Registration Manual to provide training services to the WCOs
WCO-Certified Lecture or Series	Training topics, lecture, lecture series, program, or activity with assigned credit units or points

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WESM Compliance Officer (WCO)

May refer to any of the following:

Designated WCO – the compliance or enforcement officers listed, permitted, or designated by the WESM Member to participate in the WCO Certification Program

Certified WCO – the WCO who completed the certification requirements within a compliance period and who holds a valid WCO certification

Registered WCO – the compliance officer who is officially registered as such in the WESM under Clause 7.2.9 of the WESM Rules and is authorized to represent the WESM Member in all enforcement-related proceedings

WESM Member

The company or entity that is mandated by the WESM Rules to designate or nominate a WCO. It is represented by the head of the company or entity

All terms and abbreviations used in these Guidelines that are defined in the WESM Rules and the WCO Certification and Registration Manual shall have the same meaning as defined therein.

4.0 Guidelines

4.1 Coverage

- 4.1.1 The representatives of any WESM Member who are registered as WESM Compliance Officers (WCO) as of 30 June 2022 and onwards, except the WCO of the Market Operator, shall undergo the WCO Certification Program.

For this purpose, the WESM Member shall confirm with the Enforcement and Compliance Office (ECO) the nomination of the WCO prior to the commencement of the initial Compliance Period. It shall communicate or process the necessary update or change in the nomination, if any.

- 4.1.2 The representative of any WESM Member who is currently exercising risk management, legal, regulatory, or compliance functions are qualified to participate in the WCO Certification Program; *provided* that he/she is authorized by the WESM Member or the head of the entity.

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4.1.3 The Certified WCOs who intend to pursue continuing certification requirements are also covered by these Guidelines.

The WCOs mentioned in Sections 4.1.1 to 4.1.3 shall be collectively referred to herein as *“Participating WCOs.”*

4.2 Compliance Period and Certification Requirements

4.2.1 The first compliance period shall commence on 01 July 2022. The first and the succeeding compliance periods shall be for a duration of 36 months.

4.2.2 The WCOs who are already registered as WCO of 30 June 2022 shall complete and earn at least 36 credit units of certification courses as referred to in Section 4.1 of Certification Guidelines 02 within the first compliance period, i.e., from 01 July 2022 to 30 June 2025. Such certification shall become a pre-requisite for the registration of the official WCO in the WESM after the first compliance period.

4.2.3 The Designated WCOs may likewise earn the WCO certification by completing 36 credit units of trainings within a compliance period.

4.2.4 To renew the WCO certification, the Certified WCOs shall comply with the continuing certification requirements as prescribed by the WCO Certification and Registration Manual by completing and earning 36 credit units for each succeeding compliance period.

4.3 Application for WCO Certification Program

4.3.1 The Designated WCOs as referred to in Section 4.1.2 of these Guidelines may apply for WCO Certification Program by accomplishing a WCO Information Sheet in Microsoft (MS) Forms <https://forms.office.com/r/ANu6Um1DQN> and submit the same together with the following at any time after the issuance of these Guidelines for appropriate recording in the ECO database:

- Valid company ID
- Accomplished WCO Designation Form for Certification Program

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The Application for WCO Certification Program, as referred to herein and in any of the certification guidelines, shall not be used interchangeably with the Enrollment in a Training Course or Activity as mentioned in Section 4.4 of the Certification Guidelines 02. The former refers to the act signifying the intent to complete or fulfill the entire certification process and is communicated to PEMC-ECO through a prescribed form, while the latter refers to the preparatory act for taking up or pursuing training courses in fragments or training courses with certain credit units at a particular time and is directly coordinated with the training service provider/s.

- 4.3.2 If a WESM Member authorizes two (2) or more representatives to participate in the Certification Program, it may submit one (1) form with complete and full details and information of the Designated WCOs, as prescribed in the form. The WCO Designation Form for Certification Program shall be signed by the head of the entity of the WESM Member or his/her authorized representative.
- 4.3.3 The registered WCO as of 30 June 2022, and as mandated by the rules to undergo a certification program, need not submit a WCO Designation Form for Certification Program and may, at any time after the commencement of the Compliance Period, proceed with the enrollment for training/s that are being offered by the training service providers.
- 4.3.4 The ECO shall maintain an official List of the Designated WCOs who are eligible to join the Certification Program, and the list shall contain the names of the WCOs and other relevant information. The participating WCO may verify or confirm the said eligibility with ECO prior to the enrollment to any training course/s or lecture series.
- 4.3.5 The application for certification program by a Designated WCO who is included in the official list but however failed to enroll in any of the training course/s or lecture services offered by the training service providers within the compliance period or within three (3) years from the application shall be considered dormant and shall be delisted from the official List of the Designated WCOs.

The said Designated WCO who is delisted from the Certification Program may, however, be permitted to re-apply for Certification Program subject to the completion of the requirements set forth in the rules and these guidelines.

- 4.3.6 Should there be any change/s in the information details of the Designated WCO such as contact information, position, or designation in the company, and the like, the Designated WCO shall update the ECO by accomplishing the same WCO Information Sheet in MS Forms referred to in Section 4.3.1 of these Guidelines.

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4.4 WCO Certification Activities

- 4.4.1 The participating WCO may enroll or register for training, seminars, or activity with the training service providers subject to the authentication requirements as may be set by the training service providers.
- 4.4.2 Before the start of the training or activity, the participating WCO shall confirm or verify with the training service provider if he/she is in the Official List of Designated WCO. If he/she is not included in the said list, the participating WCO shall inform the training service provider of his/her intent to have the credit unit/s be accounted for under the Certification Program. He/she must, however, communicate his/her concerns immediately to PEMC-ECO for the update of the list and the appropriate accounting of credit units subject to conditions set forth in Section 4.4.2 of the Certification Guidelines 03.
- 4.4.3 The participating WCO shall observe proper decorum, dress code, punctuality, and professionalism while attending a training or activity. He/she shall refrain from using indecent, abusive, or offensive language, or deliver any derogatory remarks, intentional or otherwise, during the open forum, question and answer portion, or any interactive activity.
- 4.4.4 For online training, the participating WCO shall ensure reliable internet connection with facility for back-up connection to ensure continuous viewing of the training course, subject, or program.
- 4.4.5 The participating WCO shall be present throughout the entire duration of training or activity. He/she may be allowed to leave the training venue or go offline for emergency or justifiable reasons subject to the following conditions:
- a. He/she shall notify the training moderator of his/her intent to leave and the reasons therefor.
 - b. The corresponding credit unit/s pertaining to the hours not spent in the training or activity shall be deducted from the total credit unit/s assigned for a particular enrolled training course, subject, topic, or program. A fraction of an hour shall be rounded up to one (1) full hour. For instance, if the participating WCO failed to attend for an hour and a half (1.5 hours), two (2) credit units or the equivalent pro-rated units if a greater weight is assigned will be deducted from the WCO. An example of a pro-rated unit deduction is as follows:

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For an absence or interruption of one and a half (1.5) hours from a four (4)-hour training but assigned a weight of six (6) credit units:

$$1.5 \times [6 \text{ credit units}/4 \text{ hours}] = 2.25 \text{ hours rounded up to 3 hours deduction}$$

- 4.4.6 The participating WCO is not authorized to be represented by a proxy or any personnel during the training. Any participating WCO who is found to be employing fraud, misrepresentation, and/or deceit during the training shall be reported and shall be imposed appropriate sanctions in accordance with Section 4.7.3 of the Certification Guidelines 03.
- 4.4.7 A WESM Member or its participating WCO may request a special training from the training service provider and may earn credit unit/s therefrom, subject to the conditions set in Section 4.2.3 of the Certification Guidelines 02.

4.5 Accounting of Credits Units

- 4.5.1 The credit units shall be computed in accordance with Section 5 of the WCO Certification and Registration Manual and Section 4.2 of the Certification Guidelines 02.
- 4.5.2 Subject to the provisions of Section 4.1.2 (c) (iv) of the Certification Guidelines 02 on the allowable duplicate training course lecture, the participating WCO may, at his/her option, attend a duplicate training course or lecture series. However, he/she may not be credited with the same credit units pertaining to subjects or courses that have already been taken or attended. However, additional credit unit/s may be added if the duplicate trainings include new topics/subjects to the course or lecture series. For example:
- First training attended: Course A with three (3) credit units
 - Second training attended: Duplicate Course A plus new topics/subjects with a total of four (4) credit units

Units to be credited: Additional one (1) credit unit for the duplicate course/lecture series

- 4.5.3 The crediting of the number of units for duplicate courses, subjects, or topics by the concerned training service provider in accordance with the preceding section shall be subject to evaluation and confirmation of the Compliance Committee.

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- 4.5.4 No credit unit shall be earned by accessing a ready-made video, visual or promotional aids, or eLearning video that is designed to provide basic learning, preview of any training course offerings or related matters, or simple overview of certain topics on the website, system, or platform of the training service provider unless the same is included in, or part of, the training course or lecture series that is marked as “*WCO-Certified Training or Lecture,*” and is shown during the training course, program, or lecture series.
- 4.5.5 The excess credit unit/s earned during a compliance period shall not be carried over to the next compliance period.
- 4.5.6 If a Designated or Certified WCO has already earned credit units during his/her previous employment or engagement, but he/she has transferred to another WESM Member at any time within a compliance period, the said Designated or Certified WCO may request the Compliance Committee to retain under his/her account the said earned credits during the said compliance period. Such change or update in the affiliation shall also be reflected in the WCO Information Sheet in accordance with Sections 4.3.1 and 4.3.6 of this Guidelines.

4.6 Notification of Certification Status

- 4.6.1 In addition to the requirement of Section 3.2.7 of the WCO Certification and Registration Manual, the participating WCO shall be periodically apprised by ECO of the certification requirement status which shall include the number of credit units earned and the number of units to be completed within a compliance period. At his/her option, the participating WCO may also request from ECO for the certification status or may confirm the credit units earned as of a certain period or time.
- 4.6.2 The Designated WCO whose Application for Certification Program has become dormant because of the circumstance referred to in Section 4.3.5 of these Guidelines shall also be apprised by the ECO in the same manner as provided in the preceding section.
- 4.6.3 Upon receipt of the notification from the Compliance Committee as to any deficiency in the certification requirements, the participating WCOs shall take the necessary steps to fulfill the remaining requirements and shall coordinate with ECO for the updating of the status, details, and other information to ensure correctness and completeness thereof before the end of the compliance period.

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4.6.4 The issues, concerns, complaints raised or filed, if any, under Section 4.7 of the Certification Guidelines 02 shall be resolved by the concerned parties or the Compliance Committee, as the case may be, before the end of the compliance period or within the period specified in the said section. The participating WCO shall be apprised by the Compliance Committee or ECO if resolution of this matter affects the computation of his/her credit units or certification status.

4.7 Issuance of WCO Certificates

4.7.1 Upon evaluation and confirmation by the Compliance Committee of the completion of the certification requirements by the participating WCOs, the Compliance Committee shall issue a WCO Certification. The WCO Certification shall bear the signature of the Chairperson of the Compliance Committee and shall indicate the following:

- a. A statement that the person named therein has met the certification requirements, and is qualified as Certified WESM Compliance Officer,
- b. Validity period of the certification which should not exceed a particular compliance period, and
- c. Date and place of issuance.

The certification shall automatically expire after the covered compliance period. A new certification shall be issued for each compliance period that the certification requirements are met.

4.7.2 In addition to the foregoing, the participating WCO who successfully completed the certification requirements shall also be –

- a. Issued a unique Certified WCO Identification (ID) Number which shall serve as his/her permanent and primary reference for monitoring continuing compliance, streamlining transactions, and providing ease and convenience in accounting the credit units and related activities.
- b. Listed in the Roster of Certified WCOs in the WESM.

4.7.3 For purposes of representation and ease of identification in any enforcement proceedings, correspondences, communications, or related activities in the WESM, the Certified WCO may use a professional certification title to signify WCO Certification by using a suffix “CWCO” following the person’s name, such as, *Mr. Juan Dela Cruz, CWCO*.

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4.7.4 The foregoing provisions shall apply to Certified WCOs who have successfully completed and/or maintained the continuing certification requirements in the succeeding compliance periods.

4.8 Registration of the Certified WCO

4.8.1 The WESM Member shall nominate a Certified WCO as Registered WCO in the WESM through ECO within 10 working days from the official certification or from the end of the compliance period whichever is earlier.

- a. If the registered WCO of record has been certified in accordance with the certification rules, manual, and guidelines, the WESM Member shall confirm with the ECO whether it would renominate the registered WCO of record or replace him/her with another Certified WCO.
- b. If no confirmation, renomination, or request for replacement has been received by the ECO within the timeline set in this section, the Registered WCO of record shall be deemed renominated; *provided* that he/she has successfully completed the certification requirements; otherwise, the WESM Member shall be advised by ECO of the requirements and the consequences for not nominating a Certified WCO after the transition period or the initial compliance period.

4.8.2 The Registered WCO, as nominated or renominated in accordance with the preceding section, shall ensure compliance and fulfillment of obligations required of him/her under Section 7.2.9 of the WESM Rules.

4.9 Change or Transfer of WCO

4.9.1 The WESM Member or the participating WCO shall notify the ECO of any change in the employment relationship with the concerned WESM Member due to resignation, retirement, termination, or any other cause of separation from the WESM Member.

4.9.2 If the change in the employment relationship concerns a Registered WCO but not a Certified WCO yet, or the one referred to in Section 4.1.1 of these Guidelines and the change happens within the initial compliance period, the WESM Member shall nominate a Registered WCO subject to the completion of certification requirements within the compliance period, as prescribed in Section 4.2.2 of these Guidelines.

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- 4.9.3 If the change in the employment relationship concerns a Registered WCO who is already a Certified WCO, the WESM Member shall nominate a new Certified WCO from among its pool of certified WCOs within its organization, if any; or shall ensure that a new representative be enrolled for a certification program, and upon completion thereof, shall register the Certified WCO in the WESM.
- 4.9.4 If the change in the employment relationship concerns a Designated WCO who is neither a Registered WCO nor a Certified WCO, the concerned WESM Member may or may not replace the Designated WCO who shall undergo the certification program.

4.10 Penalty/Sanction

- 4.10.1 A WESM Member shall be imposed a penalty under the WESM Penalty Manual for the following grounds:
- Failure of the Registered WCO mentioned in Section 4.1.1 of these Guidelines to complete the certification requirements within the first compliance period; and
 - Failure of the Registered WCO who is already a Certified WCO to complete the continuing certification requirements in the succeeding compliance period/s.

For clarity, it is the WESM Member and not the Registered WCO, which shall be imposed a penalty or sanction for the non-compliance with the certification requirements.

- 4.10.2 No penalty or sanction shall be imposed on the WESM Member with respect to the non-completion of certification requirements of the Designated WCOs.

4.11 Review of the Guidelines

- 4.11.1 The Compliance Committee may, as it deems necessary, add, modify, or dispense with some requirements or information from the Participating WCOs through issuance of implementing guidelines or bulletins.

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5.0 Forms or Template Guide

- 5.1 CC.CERT.WCO.TMP.01 – WCO Designation for Certification Program Form
- 5.2 CC.CERT.WCO.TMP.02 – WCO Information Sheet (MS Forms)



FOR THE FORMS OR TEMPLATE:

You may view and download the following in PEMC-ECO Page of the PEMC website (www.wesm.ph):

Market Governance>Enforcement and Compliance>Compliance Forms and Reports

or click the image below:



FILENAME	FORM/TEMPLATE
FOR THE WESM COMPLIANCE OFFICERS	
CC.CERT.WCO.TMP.01	WCO Designation Form for Certification Program
CC.CERT.WCO.TMP.02	WCO Information Sheet or click this MS Forms https://forms.office.com/r/ANu6Um1DQN
FOR THE TRAINING SERVICE PROVIDERS	
CC.CERT.TSP.TMP.01	Annual WCO Certification Program
CC.CERT.TSP.TMP.02	Training Enrollment Form_Sample
CC.CERT.TSP.TMP.03	Participants Record
CC.CERT.TSP.TMP.04	TSP Accomplishment Report Form