



# Philippine Electricity Market Corporation

## WHOLESALE ELECTRICITY SPOT MARKET RULES CHANGE COMMITTEE

### RESOLUTION NO. 2012-04

#### Proposed Technical Committee Market Manual

**WHEREAS**, on 27 December 2011, the Technical Committee (TC) submitted the proposed Technical Committee Market Manual (the "Manual") to the Rules Change Committee (RCC), for consideration and approval;

**WHEREAS**, during the 59<sup>th</sup> RCC Meeting held last 07 March 2012, the RCC approved the Manual;

**WHEREAS**, during the Board Review Committee (BRC) Meeting held last 22 March 2012, the BRC agreed to defer inclusion of the RCC-approved Manual in the agenda of the 68<sup>th</sup> PEM Board Meeting on 29 March 2012 and remand the same to the RCC, upon noting that the Manual does not provide for guidelines for the PEM Board when request for technical review or study from the trading participants shall be coursed through them;

**WHEREAS**, the BRC deemed that the Manual, before it shall be presented to the Board for its approval, incorporates provision or guidelines that will assist the PEM Board in its review and decision regarding requests for technical study/review;

**WHEREAS**, during the 60<sup>th</sup> RCC Meeting on 11 April 2012, acting on the BRC's directive, the RCC discussed the Manual, focusing on Section 4 which provides the procedures to be followed by trading participants, the PEMC and other PEM Board Committees when submitting requests for studies;

**WHEREAS**, during the said 60<sup>th</sup> meeting, the RCC noted that the Manual establishes the coverage and scope of study that the TC shall conduct which already serves as the basis upon which the TC may decide whether or not to accept any request for studies;

**WHEREAS**, in view of the foregoing, the RCC, in consultation with the TC, agreed that any request for technical studies from the trading participants shall no longer be coursed through the PEM Board and shall be submitted directly to the TC;

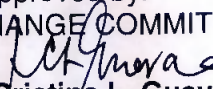



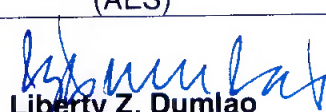

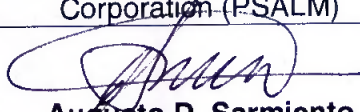
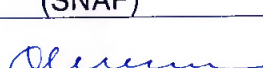
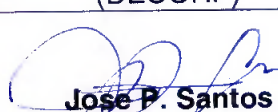
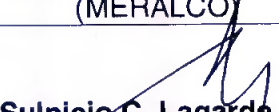

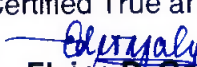
**WHEREAS**, after due deliberation, the RCC approved the proposed Manual, as amended by the RCC during its 60<sup>th</sup> meeting (attached as Annex "A");

**NOW THEREFORE**, we, the undersigned and in behalf of the sector we represent, hereby resolve as follows:

**RESOLVED**, that the proposed Technical Committee Market Manual, as amended by the RCC (attached as Annex "B"), is adopted and approved in full;

**RESOLVED FINALLY**, that the proposed Technical Committee Market Manual be endorsed to the PEM Board for approval.

Done this 11 April 2012, Pasig City.

<p>Approved by: RULES CHANGE COMMITTEE  <b>Rowena Cristina L. Guevara</b> Chairperson University of the Philippines (UP)</p>	
Members:	
 <b>Epictetus E. Patalinghug</b> Independent University of the Philippines (UP)	<b>Francisco L.R. Castro, Jr.</b> Independent The Herma Group
 <b>Maila Lourdes G. de Castro</b> Independent Unitel Productions, Inc.	 <b>Cherry Aquino-Javier</b> Generation Sector AES Philippines (AES)
<b>Cynthia R. Encarnacion</b> Generation Sector National Power Corporation (NAPOCOR)	 <b>Liberty Z. Dumlao</b> Generation Sector Power Sector Assets and Liabilities Management Corporation (PSALM)
 <b>Ralph T. Crisologo</b> Generation Sector SN Aboitiz Power (SNAP)	 <b>Augusto D. Sarmiento</b> Distribution Sector (PDU) Dagupan Electric Corporation (DECORP)
 <b>Ciprinilo C. Meneses</b> Distribution Sector (PDU) Manila Electric Company (MERALCO)	 <b>Jose P. Santos</b> Distribution Sector (EC) Ilocos Norte Electric Cooperative, Inc. (INEC)
 <b>Sulpicio C. Lagarde Jr.</b> Distribution Sector (EC) Central Negros Electric Cooperative, Inc. (CENECO)	 <b>Conrado D. Pecjo</b> Supply Sector Angeles Power, Inc.
<b>Raul Joseph G. Seludo</b> Transmission Sector National Grid Corporation of the Philippines (NGCP)	<b>Robinson P. Descanzo</b> Market Operator Philippine Electricity Market Corporation (PEMC)
	<p>Certified True and Correct:</p>  <b>Elaine D. Gonzales</b> RCC Secretary PEMC



**Proposed Technical Committee Market Manual**  
**RCC/WESM-WM-11/16**

Original Provision	RCC-Approved Proposed TC Manual 07 March 2012	RCC Revisions 11 April 2012	RCC Remarks
<b>New WESM Manual</b>	<p><b>4.3. Procedures</b></p> <p>4.3.1. Except for the PEM Board and the Department of Energy (DOE), any request for TC Study from other WESM Governance Committees and/or from PEMC shall be submitted to the TC Chairman through the TC Secretariat using the prescribed Request Form. (Annex A)</p> <p>4.3.2. Any request for technical review or study from the trading participants shall be coursed through the PEM Board.</p> <p>4.3.3. In the course of the conduct of its review or study, the TC may coordinate with PEMC and other WESM Governance Committees, if deemed necessary. All meetings or request for information related to the TC activities shall be coursed through the MAG.</p> <p>4.3.4. From time to time, if the TC deems necessary, the Committee shall call for a consultation meeting or series of meetings with the PEMC, WESM Governance Committees or WESM Participants to solicit comments in relation to the studies and other activities being undertaken by the TC.</p> <p>4.3.5. The TC shall inform the requesting party the amount of time it will take them to finish the requested technical study, within a month after receiving the request.</p>	<p><b>4.3. Procedures</b></p> <p>4.3.1. Except for the PEM Board and the Department of Energy (DOE), any request for TC Study from other WESM Governance Committees, <b>and/or</b> from PEMC, <b>and/or trading participants</b> shall be submitted to the TC Chairman through the TC Secretariat using the prescribed Request Form. (Annex A)</p> <p><del>4.3.2 Any request for technical review or study from the trading participants shall be coursed through the PEM Board.</del></p> <p>4.3.2. <b>4.3.6</b> If the requested study falls beyond the Coverage and Scope defined in Section 4.1 of this Manual, the TC shall inform the requesting party through writing of its non-acceptance of the request.</p> <p>4.3.3. <b>4.3.5 If the request is accepted, t</b>The TC shall inform the requesting party the amount of time it will take them to finish the requested technical study, within <b>two a months</b> after receiving the request. <b>If the TC does not communicate its non-acceptance in writing within 45 days from receipt of the request, then it shall be deemed accepted.</b></p> <p>4.3.4. <b>4.3.3</b> In the course of the conduct of its review or</p>	<p>- The RCC noted that the TC Manual already establishes the coverage and scope of study that the TC shall conduct which already serves as the basis upon which the TC may decide whether or not to accept any request for studies. In view of this, the RCC agreed that any request for technical studies from the trading participants shall no longer be coursed through the PEM Board and shall be submitted directly to the TC. Thus, the deletion of Section 4.3.2.</p> <p>- The RCC made further revisions to the Manual to:</p> <p>✓ change the order of the procedures</p>

Original Provision	RCC-Approved Proposed TC Manual 07 March 2012	RCC Revisions 11 April 2012	RCC Remarks
	<p>4.3.6. If the requested study falls beyond the Coverage and Scope defined in Section 4.1 of this Manual, the TC shall inform the requesting party through writing of its non-acceptance of the request.</p>	<p>study, the TC may coordinate with PEMC and other WESM Governance Committees, if deemed necessary. All meetings or request for information related to the TC activities shall be coursed through the MAG.</p> <p>4.3.5. <del>4.3.4</del> From time to time, if the TC deems necessary, the Committee shall call for a consultation meeting or series of meetings with the PEMC, WESM Governance Committees or WESM Participants to solicit comments in relation to the studies and other activities being undertaken by the TC.</p>	<p>✓ extend the period(from one month to two months) within which the TC shall notify the requesting parties the amount of time needed to complete the study, so as to give the TC sufficient time to evaluate the proposal</p> <p>✓ add a condition that if the TC does not communicate its non-acceptance in writing within 45 days from receipt of the request, then the request for study shall be deemed accepted</p>

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**PUBLIC**

## **WESM Manual**

# **Technical Committee Market Manual Issue 1.0**

<b>Abstract</b>	This document establishes the scope, functions and responsibilities of the Technical Committee pursuant to the WESM Rules.
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Document Identity: WESM-TCMM-001

Issue: 1.0

Reason for Issue: Original

Effective Date:

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## Document Approval

Author:	Technical Committee	Date:	27 December 2011
Technical Review:	Rules Change Committee	Date:	
Quality Review:		Date:	
WESM RCC Approval:	Issue 1.0	Date:	
PEMC Board Approval:		Date:	

## Document Change History

Issue No.	Modifier	Date	Synopsis/Reason for Change
1.0	Technical Committee	27 December 2011	New Document

## Related Document

Document ID	Document Title
	WESM Rules
	Guidelines Governing the Constitution of the PEM Board Committees Issue 2.0
	TC Internal Rules, Issue 2.0



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## **1. INTRODUCTION**

### **1.1. Purpose**

This Market Manual sets out the Technical Committees' (TC) roles and responsibilities under the WESM Rules and establishes the scope of the functions of the TC and the procedures to be observed in the conduct of technical studies and reviews by the TC. The general objectives of this Manual are the following:

- (a) Establish the role of the TC in the performance of its functions and responsibilities under the WESM Rules;
- (b) Establish the scope and procedures in assisting the PEM Board by providing expertise in relation to:
  - i. Metering Technology and Metering Data;
  - ii. Information Technology; and
  - iii. Any other matter of a technical nature relating to the spot market;
- (c) Establish the scope, policies and procedures in providing expert support to other WESM Governance Committees, PEMC or market participants;
- (d) Clarify the responsibilities of the TC in proposing amendments to the WESM Rules when identifying technical problems through expertise, market studies and reviews; and
- (e) Clarify the role of the TC regarding its support to the PEM Audit Committee in the conduct of Audit.

### **1.2. Scope**

This Manual covers all related activities and procedures of the TC in accordance with its functions and responsibilities under the WESM Rules. This includes the following:

- (a) All activities and procedures, including the functions, authority and reports of the TC;
- (b) Rules on information confidentiality and disclosure; and
- (c) A description of interactions between the TC and the PEM Board, WESM Governance Committees and other Market Participants in relation to the TC's functions as provided for under the WESM Rules.

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### 1.3. Review and Updates

- 1.3.1. The PEM Board, with the assistance of the TC and MAG, shall maintain this Manual under review, to identify any need for updates and amendments, and accordingly update the same to respond to the evolving needs of the market.
- 1.3.2. Amendment to the provisions of this Manual requires the approval of the PEM Board. After each such approval, the amended Manual shall be published in the Market Information Website. Subject to the Manual of Procedures on Changes to the WESM Rules, the approval of the PEM Board shall specify the date when the amended Manual becomes effective. However, no such amendment and/or change to this Manual shall be retroactively applied.
- 1.3.3. Amendment proposals to this Manual may arise from
- (a) The PEM Board, upon its own initiative or upon a recommendation by other PEM Committees;
  - (b) A WESM Member, the Market Operator, the System Operator, or any party affected by the operations of this Manual; and
  - (c) The Technical Committee in view of:
    - i. Experience, problems or other issues that may arise in the implementation and application of this Manual; or
    - ii. Amendments to the WESM Rules or other Applicable Law, Rules and Regulations; or
    - iii. Conflict of interpretation; and
    - iv. Provisions or parts of this Manual being annulled or declared invalid.
- 1.3.4. Amendment proposals shall be submitted, reviewed and approved in accordance with the procedures in the Rules Change Manual.
- 1.3.5. The responsibility for drafting the amendments occasioned and approved by the above-described circumstances shall lie with –
- (a) The Rules Change Committee regarding amendments to this Manual that are required or otherwise attributable to amendments to the WESM Rules or other Applicable Law, Rules and Regulations; or
  - (b) The TC in all other amendments provided however that the TC may request the assistance of the Rules Change Committee.

## 2. DEFINITIONS, INTERPRETATION AND CONSTRUCTION

### 2.1. Definitions

Unless otherwise defined in this Manual, terms and acronyms used in this Manual shall have the same definition as that in the WESM Rules.

- **Act** means the Republic Act No. 9136 also known as the Electric Power Industry Reform Act (EPIRA), as they may be issued or modified by competent authorities from time to time.
- **Applicable Law, Rules and Regulations** shall include the EPIRA and its Implementing Rules and Regulations, the Philippine Grid Code, the Philippine Distribution Code, the WESM Rules and Market Manuals, the Competition Rules, and such other codes, rules, regulations, issuances related to the WESM, as they may be issued or modified by competent authorities from time to time.
- **Annual Report** means the report of the Technical Committee that presents the results of market studies and reviews and other activities.
- **Distribution Code** refers to a compilation of rules and regulations governing electric utilities in the operation and maintenance of their distribution systems which includes, among others, the standards for service and performance, and defines and establishes the relationship of the distribution systems with the facilities or installations of the parties connected thereto.
- **DMC** refers to the Distribution Management Committee which was established by the ERC to monitor Distribution Code compliance at the operations level and to submit regular and special reports pertaining to the Distribution Operations. It shall also initiate an enforcement process for any perceived violations of Distribution Code provisions and recommend to the ERC the appropriate fines and penalties for such violations.
- **DOE** refers to the Department of Energy, the government agency created pursuant to Republic Act No. 7638.
- **ERC** refers to the Energy Regulatory Commission, the independent quasi-judicial regulatory body created by the EPIRA.
- **Grid Code** refers to the set of rules and regulations governing the safe and reliable operation, maintenance and development of the high voltage backbone transmission system and its related facilities;
- **GMC** refers to the Grid Management Committee which was established by the ERC to monitor Grid Code compliance at the operations level and to submit regular and special reports pertaining to the Grid Operations. It shall also initiate an enforcement process for any perceived violations of Grid Code provisions and recommend to the ERC the appropriate fines and penalties for such violations.
- **Independent** means a person that is considered as independent of the Philippine electric power industry, in accordance with the criteria set forth in WESM Rule 1.4.2.7.
- **Market Manual** means a manual of specific procedures, systems and protocols for the implementation of the WESM Rules and for the PEM Committees.



- **Market Manual Website** means the website that the PEM Board assigns for the publication of the Market Manuals and that can be accessed by WESM members.
- **Manual** refers to this Technical Committee Market Manual.
- **Market Information Website** means the website for the publication of information and results of the WESM established in accordance with the WESM Rules.
- **Market Surveillance Committee (MSC)** refers to the PEM Committee appointed by the PEM Board to monitor and report on activities in the spot market in accordance with the Market Surveillance Market Manual.
- **Metering Services Provider** refers to a person or entity authorized by the ERC to provide metering services and registered with the Market Operator in that capacity in accordance with clause 2.3.6 of the WESM Rules.
- **PEM Auditor** refers to the auditor appointed by the PEM Board under clause 1.4.6 to undertake functions set out in clause 1.5.
- **PEM Board** refers to the Board of Directors of the PEMC that is responsible for governing the WESM.
- **PEM Committee** refers to a Committee duly provided for under the WESM Rules and such other committees created by the PEM Board from time to time, including for purposes of this Manual, the PEM Auditor, the Technical Committee and the MSC.
- **PEMC** refers to the Philippine Electricity Market Corporation, a non-stock, non-profit public-private partnership that governs the wholesale electricity spot market (WESM).
- **PEMC Charter** refers to the Articles of Incorporation and By-Laws of the PEMC, as approved by the Securities and Exchange Commission on 18 November 2003, and as they may be amended from time to time.
- **Rules** denote the WESM Rules.
- **Rules Change Committee** refers to the committee established by WESM Rule 8.2 to review and propose amendments to the WESM Rules.
- **System Operator** refers to the party identified as the System Operator pursuant to the Grid Code which is the party responsible for generation dispatch, the provision of ancillary services, and operation and control to ensure safety, power quality, stability, reliability and security of the grid.
- **Technical Committee** refers to the group of persons appointed by the PEM Board to monitor and review technical matters under and in relation to the WESM Rules, the Grid Code and Distribution Code, in accordance with WESM Rule 1.7.
- **Trading Participant** is a person or entity registered with the Market Operator in accordance with WESM Rule 2.3.3 as either a customer or a generation company;
- **WESM Objectives** refers to the objectives of the spot market as defined in WESM Rule 1.2.5.
- **WESM Member** means a person who is registered with the Market Operator in accordance with WESM Rules 2.3 and 2.4, and that includes Trading Participants, Metering Services Providers, Network Service Providers, Ancillary Services Providers and the System Operator.



## **2.2. Interpretation and Construction**

2.2.1. Any Annex to this Manual shall be considered an integral part hereof.

2.2.2. Any reference to "this Market Manual " or "this Manual" is a reference to the whole of this TC Market Manual, including all its Annexes.

2.2.3. The singular includes the plural and vice versa.

2.2.4. The words "such as", "include", "including", "for example" and "in particular" shall be construed as being by way of illustration or emphasis only and shall not limit or prejudice the generality of any foregoing words.

2.2.5. Headings in this Manual are for convenience only and shall not affect the construction and interpretation of the provisions of this Manual.

2.2.6. Any reference to any law, regulation made under any law, rules or codes shall be to that item as amended, modified, revised or replaced from time to time.

2.2.7. Unless otherwise stated or contextually inherent, any reference to a numbered rule corresponds to that clause in the WESM Rules.

2.2.8. The provisions in this Manual, the WESM Rules and other Market Manuals shall be read, construed and interpreted in such a manner as to harmonize and reconcile each and every provision thereof. In the event of inconsistency, the WESM Rules shall prevail.

2.2.9. Should any provision of this Manual be declared invalid or nullified by any court or authority of competent jurisdiction, the other provisions not affected by the declaration of invalidity or nullity shall continue to be in full force and effect.

2.2.10. If part of a provision of this Manual be invalidated or nullified by any court or authority of competent jurisdiction, but the rest of such provision would remain valid if part of the wording were deleted, the provision shall apply with such minimum modification as may be:

- (a) Necessary to make it valid and effective; and
- (b) Most closely achieves the result of the original wording but without affecting the meaning or validity of any other provision of this Manual.

### 3. THE TECHNICAL COMMITTEE

#### 3.1. Responsibilities

3.1.1. The TC shall primarily assist the PEM Board and the Department of Energy (DOE) in the formulation of policies that will help the achievement of the WESM objectives of establishing a sustainable, competitive, efficient, transparent and reliable market for electricity where:

- (a) An atmosphere of transparency and fair competition exists among WESM Members;
- (b) Trading of electricity is facilitated among WESM Member within the spot market;
- (c) Qualified third parties are granted Open Access to the power system in accordance with the EPIRA;
- (d) Prices are governed as far as practicable by commercial and market forces; and
- (e) Efficiency is encouraged.

3.1.2. In addition to its obligations and functions under the Grid Code and Distribution Code (if any), the Technical Committee shall from time to time as necessary and appropriate, and whenever the *PEM Board* directs:

- (a) Monitor technical matters relating to the operation of the *spot market*;
- (b) Provide a report to the *PEM Board* on any matter of a technical nature relating to any WESM *member* which in the reasonable opinion of the Technical Committee, causes:
  - i. That *WESM Participant* to be unable to comply with the *WESM Rules*; or
  - ii. Unintended or distortionary effects to the operation of the *WESM*;
- (c) Assist the *PEM Board* by providing expertise in relation to:
  - i. *Metering* technology and *metering data*;
  - ii. Information technology; and
  - iii. Any other matter of a technical nature relating to the *spot market*;
- (d) From time to time if the Technical Committee in its discretion deems necessary or appropriate, propose amendments to the *WESM Rules* in relation to technical matters, in accordance with chapter 8 of the WESM Rules with a view to:
  - i. Improving the efficiency and the effectiveness of the operation of the *spot market*; and

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- ii. Improving or enhancing the prospects for the achievement of the *WESM* objectives; and
  - (e) Assist the *Rules Change Committee* in relation to its assessment of Proposals of a technical nature to amend the *WESM Rules* under Chapter 8.
- 3.1.3. Upon request, provide the PEM Board with recommendations on the technical adequacy of reports, procedures and strategic proposals referred to the committee;
- (a) Assist the PEM Board committees or PEMC in any request for technical reviews and studies deemed to be under the expertise of the TC;
  - (b) Assist the PEM Audit Committee in the conduct of Audits in matters needing its technical expertise; and
  - (c) Assist the trading participant for any technical related request in accordance with Section 4 of this Manual.

### **3.2. Selection and Appointment**

The selection and appointment of the TC members shall be in accordance to the WESM Manual on Guidelines Governing the Constitution of the PEM Board Committees, Issue 2.0.

### **3.3. Reports**

- 3.3.1. The TC shall prepare an Annual Report to be submitted to the PEM Board not later than three (3) months from the end of the calendar year. The report shall cover the Committee's accomplishments and pending issues and activities for the stated period. It shall also include the work plan of the Committee for the succeeding calendar year.
- 3.3.2. As necessary and appropriate or whenever the Board directs, the TC shall submit a report to the Board in relation to its responsibilities specified under Section 3.1 of this Manual.

### **3.4. Publication**

- 3.4.1. The TC shall publish its report and other activities in the WESM information website. The version of reports for publication should take into account the provision under Section 6 of this Manual.



- 3.4.2. Reports that require approval or confirmation by the PEM Board shall be published only upon approval of the Board.

#### **4. REVIEW OF TECHNICAL MATTERS**

##### **4.1. Coverage and Scope**

The TC shall conduct technical reviews and studies in relation to:

- (a) Power plant technical parameters;
- (b) Transmission technical parameters;
- (c) Metering technology and metering data;
- (d) Information technology;
- (e) Matters of technical nature that led to non-compliance of any WESM Participant, and/or distortionary effects to the WESM operation;
- (f) Improvements and new trends in technology relating to the WESM that may enhance efficiency and effectiveness of the operation of the spot market and the prospects for the achievement of the WESM objectives; and
- (g) Any other matter of a technical nature relating to the spot Market.

##### **4.2. Nature of Review/ Study**

In accordance to Section 4.1.1 of this Manual, the TC shall undertake requests for technical review or study which may be of the following nature:

- (a) Rules/Manual Review;
- (b) Incidents /Case Study;
- (c) Position paper; and
- (d) Other nature of request that the requesting party specifies.

##### **4.3. Procedures**

- 4.3.1. Except for the PEM Board and the Department of Energy (DOE), any request for TC Study from other WESM Governance Committees, from PEMC, and/or trading participants shall be submitted to the TC Chairman through the TC Secretariat using the prescribed Request Form. (Annex A)
- 4.3.2. If the requested study falls beyond the Coverage and Scope defined in Section 4.1 of this Manual, the TC shall inform the requesting party through writing of its non-acceptance of the request.
- 4.3.3. If the request is accepted, the TC shall inform the requesting party the amount of time it will take them to finish the requested technical study, within two months after receiving the request. If the TC does not communicate its non-

acceptance in writing within 45 days from receipt of the request, then it shall be deemed accepted.

4.3.4. In the course of the conduct of its review or study, the TC may coordinate with PEMC and other WESM Governance Committees, if deemed necessary. All meetings or request for information related to the TC activities shall be coursed through the MAG.

4.3.5. From time to time, if the TC deems necessary, the Committee shall call for a consultation meeting or series of meetings with the PEMC, WESM Governance Committees or WESM Participants to solicit comments in relation to the studies and other activities being undertaken by the TC.

## **5. ACCESS TO INFORMATION AND DATA MANAGEMENT**

5.1. To perform its functions and achieve its objectives, the TC shall have the authority to request and access any relevant data, information, report or document that a WESM Member, Market Operator and System Operator may have in its possession.

5.2. A request for information by the TC shall:

- (a) Be in writing;
- (b) Indicate the reason of the request;
- (c) Specify the document or information requested and, when applicable the format;
- (d) Specify reasonable time within which the information must be provided; and
- (e) Provide other relevant information or clarification to ensure that the Recipient understands the request.

## **6. CONFIDENTIALITY AND DISCLOSURE OF INFORMATION**

6.1. The disclosure of information by the TC shall be guided by the provisions under the WESM Rules and applicable Market Manual.

6.2. The TC shall disclose true and complete information and correct mistakes immediately. If any information disclosed is found to be false, incomplete, or misleading, the TC must immediately take steps to correct it.

6.3. The TC may disclose information in certain circumstances:

- (a) Information that is not confidential may be disclosed such as information that is generally and publicly available;

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- (b) Confidential information on the basis of a formal undertaking by the recipient that the information will not be disclosed to another person and that the information will only be used for the purpose for which it was provided in the following circumstances:
    - i. To an external professional adviser, auditor or other consultant of the TC for the purpose of carrying out its functions;
    - ii. If it is necessary in order to fulfill the lawful requirements of or is in connection with, legal proceedings, arbitration, expert determination or other dispute resolution mechanisms relating the WESM Rules;
  - (c) Confidential information on the basis that:
    - i. It has written consent of the person or entity who provided the information and from the person or persons about whom that information relates; and
    - ii. It is required to the extent to protect the safety of personal, equipment or the market.
- 6.4. Except for the approved Highlights of TC Meetings, the disclosure of Committee information or other documents such as but not limited to the TC Minutes of Meeting, used by the TC in the course of its discussions may only be shared by a TC Member with the company it represents upon the approval of the TC Chairman.
- 6.5. If deemed necessary, the TC may come up with a public version of its reports to ensure that confidential reports or information are not disclosed.
- 6.6. If a WESM Member, the SO, or the MO marks or claims that a document or information requested is confidential then:
- (a) The party shall provide the TC with the reasons that justify such confidentiality treatment; and
  - (b) TC will review the confidentiality claim and if the claim is valid, the requirements for protection of such document or information, as may be necessary to ensure the confidentiality and commercial value.

## **7. LIMITATION OF LIABILITY AND INDEMNIFICATION**

- 7.1. In performing its functions and responsibilities as contained in this Manual, the TC shall not be personally liable for any loss or damage suffered or incurred by a WESM Member, the System Operator, the Market Operator or any other person as a consequence of any act or omission of those persons in the





performance of their functions unless the TC, as the case may be, acted with malice, manifest partiality, bad faith, gross incompetence or gross negligence.

7.2. Except for liability arising out of conduct involving malice, manifest partiality, bad faith, gross incompetence or gross negligence, if the TC is made liable to pay any amount for loss or damage suffered or incurred by any person or entity as a consequence of any of its acts or omissions in the performance of its duties, the PEMC shall indemnify said persons through an indemnification process to be developed by the PEM Board. Said indemnification shall cover:

- (a) The full amount adjudged; and
- (b) The costs and expenses incurred by the member of the TC, as applicable, in defending itself in the related proceeding(s).



**APPENDIX A. REQUEST FOR TECHNICAL STUDY/REVIEW FORM**

TC-RSTR FORM A

TC-RSTR-2011-[request no. for the year]

**REQUEST FOR TECHNICAL STUDY/ REVIEW**

Requests made only under this prescribed form shall be accepted and considered as submitted.

This request for technical study or review can be submitted to:

**TECHNICAL COMMITTEE**

Thru: **Market Assessment Group**  
Philippine Electricity Market Corporation  
18/F Robinsons Equitable Tower  
ADB Avenue, Ortigas Center  
Pasig City, 1605 Philippines  
Email addresses: mag@wesm.ph  
Fax Number: (+632) 395-2704

**I. Requesting Party**

Name	
Designation	
Signature	
Company	
Company Address	
Telephone Number	
Fax. No.	
Email address	

*Just*



## **II. Request Information**

Topic
Nature of Request <i>(please indicate with x)</i> <input type="checkbox"/> Rule/ Manual Review <input type="checkbox"/> Incidents/Case Study <input type="checkbox"/> Position Paper <input type="checkbox"/> Others Please Specify : _____
Details of the Request: <i>Please provide the purpose, scope and details of the study/review. Attach supporting documents if any. Use additional sheets if necessary.</i>
Urgent Request : <input type="checkbox"/> Yes <input type="checkbox"/> No

Date Received by MAG:

*2/1/14*





**For MAG use only**

TC-RSTR FORM B

TC-RSTR-[year]\_[request no. for the year]

Date of Endorsement to the TC:

Actions Taken By TC:

TC Resolutions: