

Republic of the Philippines
ENERGY REGULATORY COMMISSION
Pasig City

RESOLUTION NO. 12, Series of 2026

**A RESOLUTION HOLDING IN ABEYANCE THE ISSUANCE OF
THE ERC RESOLUTION SETTING THE ANNUAL INSTALLED
GENERATING CAPACITY PER GRID AND NATIONAL GRID AND
THE MARKET SHARE LIMITATIONS PER GRID AND THE
NATIONAL GRID**

WHEREAS, pursuant to Section 45 (a) of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 (EPIRA) and Section 4 (a), Rule 11 of its Implementing Rules and Regulations (IRR), the Energy Regulatory Commission (ERC) formulated and adopted the “Guidelines for the Determination of Installed Generating Capacity in a Grid and the National Installed Generating Capacity and Enforcement of the Limits of Concentration of Ownership, Operation or Control of Installed Generating Capacity” (MSL Guidelines) in its Resolution No. 26, Series of 2005;

WHEREAS, the subject MSL Guidelines, took effect on 22 February 2006;

WHEREAS, the ERC issues a Resolution every 15th day of March, setting the Installed Generating Capacity (IGC) and the Market Share Limitation (MSL) per Grid and for the National Grid based on the submitted Generation Company Management Reports by the generation companies and other entities required to submit;

WHEREAS, the ERC issued Resolution No. 14, Series of 2025, entitled, “A Resolution Setting the Adjusted Installed Generating Capacity and Market Share Limitation per Grid and National Grid for 2025”, setting the adjusted 2025 IGC and MSL as of 25 July 2025;

WHEREAS, the ERC issued Resolution No. 06, Series of 2026, entitled, “A Resolution Clarifying ERC Resolution No. 17, Series of 2025 or the Amendments to the Public Offering Requirement (POR) Guidelines, and ERC Resolution No. 26, Series of 2005 or the Market Share Limitation (MSL) Guidelines” on the requirement to submit unredacted Shareholder’s Agreement (SHA) and Share Subscription Agreement (SSA);

WHEREAS, the ERC finds it necessary to conduct further analysis and review of the submitted unredacted SHAs and SSAs to properly address issues in the determination of the market share of a person or entity covered by the MSL per Grid and the National Grid in accordance with Section 45(a) of EPIRA;

NOW, THEREFORE, the Commission, pursuant to its mandate to promote free and fair competition in the generation and supply of electricity to achieve greater operational and economic efficiency and to ensure consumer protection and enhance the competitive operation of the market, hereby **RESOLVES**, to **HOLD IN ABEYANCE** the issuance of the annual resolution setting the Installed Generating Capacity (IGC) and Market Share Limitations (MSL) per Grid and for the National Grid until 30 June 2026.

This Resolution shall take effect immediately following its publication in a newspaper of general circulation, or in the Official Gazette.

Let copies of this Resolution be furnished to the University of the Philippines Law Center-Office of the National Administrative Register (UPLC-ONAR) and all industry stakeholders, as well as published on the ERC website and such other online platforms available to the ERC.

SO ORDERED.

Pasig City. April 06, 2026.



FRANCIS SATURNINO C. JUAN
Chairperson and CEO



FLORESINDA G. BALDO-DIGAL
Commissioner



MARKO ROMFO L. FUENTES
Commissioner



AMANTE A. LIBERATO
Commissioner



PARIS G. REAL
Commissioner

MOS: PAOL / CMTB / SOM

**Deliberated and approved during the 25 March 2026 Commission Meeting.*