



Republic of the Philippines  
PROVINCE OF PANGASINAN  
Lingayen  
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## OFFICE OF THE SANGGUNIANG 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 January 8, 2024 at the Session Hall, Capitol Building, Lingayen, Pangasinan, the following provincial resolution was approved:*

Authored by SP Member Vici M. Ventanilla

### PROVINCIAL RESOLUTION NO. 3-2024

**AUTHORIZING THE PROVINCIAL GOVERNOR, RAMON V. GUICO III, TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH UNIVERSAL POWER SOLUTIONS, INC. (UPS) 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)**

**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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*Provincial Resolution No. 3-2024*

*Page 2*

**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 Province of Pangasinan is entitled to a benefit indicated in ER1-94 for the operation of 50mw Battery Energy Storage System Facility in San Manuel, Pangasinan by San Miguel Global Power, through its subsidiary Universal Power Solutions, Inc. (UPS), for its share in the Development and Livelihood Fund (DLF) and Reforestation, Watershed Management, Health and/or Environment Enhancement Fund (RWMHEEF);

**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 DLF and RWMHEEF on the accrued financial benefits from the commercial operations of the said Battery Energy Storage System Facility;

**WHEREAS**, the Province of Pangasinan shall be responsible for the opening and maintenance of the DLF and RWMHEEF Trust Accounts under the following account names:

HB-GenCo/ERD-DLF (ER 1-94)  
HB-GenCo/ERD-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 Universal Power Solutions, Inc., represented Ms. Elenita D. Go and Paul Bernard D. Causon;

**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 a Memorandum of Agreement with Universal Power Solutions, Inc. (UPS) 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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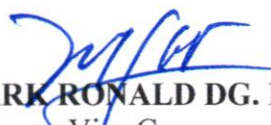
*Provincial Resolution No. 3-2024*  
*Page 3*

**RESOLVED FINALLY**, to furnish copies of this resolution to the Honorable Governor, Ramon V. Guico III, Province of Pangasinan, and Ms. Elenita D. Go and Paul Bernard D. Causon, Universal Power Solutions, Inc., for their information and guidance.

CERTIFIED BY:

  
**VERNA T. NAVA-PEREZ**  
*Secretary to the Sanggunian*

ATTESTED:

  
**MARK RONALD DG. LAMBINO**  
Vice Governor  
*(Presiding Officer)*