INVITATION TO PARTICIPATE AS CSP OBSERVER

In accordance with Section 9, Article IV of the Energy Regulatory Commission's Resolution No. 16, Series of 2023 entitled "***Implementing Guidelines for the Procurement, Execution, and Evaluation of Power Supply Agreements entered into by Distribution Utilities for the Supply of Electricity to their Captive Market***" (the "CSP Guidelines"), the Bids and Awards Committee – Power Supply Agreements (BAC-PSA) of Manila Electric Company (MERALCO) is opening the procurement proceedings for its **260 MW (net) power supply requirement for Contract Period from 26 February 2024 ("CSP")** to the following entities or groups:

(a) Consumer representatives from the Department of Trade and Industry (DTI)-accredited consumer groups or from the Securities and Exchange Commission (SEC)-registered consumer groups;

(b) Community representatives, such as the local chamber of commerce, homeowners associations, local pastoral councils, academe, parent-teachers associations; and

(c) Interested civil society organization and consumers.

The above identified entities or interested consumers shall inform MERALCO's BAC-PSA of its/his/her interest to participate as observer (the "**CSP Observer**") by delivering a completed copy of the **Letter of Interest to Participate as CSP Observer** attached hereto as **Annex "A"** to Lopez Building, Meralco Center, Ortigas Ave., Pasig City, addressed to: Manila Electric Company Bids and Awards Committee – Power Supply Agreements, Attention: Atty. Raymond B. Yap, BAC-PSA Secretariat, or through the BAC-PSA Secretariat's email address: BACPSASecretariat@meralco.com.ph, no later than **4:00 P.M**. of **15 January 2024**.

The above identified entities or interested consumers shall also execute and deliver a **Sworn Undertaking** attached hereto as **Annex "B"** to Lopez Building, Meralco Center, Ortigas Ave., Pasig City, addressed to: Manila Electric Company Bids and Awards Committee – Power Supply Agreements, Attention: Atty. Raymond B. Yap, BAC-PSA Secretariat, no later than **4:00 P.M.** of **15 January 2024**.

For orderly conduct and administrative efficiency of the CSP Proceedings, only the first two groups/entities/consumers for each category identified in paragraphs (a) to (c) above which/who successfully complete the requirements by the stated deadline shall be given access to the scheduled meetings of the CSP as published in the Invitation to Bid/Terms of Reference.

Other interested groups/entities/consumers can observe the proceedings through the social media live stream via the link that will be posted in MERALCO's website < *https://company.meralco.com.ph/csp/ongoingbids*>.

Annex "B"

REPUBLIC OF THE PHILIPPINES }
CITY OF _____ }

CSP OBSERVER
SWORN UNDERTAKING OF COMPLIANCE
TO THE ENERGY REGULATORY COMMISSION'S
RESOLUTION NO. 16, SERIES OF 2023

I, **_____,** of legal age, Filipino**, [single/married**] and residing at [_____], after having been duly sworn to in accordance with law, depose and state that:

1. I am [an individual consumer within the franchise area of MERALCO/ a duly authorized representative of (indicate name of consumer representative group/ civil society organization), as evidenced by _____ herein attached as Annex "A"];

2. I am a CSP Observer of MERALCO's Competitive Selection Process (CSP) for its [____] MW power supply requirement;

3. I have read and understood the guidelines set forth in Resolution No. 16, Series of 2023, entitled "*Implementing Guidelines for the Procurement, Execution, and Evaluation of Power Supply Agreements entered into by Distribution Utilities for the Supply of Electricity to their Captive Market*" (the "**CSP Guidelines**") issued by the Energy Regulatory Commission;

4. **Pursuant to the requirement laid down in Article IV, Section 9 of the CSP Guidelines,[1] I hereby undertake that I will strictly adhere to ERC's CSP Guidelines, such as not file any suit or action while the CSP is underway,[2] and inform the Bids and Awards Committee in writing if I am not available to attend any of the CSP stages;[3]**

5. **I shall only witness the proceedings, do not have the right to vote, and will not participate or act in any way that may delay the conduct of the CSP;** and

6. I am executing this Sworn Undertaking to attest to the truth of the foregoing and for whatever purpose it may serve.

IN WITNESS HEREOF, I have hereto set my hand this _____ day of _____, 20___, at _____.

_____
[Name of Affiant]

SUBSCRIBED AND SWORN to before me **NOTARY PUBLIC** for and within _____, Philippines this ___ day of _____ 2024, affiant exhibiting to me his _____, with ID No. _____, valid until _____, as proof of his identity.

Doc. No._____;
Page No._____;
Book No._____;
Series of 2024.

---

1 "Section 9. **CSP Observers.** xxx All CSP Observers shall execute a sworn undertaking that they will strictly adhere to these Guidelines".

2 "Section 19. **Effect of Protest**. [N]o suit or action shall be filed by the CSP Observers while the CSP is underway."

3 "Section 9. **CSP Observers**. xxx If the CSP Observer is not available in any of the CSP stages, the concerned entity or interested customer shall inform the BAC in writing and may send an alternate, provided the alternate is familiar with the ongoing CSP process. xxx"

ANNEX "A"

LETTER OF INTEREST TO PARTICIPATE AS CSP OBSERVER
(FOR INTERESTED CONSUMER)

I, (indicate name of consumer), of legal age, (indicate citizenship), [single/married] and residing at (indicate address of consumer), am an individual consumer within the franchise area of MERALCO.

I am interested to participate as a CSP Observer of MERALCO's Competitive Selection Process for its **260 MW (net) power supply requirement for Contract Period from 26 February 2024 ("CSP")**.

My designated email address for all notices/communications and/or meetings in connection with my participation as CSP Observer for this CSP is (indicate email address).

_____
[NAME AND SIGNATURE OF INTERESTED CONSUMER]

LETTER OF INTEREST TO PARTICIPATE AS CSP OBSERVER
(FOR CONSUMER REPRESENTATIVE GROUP/ COMMUNITY GROUP/CIVIL SOCIETY ORGANIZATION)

I, (indicate name of consumer representative group/community group/ civil society organization) is interested to participate as a CSP Observer of MERALCO's Competitive Selection Process for its **260 MW (net) power supply requirement for Contract Period from 26 February 2024 ("CSP")**.

In accordance with Section 9, Article IV of the Energy Regulatory Commission's Resolution No. 16, Series of 2023, the (indicate name of consumer representative group/ community group/ civil society organization) is hereby authorizing (indicate name of authorized representative), of legal age, (indicate citizenship), [single/married] and residing at (indicate address of authorized representative), as its duly authorized representative/ designated CSP Observer as evidenced by ___ attached herein as Annex "A".

My designated email address for all notices/communications and/or meetings in connection with my participation as CSP Observer for this CSP is (indicate email address).

_____
[AUTHORIZED SIGNATORY OF CONSUMER GROUP/COMMUNITY GROUP/ CIVIL SOCIETY ORGANIZATION]