

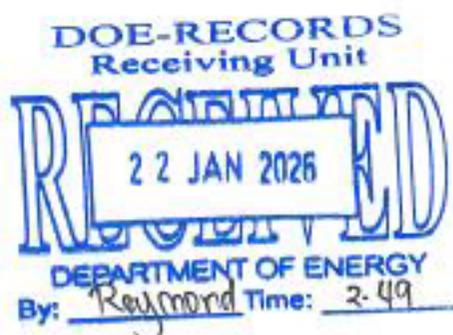


National Association of Electricity Consumers for Reforms, Inc.
(NASECORE)
Unit 226 Roxas Seafront Garden, Roxas blvd. cor. Ortigas st., Pasay City Philippines
Mobile: 09178461299; Email: nasecore.net@gmail.com
Website: www.nasecore.net

21 January 2026

HON. SHARON S. GARIN

Secretary
Department of Energy
Chairperson, NEA Board of Administrators
Energy Center, Rizal Drive, 34th Street
Taguig City, Metro Manila



Subject: Follow-Up on 12 January 2026 Letter – DOE Oversight of EPSAs vis-à-vis Power Supply Procurement Programs and EPIRA Compliance

Dear Secretary Garin,

Good day.

We respectfully write to **follow up our letter dated 12 January 2026**, entitled *"Request for Immediate DOE-NEA Intervention to Prevent Consumer Harm from Renewed High WESM Prices Amid Delays in EPSA Processing,"* wherein we **expressly requested a written response or action from the Department within five (5) to seven (7) working days**, in view of the immediate and continuing impact of elevated Wholesale Electricity Spot Market (WESM) prices on electricity consumers. To date, we have not received any written response, advisory, or clarification from the Department on the matters raised therein.

In light of the foregoing, and in order to ensure clarity of policy direction, regulatory coherence, and effective inter-agency coordination, we respectfully reiterate and seek confirmation or clarification from the Department of the following understandings:

1. **Emergency Power Supply Agreements (EPSAs) are temporary and exceptional measures**, intended solely to address short-term supply exigencies, and **cannot replace or serve as substitutes for regular Power Supply Agreements (PSAs) procured through a Competitive Selection Process (CSP);**

2. **EPSAs do not amend, override, or supplant the Power Supply Procurement Program (PSPP)** of a Distribution Utility (DU), including Electric Cooperatives, which is submitted to the Department of Energy as part of long-term supply planning and in compliance with the Electric Power Industry Reform Act (EPIRA);
3. **Under EPIRA, the Department of Energy is the supervising agency mandated to ensure a reliable, stable, secure, and affordable supply of electricity**, which necessarily includes **the monitoring of the issuance, duration, and regulatory processing of EPSAs** to ensure consistency with approved procurement programs and the least-cost mandate.

From this standpoint, we respectfully submit that active, consistent, and transparent DOE monitoring is indispensable to ensure that:

1. EPSAs are issued only under genuine and demonstrable emergency conditions;
2. EPSAs remain strictly time-bound and transitional in nature;
3. DUs and Electric Cooperatives continue to comply with their approved Power Supply Procurement Programs; and
4. CSP-procured PSAs remain the governing framework for least-cost, transparent, and competitive power supply.

In line with the foregoing, we respectfully request that the Department **furnish us a copy of its monitoring records of all Emergency Power Supply Agreements (EPSAs) issued by the DOE covering calendar years 2024 and 2025**, so that we may better understand how the Department has been responding to situations that could defeat the very purpose of EPSA issuances, particularly where emergency arrangements risk becoming prolonged or inconsistent with approved Power Supply Procurement Programs and the least-cost mandate.

Specifically, we respectfully request that such monitoring records indicate, at a minimum:

1. the **Distribution Utility or Electric Cooperative concerned**;
2. the **date and period of issuance** of each EPSA;
3. the **capacity and supply coverage** involved;
4. the **corresponding dates when each EPSA was filed with, and acted upon by, the Energy Regulatory Commission (ERC)** for approval; and
5. **Confirmation that the Department has issued, or will issue, appropriate show cause orders** to the regulated entities that are recipients or beneficiaries of EPSAs which were **not filed with the ERC within the period consistent with the emergency purpose** for which the EPSA was granted, together with **copies of the written explanations or replies** submitted by such regulated entities in response thereto.

We respectfully submit that the availability and disclosure of this information form part of the Department's supervisory and monitoring mandate under EPIRA, and are

essential to ensuring regulatory discipline, accountability, and consumer protection, particularly during periods of market stress and elevated WESM prices.

This follow-up is submitted in a constructive spirit, consistent with our continuing advocacy for consumer welfare, regulatory transparency, and faithful implementation of EPIRA. Given the exigency of electricity service and its immediate impact on the public, we respectfully look forward to the Department's soonest written reply.

Thank you for your attention and continued public service.

Very truly yours,



PETRONILO "PETE" L. ILAGAN
President

Copy furnished:

His Excellency, President Ferdinand R. Marcos Jr.

Hon. Ralph Recto, Executive Secretary

Hon. Vicente "Tito" Sotto, Senate President

Hon. Faustino "Bojie" Dy III, Speaker of the House of Representatives