



Republic of the Philippines
DEPARTMENT OF ENERGY
(Kagawaran ng Enerhiya)

DEPARTMENT ORDER NO. DO2022-08-0012

CREATING A SPECIAL ADVISORY PANEL ON LEGAL MATTERS

WHEREAS, Republic Act No. 7638 otherwise known as the “Department of Energy Act of 1992” created the Department of Energy (DOE) to carry out the declared policies of the State (a) to ensure a continuous, adequate and economic supply of energy with the end in view of ultimately achieving self-reliance in the country’s energy requirements through the integrated and intensive exploration, production, management, and development of the country’s indigenous energy resources, and through judicious conservation, renewal and efficient utilization of energy to keep pace with the country’s growth and economic development, and taking into consideration the active participation of the private sector in the various areas of energy resource development, and (b) to rationalize, integrate and coordinate the various programs of the Government towards self-sufficiency and enhanced productivity in power and energy without sacrificing ecological concerns.

WHEREAS, Republic Act No. 9136 otherwise known as the “Electric Power Industry Reform Act of 2001” declared the policies of the State to, among others (a) ensure the quality, reliability, security and affordability of the supply of electric power; (b) assure socially and environmentally compatible energy sources and infrastructure; (c) promote the utilization of indigenous and new and renewable energy resources in power generation in order to reduce dependence on imported energy, and (d) encourage the efficient use of energy and other modalities of demand side management.

WHEREAS, to support the country’s goals for energy security and self-sufficiency, accessible and affordable energy, and a well-managed transition to a low-carbon future that places the Filipino people’s welfare at its core, a number of critical legal and law-related decisions affecting the present and future generations require to be addressed in the energy sector.

WHEREAS, to help insure that the policy recommendations from the DOE to the President and the Congress of the Philippines are fully grounded on the Constitution and on sound legal principles, the Secretary of Energy proposes to establish a panel of distinguished Senior Legal Advisors from the private sector, to be called the Law and Energy Advisory Panel, primarily to advise the DOE on energy law reform and various energy-related legal matters.

NOW, THEREFORE, in consideration of the foregoing premises, it is hereby ordered that a panel of distinguished Senior Legal Advisors from the private sector, to be called the Law and Energy Advisory Panel, be created.

1. Terms of Reference.

- 1.1 The Advisory Panel shall advise the DOE on various energy-related reform initiatives and legal matters including the promotion of indigenous as well as low-carbon sources of energy.
- 1.2 The Advisory Panel shall advise the DOE on the objectives, content and overall substance of the legislative agenda for the energy sector.
- 1.3 The Advisory Panel shall advise the DOE on improving its legal processes to achieve its mandate to improve the people's welfare in the energy sector and to encourage investments specially from the private sector toward ensuring affordable, sufficient and sustainable supply of energy.
- 1.4 At the request of the Secretary of Energy and subject to the Advisory Panel's consent, the Advisory Panel shall perform such other advisory functions as the Advisory Panel deems proper.
- 1.5 At the invitation of the Secretary of Energy, the Advisory Panel or any of its members may assist the DOE in communicating any aspect of the DOE's legal or policy initiatives which have been the subject of the Advisory Panel's advice.
- 1.6 The DOE will provide the Advisory Panel with ad hoc support staff.
- 1.7 The Advisory Panel shall meet at such date and time as the members shall agree. The Advisory Panel's meetings shall be held in person or virtually at the option of the members. At the Advisory Panel's request, the DOE shall provide the facilities for virtual or in-person meetings.
- 1.8 The Advisory Panel's function shall be advisory to the DOE. All legal responsibility for DOE decisions shall remain with the DOE, including those based on the advice of the Advisory Panel.

2. The Advisory Panel will be composed of the following:

- 2.1 Retired Chief Justice Artemio V. Panganiban
- 2.2 Retired Chief Justice Reynato S. Puno

The members of the Advisory Panel will serve as private citizens.

This Order shall take effect upon signing and shall remain in full force and effect unless and until modified or otherwise revoked in writing by a competent authority.

Signed at the Energy Center, Rizal Drive, Bonifacio Global City, City of Taguig, this ____ day of August 2022.



RAPHAEL P.M. LOTILLA
Secretary

AUG 25 2022