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SENATE
P.S. RES. No. 42

RECEIVED BY: 

Introduced by Senator WIN GATCHALIAN

A RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION ON THE COUNTRY'S ENERGY TRANSITION PLAN, OR LACK THEREOF, IN RELATION TO THE DEPARTMENT OF ENERGY'S MORATORIUM ON GREENFIELD COAL POWER PLANTS WITH THE END IN VIEW OF DEVELOPING AND ENSURING AN EQUITABLE, SECURE, AND SUSTAINABLE ENERGY TRANSITION

1 WHEREAS, it is the policy of the State to: i) enhance productivity in power
2 energy without sacrificing ecological concerns under Section 2 Republic Act No. (RA)
3 7638 or the Department of Energy Act 1992; ii) promote the utilization of indigenous
4 and new and renewable energy resources in power generation under Section 2(h) of
5 RA 9136 or the Electric Power Industry Reform Act of 2001; and iii) utilize renewable
6 energy resources as tools to reduce harmful emissions under Section 2(c) of RA 9513
7 or the Renewable Energy Act of 2008.

8 WHEREAS, energy transition is defined as "a transformation of the global energy
9 sector from fossil-based systems of energy production and consumption to renewable
10 energy sources."¹

11 WHEREAS, according to International Renewable Energy Agency (IRENA), energy
12 transition is "a pathway toward transformation of the global energy sector from fossil-
13 based to zero-carbon by the second half of this century."² It is necessary to reduce
14 energy-related Carbon Dioxide (CO₂) to limit climate change.³

¹ Energy Transition. S&P Global. 4 February 2020. Available at <https://www.spglobal.com/en/research-insights/articles/what-is-energy-transition>. Accessed on 7 January 2021.

² Energy Transition. IRENA. Available at <https://www.irena.org/energytransition>. Accessed 7 January 2021.

³ Id.

1 WHEREAS, on 12 December 2015, 196 parties entered into Paris Agreement, an
2 international treaty on climate change.⁴ Article 2(1)(a) of the Paris Agreement provides that
3 its purpose among others, is “[h]olding the increase in the global average temperature to
4 well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature
5 increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce
6 the risks and impacts of climate change.”⁵ To achieve this goal, countries, through their
7 respective nationally determined contributions (NDCs), provide for actions they plan
8 to take to reduce their GHG emissions and to build resilience to adapt to increasing
9 temperatures;⁶

10 WHEREAS, on 15 October 2015, the Philippines communicated to the United
11 Nations Framework Convention on Climate Change (UNFCCC) its Intended Nationally
12 Determined Contributions (INDC) of 70% GHG emissions reduction by 2030 relative
13 to its business as usual (BAU) scenario.⁷ Thereafter, on 28 February 2017, President
14 Rodrigo Roa Duterte signed the Paris Agreement,⁸ and on Senate on 14 March 2017,
15 the Senate of the Philippines adopted Senate Resolution No. 320 concurring in the
16 Accession to the Paris Agreement.⁹ On 15 April 2021, the Philippines communicated
17 its updated NDC to the UNFCCC. It “commits to a projected GHG emissions reduction
18 and avoidance of 75%, of which 2.71% is unconditional and 72.29% is conditional,
19 representing the country’s ambition for GHG mitigation for the period 2020 to 2030
20 for the sectors of agriculture, wastes, industry, transport, and energy.”¹⁰

21 WHEREAS, one of the key strategies developed by DOE as laid out in the
22 Philippine Energy Plan(PEP) 2020-2040 to meet the country’s NDC is by providing an
23 option for gradual replacement of fossil fuels with alternative fuels;

⁴ The Paris Agreement. United Nations Climate Change. Available at <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>. Accessed 7 January 2021.

⁵ Article 2(1)(a) of Paris Agreement (2015). United Nations. Available at https://unfccc.int/sites/default/files/english_paris_agreement.pdf. Accessed on 7 January 2021.

⁶ The Paris Agreement. United Nations Climate Change. Available at <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>. Accessed 7 January 2021.

⁷ Republic of the Philippine Intended Nationally Determined Contributions. UNFCCC. Available at <https://www4.unfccc.int/sites/submissions/INDC/Published%20Documents/Philippines/1/Philippines%20-%20Final%20INDC%20submission.pdf>. Accessed on 27 January 2021.

⁸ Duterte finally signs Paris Agreement on Climate Change. Philippine Daily Inquirer. 2 March 2017. Available at <https://globalnation.inquirer.net/153030/duterte-finally-signs-paris-agreement-climate-change>. Accessed on 16 November 2020.

⁹ Senate concurs in ratification of Paris Agreement. Senate of the Philippines. 14 March 2017. Available at http://legacy.senate.gov.ph/press_release/2017/0314_prib1.asp. Accessed on 7 January 2021.

¹⁰ Green Growth Knowledge. Nationally Determined Contribution Communicated to the UNFCCC on 15 April 2021. Available at <https://www.greengrowthknowledge.org/sites/default/files/downloads/policy-database//Philippines%20-%20NDC.pdf>. Accessed on 22 June 2022.

1 WHEREAS, the PEP fails to provide a clear energy transition framework given
2 the country's NDC and the aforementioned policies laid out in RA 7638, RA 9136 and
3 RA 9513. Although, the PEP provides projections of a drop in GHG emissions by
4 1,039.4 MtCO_{2e} in 2040 under a clear energy scenario (CES)¹¹ and states
5 recommendations to achieve this, it does not indicate specific goals such as reduction
6 targets for coal and oil usage as well as higher targets for RE and alternative fuels
7 within a specific timeframe;

8 WHEREAS, on 27 October 2020, the DOE declared a moratorium on
9 endorsement for greenfield coal power plants.¹² According to DOE's Advisory,¹³ the
10 aim of the moratorium is to improve energy sustainability, reliability, and flexibility by
11 (1) increasing the renewable energy share in the energy mix; (2) promoting new
12 technologies; (3) increasing system flexibility; and (4) adhering to higher
13 environmental standards;

14 WHEREAS, it is uncertain if the moratorium was issued in the context of a larger
15 energy transition plan to meet the NDC given that there is no clarity as to its length,
16 how it will shape the country's energy mix, and what its effect will be on GHG
17 emissions. In fact, a study by Fitch Solutions shows that the Philippines is expected
18 to continue its dependence on coal in the coming years,¹⁴ with coal accounting for
19 59% of the country's energy mix by 2029;¹⁵

20 WHEREAS, it is important for the country to have a clear energy transition
21 framework to attain its commitments under the Paris Agreement and in accordance
22 with the policies laid out in RA 7638, RA 9136, and RA 9513. Furthermore, it is crucial
23 for the country to have a holistic policy to enable it to meet its Paris Agreement goals
24 while at the same time ensuring that its energy transition plan would not sacrifice the
25 adequacy, continuity, affordability, and reliability of energy supply in the country;

¹¹ Pages 207 of PEP 2020-2040. DOE. Available at https://www.doe.gov.ph/sites/default/files/pdf/pep/PEP_2020-2040_signed_01102022.pdf?withshield=2. Accessed on 22 June 2022.

¹² DOE Sec. Cusi declares moratorium on endorsements for greenfield coal power plants. Department of Energy. 27 October 2020. Available at <https://www.doe.gov.ph/press-releases/doe-sec-cusi-declares-moratorium-endorsements-greenfield-coal-power-plants>. Accessed on 15 November 2020.

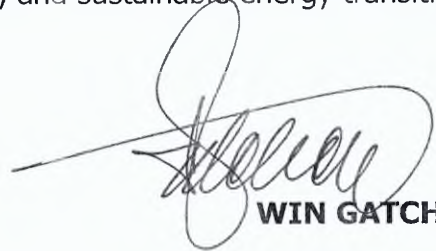
¹³ 22 December 2020. DOE Memorandum for Power Sector Stakeholders with the Subject: Advisory on the Moratorium of Endorsements for Greenfield Coal-Fired Power Projects in Line with Improving the Sustainability of the Philippines' Electric Power Industry.

¹⁴ Coal to remain king in Philippines' energy mix despite ban – Fitch unit. Philstar Global. 4 January 2021. Available at <https://www.philstar.com/business/2021/01/04/2068128/coal-remain-king-philippines-energy-mix-despite-ban-fitch-unit>.

¹⁵ Id.

1 NOW THEREFORE BE IT RESOLVED, as it is hereby resolved, to direct the
2 appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the
3 country's energy transition plan, or lack thereof, in relation to the Department of
4 Energy's moratorium on greenfield coal power plants with the end in view of
5 developing and ensuring an equitable, secure, and sustainable energy transition.

Adopted,



WIN GATCHALIAN