

A CONTENT ANALYSIS OF THE PROVISIONS OF REPUBLIC ACT NO. 9136
OTHERWISE KNOWN AS THE ELECTRIC POWER INDUSTRY
REFORM ACT: ITS IMPLICATIONS FOR
REPEAL OR AMENDMENTS

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By

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ABSTRACT

This study was primarily conducted to analyze the provisions of Republic Act 9136 otherwise known as the Electric Power Industry reform Act of 2001 (EPIRA) and its implication for repeal or amendments. Specifically, this study aimed to establish the current situation in the power industry in the Philippines, to determine the purposes for the enactment of EPIRA through its provisions, and to analyze the provisions of EPIRA and its implications for repeal or amendment. The data and information were obtained from laws, court decisions, proposed bills in the Congress repealing or amending EPIRA, the viewpoints and perspectives of an electric power company and a non-government organization in Iloilo, different government and non-government agencies and individuals which were passed, rendered judgement pending and made since the enactment of EPIRA in 2001 were used as foundations and bases for the conduct of the analysis of provisions of EPIRA. In addition, the researcher also used a focus group discussion with a prepared guide questions to gather the perceptions and perspectives of an electric power company and an NGO in Iloilo as part of the bases and foundation of the analysis. Results revealed that Section 34 of EPIRA, and Rule 18 of the Rules and Regulations (IRR) which seeks to implement the said imposition are constitutional

because EPIRA simply invokes the State's police power. With regard to repeal, the Senate Bill No. 308 and House Bill 256 were filed, acts repealing the EPIRA, stating that the "power consumers suffer under the ever-increasing cost of electricity. With regard to amendments, Senate Bill 2167, House Bill No. 351, House Bill 5036 were filed to amend the provisions of EPIRA. On the other hand, other amendments that can be made with EPIRA amending Sections 6, 21, 29, 30, 32, 33, 45 and 71.