



MASTER COPY

09 May 2023

CUSTOMS MEMORANDUM CIRCULAR
NO. 78-2023

TO : THE ASSISTANT COMMISSIONER
ALL DEPUTY COMMISSIONERS
ALL DIRECTORS AND DIVISION CHIEFS
ALL DISTRICT/PORT COLLECTORS
AND OTHERS CONCERNED

SUBJECT: EXECUTIVE ORDER NO. 21

Attached herewith is the letter dated 20 April 2023 from Atty. Concepcion Zeny E. Ferrolino-Enad, Director IV, Malacañang Records Office, Office of the President, endorsing a copy of Executive Order No. 21 dated 19 April 2023 entitled:

“Directing the Establishment of the Policy and Administrative Framework for Offshore Wind Development”.

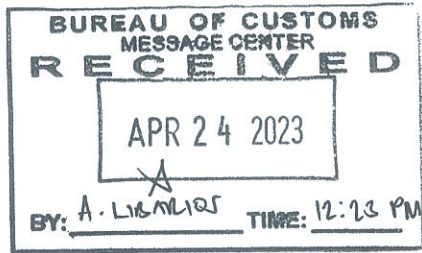
For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

For your information and guidance.

BIENVENIDO Y. RUBIO
Commissioner



MAY 16 2023



Office of the President
of the Philippines
Malacañang

MALACAÑANG RECORDS OFFICE

3.49
323-802
Internal Admin. Group
Received by: VICKY REYES
Date: 04/24/2023
Time: 3:44

Manila, April 20, 2023

COMMISSIONER BIENVENIDO Y. RUBIO

Bureau of Customs
Port Area, Manila

Sir:

I have the honor to transmit for your information and guidance, a certified copy of Executive Order No. 21 dated April 19, 2023 entitled **"DIRECTING THE ESTABLISHMENT OF THE POLICY AND ADMINISTRATIVE FRAMEWORK FOR OFFSHORE WIND DEVELOPMENT"**.

Thank you.

Very truly yours,

for: Concepcion
ATTY. CONCEPCION ZENY E. FERROLINO-ENAD
Director IV



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 21

**DIRECTING THE ESTABLISHMENT OF THE POLICY AND
ADMINISTRATIVE FRAMEWORK FOR OFFSHORE WIND
DEVELOPMENT**

WHEREAS, Section 2, Article XII of the Constitution provides that all forces of potential energy and other natural resources within the Philippine territory belong to the State, and their exploration, development, and utilization shall be under the full control of the State;

WHEREAS, Section 2 of Republic Act (RA) No. 9513 or the "Renewable Energy (RE) Act of 2008" declares it a policy of the State to accelerate the exploration and development, and increase the utilization of RE resources such as, but not limited to, biomass, solar, wind, hydropower, geothermal, and ocean energy resources, including hybrid systems;

WHEREAS, the Philippine Energy Plan 2020-2040 targets to increase the RE contribution in the power generation mix from the current share of 22%, to 35% RE share by 2030, and 50% RE share by 2040;

WHEREAS, the Philippine Offshore Wind Roadmap has identified a total technical potential capacity of 178 gigawatts that can be harnessed from Offshore Wind (OSW) resources;

WHEREAS, OSW resources, if optimally developed, will play a major role in our country's goal for a low-carbon future, improved energy security, and reduced dependence on imported fossil fuels; and

WHEREAS, there is a need to adopt a whole-of-government approach by streamlining and expediting the approval process by the Permitting Agencies for issuance of permits, licenses, and clearances for OSW Projects, and eliminate unnecessary delays in every stage of an OSW Project;

NOW, THEREFORE, I, FERDINAND R. MARCOS, JR., President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

THE PRESIDENT OF THE PHILIPPINES

Section 1. Definition of Terms. For the purpose of this Order, the following terms shall mean:

- a. **“Grid”** - the high voltage backbone system of interconnected transmission lines, substations and related facilities.
- b. **“OSW Development Activities”** - activities that must be undertaken to completely develop an OSW Project.
- c. **“OSW Projects”** - projects for the exploration, development, and utilization of OSW resources for power generation.
- d. **“Permitting Agencies”** - agencies of the Government or relevant entities that are concessionaires or franchisees of the Government which permitting process or authority is relevant to or required for the development of OSW Projects. The list of Permitting Agencies is attached as Annex A.

Section 2. Policy and Administrative Framework. Within sixty (60) days from the issuance of this Order, the Department of Energy (DOE) is hereby directed to formulate and issue a Policy and Administrative Framework for the efficient and optimal development of the country’s OSW resources, which shall be made applicable to all Permitting Agencies.

Section 3. Permits for OSW Development Activities. All Permitting Agencies shall within sixty (60) days from the effectivity of this Order, submit to the DOE a complete list of appropriate permits required by relevant Permitting Agencies, including all requirements, fees, and procedures for the issuance thereof.

Subject to applicable laws, rules and regulations, the Department of the Interior and Local Government (DILG) shall submit to the DOE a complete list of appropriate permits required by local government units (LGUs), including the requirements, fees and procedures for the issuance thereof, within sixty (60) days from the effectivity of this Order. Not later than fifteen (15) days from receipt of confirmation by the DOE that the list is complete and proper for integration into the Energy Virtual One-Stop Shop (EVOSS) platform, the DILG shall disseminate to concerned LGUs the standard list of permits for OSW Development Activities.

Section 4. EVOSS Integration. Within thirty (30) days from receipt of submission of the complete list made under Section 3 hereof, the DOE shall review the submission and take the appropriate action on whether they shall: (a) initiate the full integration of applicable permit into the EVOSS platform, provided that all requirements have been submitted; or (b) require the Permitting Agency to remediate or supplement a deficient or incomplete submission.

Upon the integration of a Permitting Agency’s requirements or process into the EVOSS platform, the processing of such Permitting Agency’s permit shall be done through the EVOSS platform in compliance with RA No. 11234.

Section 5. Compliance with EVOSS Time Frames. All Permitting Agencies are directed to ensure the efficient and timely processing of permits. All Permitting Agencies are directed to strictly observe applicable time frames for the issuance of permits under RA No. 11234 and its Implementing Rules and Regulations.

Section 6. Rationalization of Fees. All Permitting Agencies are directed to review their existing fees and charges for permits, and to update them in accordance with applicable laws, rules and regulations, with a view of supporting and encouraging the development of OSW Projects.

Section 7. Transmission. The DOE shall coordinate with the National Grid Corporation of the Philippines and National Transmission Corporation to ensure timely development of the needed Grid interconnection facilities of OSW Projects for the dispatch of electric power to the Grid.

Section 8. Agency Support. All concerned national government agencies and instrumentalities, including government-owned or -controlled corporations, and LGUs, are hereby directed to provide the necessary assistance and support to the DOE for the successful implementation of this Order.

Section 9. Implementing Guidelines. Within thirty (30) days from the issuance hereof, the DOE shall issue the guidelines necessary to implement this Order, which shall include, among others, an enumeration of the OSW Development Activities.

Section 10. Separability. If any part or provision of this Order shall be held invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

Section 11. Repeal. All orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

Section 12. Effectivity. This Order shall take effect immediately.

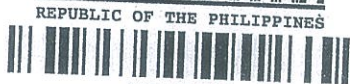
DONE, in the City of Manila, this 19th day of April in the year of our Lord Two Thousand and Twenty-Three.

[Handwritten signature]


By the President:

[Handwritten signature of Lucas P. Bersamin]
LUCAS P. BERSAMIN
Executive Secretary

Office of the President
MALACAÑANG RECORDS OFFICE
CERTIFIED COPY
[Handwritten signature]
ATTY. CONCEPCION ZENY E. FERROLINO-ENAD
DIRECTOR IV
7-4-2023



ANNEX A

LIST OF PERMITTING AGENCIES

Permitting Agencies shall include, but are not limited to, the following:

- a. Department of Agrarian Reform;
- b. Department of Agriculture:
 - i. Bureau of Fisheries and Aquatic Resources;
- c. Department of Environment and Natural Resources:
 - i. Biodiversity Management Bureau;
 - ii. Environmental Management Bureau;
 - iii. Forest Management Bureau; and
 - iv. Land Management Bureau;
- d. Department of Justice;
- e. Department of Labor and Employment;
- f. Department of National Defense;
- g. Department of Public Works and Highways;
- h. Department of Trade and Industry;
- i. Department of Transportation:
 - i. Civil Aviation Authority of the Philippines;
 - ii. Maritime Industry Authority;
 - iii. Philippine Coast Guard; and
 - iv. Philippine Ports Authority;
- j. Bureau of Customs;
- k. Bureau of Immigration;
- l. Bureau of Internal Revenue;
- m. Bureau of Quarantine;
- n. Energy Regulatory Commission;
- o. National Commission on Indigenous Peoples;
- p. National Grid Corporation of the Philippines;
- q. National Mapping and Resource Information Authority;
- r. National Power Corporation;
- s. National Transmission Corporation; and
- t. Power Sector Assets and Liabilities Management Corporation.