



**08**  
Resolution No. \_\_\_\_\_, Series of 2017

**RULES ON ELECTRONIC BILLING AND COMMUNICATIONS FOR  
ELECTRICITY CONSUMERS**

**WHEREAS**, pursuant to the provisions of Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001 or EPIRA, the Energy Regulatory Commission (ERC) promulgated the Magna Carta for Residential Electricity Consumers (MREC) and the Distribution Services and Open Access Rules (DSOAR) on June 17, 2004 and January 18, 2006, respectively;

**WHEREAS**, for purposes of utilizing the advanced technologies to streamline and enhance the issuance and delivery of electricity bills and other communications to consumers, the Commission deems it appropriate to establish the rules for electronic billing and communications for electricity consumers in addition to all other applicable existing customer protection rules;

**WHEREAS**, on December 8, 2016, the Commission approved the posting of the draft "Rules on Electronic Billing and Communications for Electricity Consumers" in the ERC website for solicitation of comments from interested parties and the conduct of public consultations;

**WHEREAS**, on January 26, 2017, February 2 and 3, 2017, the Commission conducted public consultations for the aforesaid Rules in Manila, Cebu and Davao, respectively, and considered all the comments submitted by the distribution utilities;

**WHEREAS**, on March 17, 2017, the second draft of the proposed Rules was posted in the ERC website for further comments;

**NOW THEREFORE**, after thorough and due deliberation, the Commission **RESOLVES**, as it hereby **RESOLVED**, to **APPROVE** and **ADOPT** the "Rules on Electronic Billing and Communications for Electricity Consumers":

Pasig City, June 6, 2017.


**JOSE VICENTE B. SALAZAR\***  
Chairman

  
**GLORIA VICTORIA C. YAP-TARUC**  
Commissioner

  
**ALFREDO J. NON**  
Commissioner

  
**JOSEFINA PATRICIA A. MAGPALE-ASIRIT**  
Commissioner

  
**GERONIMO D. STA. ANA**  
Commissioner

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\* On preventive suspension as per Order of the Office of the President (OP-DC Case No. 17-D-094) dated May 2, 2017

Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
San Miguel Avenue, Pasig City

**RULES ON ELECTRONIC BILLING AND COMMUNICATIONS  
FOR ELECTRICITY CONSUMERS**

Pursuant to the provisions of Section 41 of the Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act, the Energy Regulatory Commission hereby promulgates the Rules on Electronic Billing and Communications for Electricity Consumers, otherwise known as the E-Billing Rules.

**ARTICLE I. GENERAL PROVISIONS**

**Section 1. Objectives.** – These Rules shall have the following objectives:

- a) To utilize advance technologies to streamline and enhance the issuance and delivery of electricity bills and other communications to consumers;
- b) To provide guidance in the implementation of these rules on electronic billing and communications for all customer classes of distribution utilities; and
- c) To establish rules for electronic billing and communications for electricity consumers in addition to all other applicable existing customer protection rules.

**Section 2. Coverage.** – These Rules shall apply to all distribution utilities within their respective franchise areas and their customers.

These Rules shall cover all communications and bills issued by a distribution utility in relation to an approved contract for electric service of a customer.

**Section 3. Definition of Terms.**

**“Electronic Bill” or “E-Bill”** refers to the electronic version of the monthly billing statement of account that can be accessed via online portal or website, or sent to the customer through e-mail or push messaging, and/or other electronic forms.

**“Other Electronic Communication”** refers to the distribution utility’s consumer-related correspondence to its customers in relation to an approved contract for electric service of a customer, including but not limited to acknowledgement and feedback letters to consumer concerns, inquiries, reports, and requests; acknowledgement of receipt of service application sales and after-sales requests; and letters containing information on the computation of bill deposits, billing adjustments either refund or recoveries, bill deposit interest computation, refund on bill deposit or special deposit, project costs covered by cash advance and other charges.

## **ARTICLE II. ISSUANCE AND RECEIPT OF ELECTRONIC BILLS AND/OR COMMUNICATIONS**

**Section 4.** All distribution utilities may offer to send bills and other forms of communications electronically to their customers through any form or medium in accordance with these rules and regulations.

Distribution utilities shall adopt their own rules and procedures on electronic billing and communications, provided that these do not contravene the provisions of these rules and regulations and other existing laws.

In the issuance of the rules and procedures by distribution utilities, the observance of due process shall be given paramount consideration.

For distribution utilities opting to adopt their own E-Billing Rules, they shall submit the same to the ERC and the ERC shall, within thirty (30) days upon receipt of such rules and procedures, evaluate the same and notify the distribution utility of its action. If no action was taken on the said submission, the said Rules shall automatically become effective upon the expiration of the 30-day period; Provided, however, that implementation thereof may be suspended if the ERC discovers that the distribution utility adopted procedures inconsistent with these Rules.

**Section 5. Customer Option.** – All customers shall be given the option to receive electronic bills and/or other electronic communication in lieu of paper bills and communications from their respective distribution utilities. Upon election to receive electronic bills and/or other electronic communication, the customer has the obligation to regularly and religiously check his e-mail or the medium of communication selected by the said customer for any and all receipts of electronic bills and/or other electronic communications.

New customers shall exercise this option at the time of the approval of the application for electric service. Existing customers shall be allowed to migrate to receiving electronic bills and/or other communications upon notice from the distribution utility and subject to the ERC and the concerned distribution utility's rules and regulations on electronic billing and communications.

If the registered customer is not residing in the concerned premises, the options under these rules specifically the provision of the e-mail address shall be exercised by the actual user. The e-mail address used to receive electronic bills and/or communications by the actual end-user shall be subject to verification yearly to ensure the actual user's occupation of the concerned premises.

In the event that the existing occupant enrolled in e-billing leaves and a new occupant comes in, the distribution should be informed. The distribution has no obligation if the service connection is disconnected due to failure of customer to inform the office.

Customers shall be allowed to revert back to receiving paper bills and communications, subject to procedures set by the concerned distribution utility.

**Section 6.** Notice of disconnection may be sent electronically by the distribution utility, at the customer's option, in addition to the paper notice of disconnection, provided that the actual disconnection of electric service shall reckon from the lapse of the period set forth in the paper notice in accordance with existing ERC rules and regulations.

**Section 7. Issuance of Electronic Bills and other Communications.** – Subject to these rules and regulations, established procedures of the distribution utilities and agreement between the parties, a customer's statement of account containing his monthly electricity consumption, among others, shall be sent electronically by the concerned distribution utility through the designated e-mails and other medium as agreed upon by both parties within a specific timeframe.

Other communications from the distribution utilities to the customers may also be sent electronically through the designated e-mails and other medium, provided these do not result to the deprivation of electric service on the part of the customer.

**Section 8. Use of electronic mails (e-mails) and other medium of communication.** – If a customer opts to receive bills and/or communications electronically, the said customers shall provide an e-mail address where these will be forwarded to. A back-up e-mail address may likewise be required. Proof of receipt of the electronic bill and/or communication on either e-mail address shall be considered as receipt of the said bill and/or communication.

Notwithstanding the foregoing, distribution utilities may offer and/or use other medium of communication, such as web portals, with their respective customers.

**Section 9. Presumption of Receipt.** – A customer is presumed to have received the electronic bill and/or communication if the customer does not inform the distribution utility of the non-receipt thereof within five (5) days from the scheduled delivery of such bill and/or communication.

If it is proven that the customer was not able to receive the electronic bill through any of the customer-designated electronic options, such as, but not limited to, e-mail addresses and online portal access, the distribution utility shall resend the same electronically.

**Section 10. Reversion to Paper Bills and Communications.** – Customers that are currently receiving electronic bills and other communications through any of their designated e-mails, online portal access and/or other customer-designated electronic options have the option to revert back to receiving paper bills and communications, subject to prior notice to, and procedures set by the concerned distribution utility.

### ARTICLE III. FINAL PROVISIONS

**Section 11. Compliance with other rules and regulations.** – In the absence of any applicable provision in these rules, the pertinent provisions of the Rules on Electronic Evidence shall be applied suppletorily or by analogy. All other articles of the Magna Carta for Residential Electricity Consumers and the Distribution Services and Open Access Rules (DSOAR) shall remain effective.

**Section 12. Exception Clause** – Where good cause appears, the ERC may allow an exception from any provision of these Rules, if such exception is found to be in the public interest and is not contrary to law or any other pertinent rules and regulations.

**Section 13. Separability Clause** – If for any reason, any part or section of these Rules is declared unconstitutional or invalid, the parts or sections thereof which are not affected thereby shall continue to be in full force and effect, unless such declaration would render the whole Rules unenforceable or non-implementable.

**Section 14. Repealing Clause** – All ERC rules, regulations, guidelines or portions thereof, not consistent with these Rules are hereby repealed or modified accordingly. Rules and regulations not affected shall remain in force and effect.

**Section 15. Effectivity** – These Rules shall take effect within fifteen (15) days from publication in a newspaper of general circulation.

Pasig City, June 6, 2017.

**JOSE VICENTE B. SALAZAR<sup>1</sup>**  
Chairman and CEO

  
**ALFREDO J. NON**  
Commissioner

  
**GLORIA VICTORIA C. YAP-TARUC**  
Commissioner

  
**GERONIMO D. STA. ANA**  
Commissioner

  
**JOSEFINA PATRICIA A. MAGPALE-ASIRIT**  
Commissioner

<sup>1</sup> On preventive suspension, pursuant to the Order of the Office of the President dated May 2, 2017 and received on May 4, 2017 under OP-DC Case No. 17-D-094