

MEMORANDUM ORDER NO. 285

11:30
RECONSTITUTING THE TASK FORCE CREATED UNDER M.O. NO. 234-A, TO ASSIST THE SOCIETA' ITALIANA PER CONDOTTE D'ACQUA S.p.A. IN THE PREPARATION OF THE FEASIBILITY STUDY AND PACKAGING OF THE SAN ROQUE MULTI-PURPOSE DAM PROJECT UNDER THE B-O-T SCHEME OR ITS OTHER VARIATIONS, AND FOR OTHER PURPOSES

WHEREAS, the Task Force to assist the *Societa' Italiana per Condotte D'Acqua S.p.A* (Condotte) in the validation of the National Power Corporation (NPC) study on the San Roque Multi-Purpose (SRMP) Project, has completed its work as directed in Memorandum Order No. 234-A, making available all the necessary data to accomplish the work, and has convened ten major meetings with the relevant agencies, local government units, government owned and controlled corporations, and other private sector groups;

WHEREAS, the Condotte has submitted on 29 March 1995 to the President its validation report and pre-feasibility study on the San Roque Multi-Purpose Project;

WHEREAS, the Condotte, having indicated to the President that the project is technically and financially feasible in principle under a Build-Operate-Transfer (B-O-T) scheme, will now proceed to prepare a full blown feasibility study to be submitted on or before 31 December 1995, the main objective of which is to start the project implementation within a four-year time period resulting in hydroelectric production of energy, as well as providing water for irrigation, flood control, and improvement of water quality by the year 2000;

WHEREAS, the priority assigned for the SRMP Project requires a shorter time of project implementation as compared to the 1979 Feasibility Study, for which, various critical activities were identified as follows: a.) rehabilitation of existing infrastructure in support to the project's realization; b.) identification of quarries of lahar and other construction materials; c.) watershed management; d.) social aspects; e.) government economic participation; f.) fiscal incentives; and, g.) land acquisition and resettlement which shall all require the support of the government for the success of the Feasibility Study that Condotte shall prepare and complete; and,

WHEREAS, Condotte, under the terms of the MOU dated 9 September 1994 and the Addendum MOU dated 14 December 1994, has timely fulfilled its commitment with the Government of the Philippine in the preparation of the pre-feasibility study of the project.

NOW, THEREFORE, I FIDEL V. RAMOS, President of the Republic of the Philippines, do hereby reconstitute the Task Force as follows:

SECTION 1. COMPOSITION: The Task Force, chaired by the representative of the Secretary, Department of Energy, shall be composed of senior representatives, preferably of the rank of at least Assistant Secretary or its equivalent, from the following departments/agencies:

- a. Province of Pangasinan, as Co-Chairman
- b. National Power Corporation (NPC), as the lead implementing agency
- c. Department of Environment and Natural Resources (DENR)
- d. Department of Public Works and Highways (DPWH)
- e. National Irrigation Administration (NIA)
- f. Department of Budget and Management (DBM)
- g. National Economic Development Authority/ Investment Coordinating Council (NEDA/ICC)
- h. Department of Finance (DOF)
- i. Department of Trade and Industry/ Board of Investments (DTI/BOI)
- j. Coordinating Council of the Philippine Assistance Program (CCPAP)
- k. Presidential Committee on Flagship Programs and Projects (PCFPP)
- l. Philippine National Bank (PNB)

The Office of the President shall be represented in all the meetings of the Task Force.

SECTION 2. FUNCTIONS: The Task Force shall:

- a. provide the forum for the presentation of all Condotte findings, concerns and recommendations to the different government agencies, GOCCs, LGUs, and other private institutions;
- b. coordinate the preparation of all budgetary requirements and possible official development assistance for the non-power components of the project;
- c. monitor the implementation of all preparatory social engineering, environmental and social acceptability aspects of the project;
- d. assist in resolving conflicting issues and concerns among and between different government agencies in addressing the various aspects of the SRMP project;
- e. exert efforts to restrict data and information to safeguard the confidentiality and proprietary nature of Condotte's pre-feasibility and the feasibility study as the firm prepares to submit an

unsolicited proposal on the project, under the provisions of the Revised B-O-T Law;

- f. coordinate with the Ambuklao and Binga hydroelectric plants for reservoir operations;
- g. be authorized to call on any department, bureau, or agency of the government including local government units and government owned and controlled corporations, for assistance as it may need in the accomplishment of its task; and,
- h. coordinate with the various mining firms for the purpose of a joint undertaking in the rehabilitation of the watershed area in close cooperation with the Department of Environment and Natural Resources.

SECTION 3. TECHNICAL SUPPORT: The Department of Energy, the National Power Corporation and the Province of Pangasinan shall continue to provide the Secretariat support for the Task Force.

SECTION 4. RESOLUTION OF LEGAL AND FINANCIAL ISSUES:

- a. **"Unsolicited Proposal"** - The President hereby directs the appropriate agencies, particularly CCPAP, NEDA, DTI, and DOF) to resolve the legal and procedural aspects of the unsolicited proposal provisions of the revised B-O-T Law and its implementing rules and regulations, particularly as it applies to the Condotte proposal.
- b. **"Letter of Intent"** - The National Power Corporation is hereby directed to provide Condotte with the necessary Letter of Intent and other support documents to assist the latter in arranging the financing requirements under the B-O-T scheme.

SECTION 5. EFFECTIVITY: This Memorandum Order shall take effect immediately.

DONE in the City of Manila, this 15th day of June in the year of Our Lord, Nineteen Hundred and Ninety-Five.



By the President:



RUBEN D. TORRES
Executive Secretary

LIBRARY

Received

JUN 22 1995

Date *pa*



PMS LIBRARY BC0DE007035