



DEPARTMENT CIRCULAR NO. DC 2025-11-0027

GUIDELINES ON COAL TRADING AND UTILIZATION

WHEREAS, Section 2, Article XII of the 1987 Constitution states that all lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State and their exploration, development, and utilization shall be under its full control and supervision;

WHEREAS, Presidential Decree (PD) No. 972, otherwise known as the "*Coal Development Act of 1976*," as amended, declares it a policy of the State to immediately accelerate the exploration, development, exploitation, production, and utilization of the country's coal resources, and vested the Energy Development Board (now the Department of Energy) with the authority to promulgate rules and regulations for its implementation;

WHEREAS, Sections 5(c) of Republic Act (RA) No. 7638, otherwise known as the "*Department of Energy (DOE) Act of 1992*," as amended by Section 37(g) of RA No. 9136, otherwise known as the "*Electric Power Industry Reform Act of 2001*," mandates the DOE to establish and administer programs for the exploration, transportation, marketing, distribution, utilization, conservation, stockpiling, and storage of energy resources of all forms, whether conventional or non-conventional;

WHEREAS, on 22 May 2012, the DOE issued Department Circular (DC) No. DC2012-05-0006, otherwise known as the "*Guidelines on the Accreditation of Coal Traders and Registration of Coal End-Users*," to strengthen and rationalize existing regulations on coal trading and sale;

WHEREAS, on 15 May 2018, the DOE issued Department Order (DO) No. DO2018-03-0004, otherwise known as the "*Decentralization of the Department of Energy by Implementing Institutional Strengthening and Allowing Full Devolution of General and Specific Functions to its Field Offices (FOs)*," to optimize its operations, synchronize functions, and eliminate redundancies;

WHEREAS, under Section 3.1.5 of DO No. DO2018-03-0004, the DOE FOs shall exercise, within their jurisdiction, the conduct of investigation and validation of illegal coal trading activities and proper implementation of DC No. DC2012-05-0006;

WHEREAS, there is a need to align DOE's existing policies and regulations on coal trading and utilization towards the goal of achieving a Clean Energy Scenario under the Philippine Energy Plan (PEP) to help ensure energy security, continued employment generation, and sustained wealth creation, while in the energy transition phase;

NOW, THEREFORE, the foregoing premises considered, the following guidelines are hereby adopted and promulgated for compliance by all concerned:

Section 1. Scope and Coverage. This Circular shall govern the following:

- 1.1 Accreditation of Coal Traders, Coal End-Users, and Coal Logistics Service Providers, as defined under Section 2 hereof;
- 1.2 All activities relating to the trading and utilization of coal;
- 1.3 Apprehension, seizure, confiscation, and disposal of confiscated coal; and
- 1.4 Imposition of administrative fines and penalties.

Section 2. Definition of Terms. As used in this Circular, the following terms shall mean as follows:

- 2.1 **Abandoned Coal** – refers to coal stockpile without any known claimant;
- 2.2 **Accredited Entities** – refer to Coal Traders, Coal End-Users, Coal Logistics Service Providers issued a Certificate of Accreditation by the DOE in accordance with this Circular, including Operators of Coal Operating Contracts (COCs) under Development/Production (D/P) Phase and Small-Scale Coal Mining Permits (SSCMPs);
- 2.3 **Coal** – refers to a black or brownish-black solid combustible rock containing less than forty percent (40%) non-combustible inorganic components, formed by the accumulation, decomposition, and compaction of plant material under a long-acting geological process;
- 2.4 **Coal End-User (CEU)** – refers to any person, natural or juridical, requiring the supply and delivery of coal for its own use or utilization, such as, but not limited to, power generation, cement, metal processing, chemical, canning, paper, rubber, garments, food and beverage, and other manufacturing industries;
- 2.5 **Coal Logistics Service Provider (CLSP)** – refers to any person, natural or juridical, that provides transportation of coal by land or sea, port operations such as coal loading and unloading, temporary storage in port facilities and/or stevedoring, hustling, and other related activities;
- 2.6 **Coal Trader (CT)** – refers to any person, natural or juridical, engaged in coal trading;
- 2.7 **Coal Trading** – refers to the business of buying, selling, importing, exporting, marketing, transporting, distributing, retailing, handling, stockpiling, and storage of coal, and all other related activities; and
- 2.8 **Coal Utilization** – refers to the act of using coal for any purpose, such as, but not limited to, power generation, cement, metal processing, chemical, canning, paper, rubber, garments, food and beverage, and other manufacturing industries.

Section 3. Procedure and Requirements for Accreditation and Renewal of CTs, CEUs, and CLSPs. All CTs, CEUs, and CLSPs shall apply for accreditation or renewal of accreditation with the DOE prior to engaging in, or continuing, their respective coal-related business operations, in accordance with the procedures and requirements prescribed under this Section 3.

3.1 Application Form and Payment of Application Fee.

- A. The applicant shall submit a duly accomplished and notarized application form (Annex A):
 - i. For CTs and CLSPs – to the DOE-Energy Resource Development Bureau (ERDB).
 - ii. For CEUs – to the concerned DOE FO where its business operation/plant that utilizes or will utilize coal is located. In the case of applications covering Regions IV-A, IV-B, V, and the National Capital Region (NCR), the same shall be filed with the ERDB.
- B. The ERDB or concerned FO shall prepare a billing statement for the issuance of an Order of Payment, which shall be sent to the applicant's email address indicated in the application form.
- C. Within ten (10) calendar days from the issuance of the Order of Payment, the applicant shall pay a non-refundable application fee in the amount of Ten Thousand Pesos (Php 10,000.00), net of all charges, such as, but not limited to, documentary stamps and wire/cable charges, which shall be for the account of the applicant.
- D. Payments may be made in cash, manager's cheque, direct over-the-counter bank deposit, or via wire/bank transfer payable to the "Department of Energy."

3.2 Submission of Documentary Requirements. After payment of the application fee, the applicant shall submit the following documentary requirements, along with the copy of the invoice as proof of payment of the application fee, to the concerned receiving unit specified in Section 3.1(A) of this Circular:

A. Coal Trader

- i. Certified true copy of the registration certificate issued by the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives, as may be applicable;
- ii. Certified true copy of the Business Permit issued by the City or Municipality where the principal office is located and, if applicable, a certified true copy of the Business Permit from the City or Municipality where the storage facility is located;

- iii. Certified true copy of the duly notarized/authenticated coal supply agreement with an Operator of a COC under D/P Phase, with approved Work Program and Budget (WPB) and production of not less than 100,000 metric tons per year; and/or a Holder of an SSCMP; and/or foreign coal supplier/s.

Such contract must be for a period of at least one (1) year and should indicate the volume of coal to be supplied;

- iv. Proof of ownership or duly notarized lease contract of the coal storage facility/ies;
- v. Certified true copy of the Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC) issued by the Department of Environment and Natural Resources (DENR), as applicable, and photos of the coal storage facility;
- vi. Proof of ownership of transportation vehicle/s or equipment, or certified true copy of service agreement with an accredited CLSP, including the following:
 - 1. For land transportation:
 - a. List of vehicles with plate numbers and copies of valid Official Receipts and Certificates of Registration (ORs/CRs); and
 - b. List of authorized drivers with copy of valid licenses.
 - 2. For sea transportation:
 - a. List of barges/ships with copy of registration and ownership documents;
- vii. Proof of authority of the representative of the applicant, if applicable.

B. Coal End-User

- i. Certified true copy of the registration certificate issued by the SEC, DTI for sole proprietorship, or CDA for cooperatives, as may be applicable;
- ii. Certified true copy of the Business Permit issued by the City or Municipality where the business operation/plant that utilizes or will utilize coal is located and, if applicable, a certified true copy of the Business Permit from the City or Municipality where the storage facility is located;
- iii. Technical specifications of coal-fired equipment and plant location map;
- iv. Certified true copy of ECC and Permit to Operate (PTO) each in respect of the coal facility issued by the DENR, and photos of the coal storage facility;
- v. Certified true copy of service agreement with an accredited CLSP, if applicable; and

- vi. Proof of authority of the representative of the applicant, if applicable.

C. Coal Logistics Service Provider

- i. Certified true copy of the registration certificate issued by the SEC, DTI for sole proprietorship, or CDA for cooperatives, as may be applicable;
- ii. Certified true copy of Business Permit issued by the City or Municipality where the principal office and the storage facility are located;
- iii. Proof of ownership or duly notarized lease contract of the coal storage and/or port facility/ies, if applicable;
- iv. Certified true copy of ECC or CNC issued by the DENR, as applicable, and photos of the coal storage facility;
- v. Proof of ownership of transportation vehicle/s or equipment, for coal conveyance, if applicable, including the following:
 - 1. For land transportation:
 - a. List of vehicles with plate numbers and copies of valid ORs/CRs; and
 - b. List of authorized drivers with copy of valid licenses.
 - 2. For sea transportation:
 - a. List of barges/ships with copy of registration and ownership documents;
- vi. Certified true copy of service agreement with an accredited CT or CEU, or with an Operator of COC under D/P Phase or Holder of an SSCMP, as applicable; and
- vii. Proof of authority of the representative of the applicant, if applicable.

3.3 Evaluation of Submitted Documents

- A. Upon receipt of the applicant's submission, the concerned receiving unit shall transmit the documents to the ERDB-Coal and Nuclear Minerals Division (CNMD) or FO-Energy Resource Development Division (ERDD), as applicable, for evaluation.
- B. Applications with incomplete documentary requirements shall be disapproved, without prejudice to re-application.
- C. If necessary, the ERDB-CNMD or the FO-ERDD may conduct site verification: *Provided*, That the conduct of site verification shall suspend the period for acting on the application: *Provided, further*, That the site verification shall be conducted within seven (7) working days from notice to the applicant, which period may be extended for reasonable grounds.

- D. If the application is approved, the applicant shall be issued a Certificate of Accreditation.
- E. If the application is disapproved for reasons other than the incomplete submission of documentary requirements, the applicant may file a Motion for Reconsideration (MR) within seven (7) working days from receipt of the notice of disapproval. The ERDB or concerned FO shall resolve the MR within fifteen (15) working days from receipt thereof.
- F. If the disapproval is affirmed, the applicant may file an appeal to the Office of the Secretary within fifteen (15) working days from receipt of the notice denying the MR.

- 3.4 **Renewal of Accreditation.** An accredited CT, CEU, or CLSP may apply for renewal of its Certificate of Accreditation not earlier than ninety (90) calendar days but not later than thirty (30) calendar days prior to its expiration.

In addition to the requirements prescribed under Section 3 of this Circular, all renewal applications shall be accompanied by a valid Financial Clearance issued by the DOE Financial Services Conventional Energy Resources Compliance Division (FS-CERCD).

In case the documentary requirements previously submitted pursuant to Section 3 hereof remain valid and unchanged as of the time of application for renewal, the applicant may submit a sworn certification (Annex B), duly signed by its authorized representative, attesting to the continued validity, accuracy, and completeness of such documents, in lieu of resubmission of documentary requirements.

Applications received beyond the prescribed period shall be assessed an additional late processing fee of Twenty Thousand Pesos (Php 20,000.00).

- 3.5 **Validity.** The Certificate of Accreditation shall remain valid unless earlier revoked or canceled by the DOE based on the grounds set forth in this Circular and/or violation of other applicable laws, rules, and regulations, subject to the following validity periods:

- A. **Coal Trader and Coal Logistics Service Provider** – two (2) years from the date of issuance; and
- B. **Coal End-User** – five (5) years from the date of issuance.

In both cases, the Certificate of Accreditation shall be automatically revoked in case of non-renewal or cancellation/revocation of any other required government permit.

Section 4. Rights of Accredited Entities. All accredited CTs, CEUs, and CLSPs shall have the following rights:

4.1 Coal Trader

- A. To buy, sell, market, distribute, retail, handle, stockpile, and store coal;
- B. To import coal and be issued a Certificate of Compliance as may be required by the Bureau of Customs (BOC) and Bureau of Internal Revenue (BIR); and
- C. To transport or convey coal utilizing owned or directly contracted equipment with accredited CLSP.

4.2 Coal End-User

- A. To purchase coal from Operators of COCs under D/P Phase and Holders of SSCMPs, and/or accredited CTs;
- B. To import coal and be issued a Certificate of Compliance as may be required by the BOC and BIR; and
- C. To utilize coal purchased for its own operations.

4.3 Coal Logistics Service Provider

- A. To provide coal handling services to other Accredited Entities, such as transportation of coal by land or sea, port operations such as coal loading and unloading, stevedoring, hustling, and stockpiling, as specified in its Certificate of Accreditation.

Section 5. Obligations of Accredited Entities. All accredited CTs, CEUs, and CLSPs shall have the following obligations:

- 5.1 To transact only with Accredited Entities, as defined under this Circular;
- 5.2 To maintain books of accounts and records relating to its coal trading activities and retain all documents supporting the revenues and expenses relative to its coal deliveries for a period of not less than five (5) years;
- 5.3 To submit quarterly reports to the DOE within sixty (60) calendar days from the end of each quarter, provide a status update in cases where no transactions were made, i.e., zero report, and ensure that all payment transactions are made in the name/account of the Accredited Entity;
- 5.4 To allow DOE representatives, at all reasonable times upon prior written notice, access to its facilities and premises, books of accounts, and records relating to its obligations hereunder for proper monitoring, computation of appropriate government share, and other valid purposes;
- 5.5 To comply with the provisions of the DOE DC No. DC2024-01-0006, entitled *"Guidelines on the Conduct of Audit and Reportorial and Remittance*

Obligations of Upstream Conventional and Renewable Energy Service Contractors, Small-Scale Coal Mining Permittees, Accredited Coal Traders, Power Generating Companies, and/or Energy Resource Developers including Reportorial Obligation of Coal End-Users";

- 5.6 To provide temporary storage of any confiscated coal;
- 5.7 To comply with the orders of the DOE and other related laws, rules, and regulations; and
- 5.8 To ensure proper handling and storage of coal as required by the DOE.
- 5.9 **Additional Obligations.** Accredited Entities shall have the following additional obligations:

A. Coal Trader

- i. To maintain appropriate storage facility;
- ii. To remit quarterly to the DOE the three percent (3%) government share of the net proceeds from the sale of locally produced coal, within sixty (60) calendar days from the end of each quarter; and
- iii. To secure the necessary permit for every transportation, conveyance, delivery, or distribution of coal.

B. Coal End-User

- i. To purchase coal only from accredited Coal Traders, Operators of COCs under D/P Phase, or Holders of SSCMPs, and to engage only the services of accredited CLSPs for coal transport and handling;
- ii. To comply with all rules and regulations pertinent to the Issuance of Certificate of Compliance for Coal Importation (CoC-CI), in case of importation; and
- iii. To maintain books of accounts and records relating to its coal trading activities, and to retain all documents supporting the revenues and expenses relative to its coal deliveries for a period of not less than five (5) years.

C. Coal Logistics Service Provider

- i. To ensure the roadworthiness or seaworthiness of trucks, vessels, and other coal conveyances to prevent fugitive coal dust and/or coal spillages during the transportation of coal;
- ii. To provide logistics services to Operator of COCs under D/P Phase, Holders of SSCMPs, or accredited CTs or CEUs, including transportation of coal by land or sea, port operations, loading and unloading, stevedoring, hustling, stockpiling, and other related activities;
- iii. To submit quarterly reports to the DOE on its transactions within sixty (60) calendar days from the end of each quarter, and to provide a status update in cases where no transactions were made, i.e., zero report; and

- iv. To maintain books of accounts and records relating to its coal trading activities, and to retain all documents supporting the revenues and expenses relative to its coal deliveries for a period of not less than five (5) years.

Section 6. Rights and Obligations of Operators of COCs under D/P Phase and Holders of SSCMPs. Operators of COCs under D/P Phase with approved Work Program and Budget (WPB) and production of not less than 100,000 metric tons per year, and Holders of SSCMPs shall be issued a Certificate of Accreditation as Coal Trader by the DOE without the need to apply and submit the requirements under this Circular. By virtue of their valid COCs or SSCMPs, these entities may sell, market, distribute, or retail coal: *Provided*, That they shall transact only with Accredited Entities, as defined under this Circular: *Provided, further*, That they shall secure the necessary permit for every transportation, conveyance, delivery, or distribution of coal as provided under Section 7 hereof.

Section 7. Transportation and Delivery of Coal.

- 7.1 **Coal Transport Permit (CTP).** For every delivery of coal, accredited CTs, CEUs, and Holders of SSCMPs shall request the issuance of a CTP from the concerned DOE office having jurisdiction over the place where the coal delivery will originate: *Provided*, That Operators of COCs under D/P Phase shall request for the issuance of CTPs with the ERDB-CNMD.
- 7.2 **Special Coal Transport Permit (SCTP).** The transport of coal under special circumstances, as may be determined by the DOE, shall require the issuance of an SCTP by the ERDB-CNMD.
- 7.3 The CTP or SCTP, as applicable, shall be valid only for the particular date of delivery and shall automatically expire upon the lapse of the period stated therein.
- 7.4 **Procedure and Requirements for the Issuance of CTP or SCTP.**
 - A. The requesting party shall file a duly accomplished application form (Annex C) at least seven (7) working days before the scheduled delivery with the concerned FO-ERDD having jurisdiction over the city/municipality where the coal originates: *Provided*, That in case the place of origin is within Regions IV-A, IV-B, V, and NCR, the request shall be filed with the ERDB-CNMD.
 - B. An Order of Payment shall be sent to the requesting party's email address as indicated in the application form. The following non-refundable processing fee, net of all charges, shall be paid by the requesting party:
 - Php 100.00/truck per delivery
 - Barges:
 - ≤3,000MT – Php 1,000.00 per delivery
 - >3,001-6,000MT – Php 2,000.00 per delivery
 - >6,001-10,000MT – Php 3,000.00 per delivery
 - >10,001MT – Php 4,000.00 per delivery

The basis of weight is the draft survey report.

C. Requests received beyond the prescribed period shall be assessed an additional late processing fee in the following amounts:

- Php 200.00/truck per delivery
- Barges:
 - ≤3,000MT – Php 2,000.00 per delivery
 - >3,001-6,000MT – Php 4,000.00 per delivery
 - >6,001-10,000MT – Php 6,000.00 per delivery
 - >10,001MT – Php 8,000.00 per delivery

The basis of weight is the draft survey report.

D. Payments may be made in cash, manager's cheque, direct over-the-counter bank deposit, or via wire/bank transfer payable to the "Department of Energy."

E. After payment of the processing fee, the requesting party shall submit the following documentary requirements to the DOE:

i. For CTP

- Copy of Purchase Order
- Copy of Invoice as proof of payment of the processing fee
- For Operators of COCs under D/P Phase and Holders of SSCMPs, proof of coal production and available inventory;

ii. For SCTP

- Name of buyer/end-user
- Name and details of CLSP (as may be applicable)
- Quantity and quantity of coal to be transported
- Estimated date of transfer
- Purpose/Justification

F. Applications with incomplete documentary requirements shall be disapproved, without prejudice to re-application.

Section 8. Importation and Exportation of Coal.

8.1 Certificate of Compliance for Coal Importation (CoC-CI). For every importation of coal, accredited CTs and CEUs shall apply for a CoC-CI with the ERDB-CNMD.

8.2 Certificate of Compliance for Coal Exportation (CoC-CE). For every exportation of coal, Operators of COCs under D/P Phase shall apply for a CoC-CE with the ERDB-CNMD.

8.3 Procedure and Requirements for the Issuance of CoC-CI and CoC-CE.

- A. The requesting party shall file a duly accomplished request form (Annex D) with the ERDB-CNMD at least thirty (30) working days before the expected arrival of the imported coal or the expected release of the exported coal.
- B. An Order of Payment shall be sent to the requesting party's email address as indicated in the application form.
- C. Within ten (10) calendar days from the issuance of the Order of Payment, the requesting party shall pay a non-refundable processing fee in the amount of Five Thousand Pesos (Php 5,000), net of all charges, such as, but not be limited to, documentary stamps and wire/cable charges, which shall be for the account of the requesting party.
- D. Requests received beyond the prescribed period shall be assessed an additional late processing fee in the amount of Ten Thousand Pesos (Php 10,000.00).
- E. Payments may be made in cash, manager's cheque, direct over-the-counter bank deposit, or via wire/bank transfer payable to the "Department of Energy."
- F. After payment of the processing fee, the requesting party shall submit the following documentary requirements to the ERDB-CNMD:
 - Certified copy of coal logistics service agreement with an accredited CLSP, if applicable;
 - Coal analysis/guaranteed specifications;
 - Proforma Invoice or other related documents;
 - Complete submission of Post-Import Documents (PIDs) for previously approved CoC-CIs, or Post-Export Documents (PEDs) for previously approved CoC-CEs, as may be applicable; and
 - Copy of Invoice for the payment of the processing fee.

The DOE may require the submission of additional documents, if necessary, in which case the period for issuing the requested CoC-CI or CoC-CE, as the case may be, shall be suspended and shall resume upon receipt of the additional documents.

- G. The CoC-CI or CoC-CE, as applicable, shall be valid only for the particular date of delivery and shall automatically expire upon the lapse of the period stated therein.

Section 9. Visitorial and Enforcement Powers of the DOE. The DOE, through the ERDB or the concerned FO, may, at all reasonable times and upon prior written notice, conduct on-site validation and inspection of the facilities and premises, books of accounts, and records of Accredited Entities relative to their obligations under this Circular.

Section 10. Prohibited Acts. Any person or entity, natural or juridical, shall be penalized under Section 11 of this Circular for the commission of the following prohibited acts:

- 10.1 Trading and utilization of coal without prior accreditation issued by the DOE; and
- 10.2 Transporting, conveying, or delivering coal from one place to another without a valid transport permit issued by the DOE.

Section 11. Administrative Fines and Penalties. For every finding of non-compliance, the following penalties shall be imposed:

- 11.1 **Unaccredited Coal Trading, Transport, and Utilization.** Any entity that engages in coal trading, transport, and utilization without the accreditation prescribed under this Circular shall be penalized with a fine amounting to One Hundred Thousand Pesos (Php 100,000.00) per delivery, confiscation, seizure, and disposal of all coal, instruments, and tools in favor of the Government.

- 11.2 **Transacting with an Unaccredited Entity.** Any Accredited Entity that transacts with an unaccredited entity/ies shall be penalized as follows:

First Offense: Twenty-Five Thousand Pesos (Php 25,000.00) per transaction or delivery

Second Offense: Fifty Thousand Pesos (Php 50,000.00) per transaction or delivery, and suspension of accreditation for a period of thirty (30) calendar days

Third Offense: Cancellation of accreditation

- 11.3 **Transportation of Coal Without Permit.** Transportation of coal by accredited CTs, Operators of COCs under D/P Phase, and Holders of SSCMPs without the required CTP, SCTP, CoC-CI, or CoC-CE, as the case may be, shall be penalized as follows:

First Offense: Twenty-Five Thousand Pesos (Php 25,000.00) per transaction or delivery

Second Offense: Fifty Thousand Pesos (Php 50,000.00) per transaction or delivery, and suspension of accreditation for a period of thirty (30) calendar days

Third Offense: Cancellation of accreditation

- 11.4 **Non-compliance with Reportorial and Remittance Obligations.**

- A. Non-compliance by accredited CTs and CEUs with reportorial and remittance obligations, including failure to submit quarterly report and remit the government share, shall be governed by DOE DC No. DC2024-01-0006.

- B. Failure of CLSPs to timely submit any quarterly report shall be subject to a penalty of One Thousand Pesos (Php 1,000.00) per quarter. Late or non-submission of reports for four (4) consecutive quarters shall be a ground for suspension and/or cancellation of accreditation.

11.5 Refusal to Allow Inspection and Non-Compliance with Other Obligations. Refusal to allow inspection or on-site validation by the ERDB-CNMD and/or the concerned FO-ERDD, as well as any non-compliance with other obligations under this Circular, shall result in the suspension of accreditation until corrective measures are implemented.

11.6 Any entity whose accreditation has been canceled due to any of the offenses mentioned in this Circular shall only be allowed to reapply for an accreditation after one (1) year from the date of cancellation and after settlement of all penalties and obligations.

In all cases, the DOE may further recommend the suspension or revocation of the business permit and/or closure of business establishment to the concerned Local Government Unit (LGU), and the cancellation of ECC and PTO to the DENR-Environmental Management Bureau (EMB), as applicable.

For violation of any provision of this Circular resulting in environmental incidents such as, but not limited to, coal spillages, contamination, fire, spontaneous combustion, coal run-off into seas, rivers, or other water bodies, and/or serious injury resulting in the loss of life or limb, an additional penalty of Two Hundred Thousand Pesos (Php 200,000.00) and suspension or cancellation of accreditation, as may be appropriate, shall be imposed.

Section 12. Administrative Procedures for the Imposition of Fines and Penalties.
The following rules shall be observed in the imposition of fines and penalties under this Circular:

12.1 Issuance of Show Cause Order. For every finding of non-compliance or violation of this Circular, the ERDB or the concerned FO shall issue a Show Cause Order directing the party to submit a verified answer with supporting documents and/or evidence, within seven (7) working days from receipt thereof.

12.2 Filing of Verified Answer. Upon receipt of the verified answer, the ERDB or the concerned FO shall evaluate the same together with the supporting documents and/or evidence submitted.

If no verified answer is filed within the prescribed period, the party shall be deemed to have waived the right to submit controverting evidence. The ERDB or concerned FO shall be constrained to resolve the matter based on the available information and documents.

12.3 Resolution of the Administrative Case. Within fifteen (15) working days from receipt of the verified answer, or upon the lapse of the period and no verified answer is filed, the ERDB or concerned FO shall issue an Order resolving the administrative case.

If necessary, the ERDB or concerned FO may require the submission of additional supporting documents, in which case, the period to resolve the administrative case shall be suspended and shall resume upon receipt of the additional supporting documents or upon the lapse of the period to submit the same.

- 12.4 Motion for Reconsideration.** Within fifteen (15) working days from receipt of the Order, a Motion for Reconsideration (MR) may be filed. The ERDB or concerned FO shall resolve the MR within fifteen (15) working days from receipt thereof.

If necessary, the ERDB or concerned FO may require the submission of additional supporting documents, in which case, the period to resolve the MR shall be suspended and shall resume upon receipt of the additional supporting documents or upon the lapse of the period to submit the same.

- 12.5 Execution of Order.** If no MR is timely filed, or when the MR is denied, the Order of the Director of the ERDB or concerned FO becomes immediately executory.

In cases where the penalty imposed includes a fine, the party shall pay the fine within seven (7) working days from receipt of the Order; otherwise, its accreditation shall be suspended until the fine is fully paid.

- 12.6 Appeal to the Secretary.** A resolution denying an MR may be appealed to the Office of the Secretary within seven (7) calendar days from receipt thereof.

No appeal to the Secretary shall be entertained unless the party pays a non-refundable appeal fee in the amount of Ten Thousand Pesos (Php 10,000.00). The timely filing of an appeal to the Secretary shall stay the execution of the Order or Resolution.

In case of denial of the appeal, the party shall pay the assessed fine within seven (7) working days from receipt of the Order; otherwise, an interest of ten percent (10%) per annum shall be imposed until fully paid, and its accreditation shall be suspended until full payment of the fine, including any interest thereon.

Section 13. Apprehension, Seizure, Confiscation, and Disposal Procedures.

- 13.1** In addition to the administrative fines and penalties under Section 11 of this Circular, the ERDB or concerned FO, LGUs, Philippine National Police (PNP), or other law enforcement agencies shall have the authority to apprehend, seize, and/or confiscate coal products, instruments, tools, and proceeds, consistent with applicable laws, rules, and regulations, under the following circumstances:

- A. Abandoned coal;
- B. Coal stockpiled within the facility of an unaccredited entity;
- C. Coal stockpiled inappropriately, such as on roads or areas not covered by the ECC;

- D. Coal produced or purchased from illegal or unaccredited sources;
- E. Coal sold or delivered to unaccredited CTs or CEUs;
- F. Coal transported by an unaccredited CTs, CEUs, or CLSPs;
- G. Coal transported without a valid CTP, SCTP, CoC-CI or CoC-CE; or
- H. Coal involved in any environmental incident as specified under Section 11.6 hereof.

- 13.2 The ERDB or concerned FO shall properly identify, measure, and label the confiscated coal.

The Municipality/City where the confiscation occurred may take custody of and dispose of the confiscated coal: *Provided*, That it may sell such confiscated coal only to accredited CTs or CEUs using conveyance from accredited CLSPs: *Provided, further*, That the Municipality/City shall be entitled to reimbursement of all expenses incurred in the disposal of coal.

The DOE-ERDB or concerned FO shall provide the necessary assistance in the disposal of the confiscated coal, such as, but not limited to, issuance of Coal Transport Permit.

- 13.3 If, within seven calendar (7) days from the confiscation, there is no offer received from the Municipality/City, the DOE shall take possession of the confiscated coal and notify all Accredited Entities within the Region where the apprehension occurred to submit an offer to purchase the confiscated coal within three (3) days therefrom.
- 13.4 Accredited Entities, if required by the ERDB or concerned FO, shall provide temporary storage for any confiscated coal until disposal.
- 13.5 Upon the lapse of the three (3)-day period, the DOE-ERDB or concerned FO shall determine the best offer for the confiscated coal based on the highest price received. In case of a tie, the earlier submission shall prevail.
- 13.6 Within three (3) calendar days from notice, the winning offeror must pay the offer price; otherwise, the next best offer shall be considered.
- 13.7 In case of failure of all offerors to pay their offer price or no offer was received, the Accredited Entity that took custody of the confiscated coal shall be entitled to purchase the same at a negotiated price.

Section 14. Filing of Criminal Cases. Whenever a violation of this Circular warrants the filing of a criminal complaint, the same may be filed by the DOE through the Director of the ERDB or concerned FO having jurisdiction over the area where the apprehension took place.

Section 15. Transitory Provision. All accreditations of CTs and registrations of CEUs issued prior to the effectivity of this Circular shall remain valid until the expiration date stated therein: *Provided*, That such CTs, CEUs, and CLSPs shall be required to comply with the provisions of this Circular.

Section 16. Separability Clause. If for any reason, any provision of this Circular is declared unconstitutional or invalid, such part not affected shall remain in full force and effect.

Section 17. Repealing Clause. The provisions of DOE DC No. DC2012-05-0006 and all other circulars, orders, rules, and regulations inconsistent with this Circular are hereby modified, amended, and repealed accordingly.

Section 18. Effectivity. This Circular shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation and shall remain in effect until otherwise revoked. A copy of this Circular shall be filed with the University of the Philippines Law Center – Office of the National Administrative Register (UPLC–ONAR).

Issued on NOV 18 2025 at DOE, Energy Center, Rizal Drive corner 34th Street, Bonifacio Global City, Taguig City, Metro Manila.


SHARON S. GARIN
Secretary





APPLICATION FOR ACCREDITATION

Date: _____

- ☐ Coal Trader
☐ Coal End-User
☐ Coal Logistics Service Provider

- ☐ New
☐ Renewal

Current Accreditation No. _____
Expiry Date: _____

Company name	
Business address	
Plant and coal storage facility address ☐ Same as business address	
Authorized representative	
Position/designation	
Contact number	
Email Address <i>(Please ensure that the email address is active. Order of payment will be sent to this email address.)</i>	

WITNESSETH

1. All statements made above are considered essential conditions in the granting of the Accreditation and any falsehood in these statements or omissions of facts which may later change or affect substantially the facts set forth in this application shall be sufficient ground for the cancellation or revocation of the Accreditation granted.
2. The applicant agrees to submit additional requirements to the DOE as may be deemed necessary for purposes of determining its qualification for the Accreditation applied for.
3. This application is filed for the exclusive use and sole benefit of the applicant and not for the direct or indirect benefit of any other person or entity.
4. The applicant further undertakes that the rights and obligations under this application, in case approved, shall not be transferred or assigned to any other person or entity.
5. The applicant authorizes the publication of the company and authorized personnel's information on the official website and publications of and by the Department of Energy.
6. The foregoing statements are hereby certified to be true to the best of the applicant's knowledge and belief.

Signature Over Printed Name
of Authorized Representative

ACKNOWLEDGEMENT

Republic of the Philippines)
Province of _____) S. S.
City/Municipality of _____)

SUBSCRIBED AND SWORN to before me at the place aforesaid, on _____. The affiant exhibited to me his/her _____ ID No. _____ issued at _____ on _____.

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

Notary Public

**Sworn Certification of Validity of Previously Submitted Documents
For Renewal of Accreditation**

REPUBLIC OF THE PHILIPPINES
CITY/MUNICIPALITY OF _____) S.S.

I, _____, of legal age, a Filipino citizen, and with office
address at _____, after having been duly sworn
in accordance with law, do hereby depose and state that:

1. I am the _____ of
_____,
_____ Company Name
duly registered under the laws of the Republic of the Philippines, and accredited as a
_____ under Certificate of Accreditation No.
_____, issued by the Department of Energy (DOE).

2. In connection with our application for renewal of said accreditation, I hereby certify that the following documents, as previously submitted pursuant to Section 3.2 of Department Circular No. DC2025-11-0027, remain valid, subsisting, and unchanged as of the date of this certification:

A. For Coal Trader

- ☐ Registration certificate from SEC/DTI/CDA
- ☐ Proof of ownership or lease contract of the coal storage facility/ies
- ☐ ECC/CNC from DENR
- ☐ Proof of ownership of transportation vehicle/s or equipment or service agreement with an accredited CLSP
- ☐ List of vehicles and valid ORs/CRs and drivers' licenses
- ☐ List of barges/ships with registration and ownership documents

B. For Coal End-User

- ☐ Registration certificate from SEC/DTI/CDA
- ☐ Technical specifications of coal-fired equipment and plant location map
- ☐ ECC and PTO from DENR
- ☐ Service agreement with accredited coal logistics provider

C. For Coal Logistics Service Provider

- ☐ Registration certificate from SEC/DTI/CDA
- ☐ Proof of ownership or lease contract of the coal storage and/or port facility/ies
- ☐ ECC/CNC from DENR
- ☐ Proof of ownership of transportation vehicle/s or equipment, for coal conveyance
- ☐ List of vehicles and valid ORs/CRs and drivers' licenses
- ☐ List of barges/ships with registration and ownership documents
- ☐ Service agreement with accredited CT, CEU, COC D/P Operator, or SSCMP Operator

3. I further certify that should any of the above-listed documents be revoked, amended, or otherwise rendered invalid, we shall immediately notify the DOE and submit the updated documents within five (5) working days from the occurrence of such change.
4. I am executing this sworn certification to attest to the truthfulness of the foregoing, for purposes of renewing our Certificate of Accreditation with the DOE.

IN WITNESS WHEREOF, I have hereunto set my hand on _____ at _____, Philippines.

Signature Over Printed Name of Authorized Representative

SUBSCRIBED AND SWORN to before me on _____ the affiant
having exhibited to me his/her competent proof of identity:

Type of ID Presented: _____

ID Number: _____

NOTARY PUBLIC

Doc. No. _____;
Page No. _____;
Book No. _____;
Series of _____.



APPLICATION FORM FOR TRANSPORT PERMIT

☐ COAL TRANSPORT PERMIT

☐ SPECIAL COAL TRANSPORT PERMIT

DATE _____ CONTROL NO. _____

COMPANY NAME _____

ACCREDITATION NUMBER _____

INVOICE NUMBER _____

INVENTORY _____ MT AS OF _____

SOURCE OF COAL ☐ LOCAL

☐ COC _____

☐ SSCMP _____

☐ IMPORTED

COUNTRY _____

SUPPLIER _____

☐ COAL TRADER _____

COAL LOGISTICS SERVICE PROVIDER _____

ADDRESS _____

VESSEL NAME/TRUCK PLATE NUMBER _____

VESSEL CAPTAIN/TRUCK DRIVER _____

QUANTITY _____ MT DATE OF DELIVERY _____

POINT OF ORIGIN _____

BUYER _____

ADDRESS _____

FOR SCTP, INDICATE REASON/PURPOSE OF TRANSFER.

Signature _____

Printed Name of Authorized Representative _____

Designation _____



Republic of the Philippines
DEPARTMENT OF ENERGY
(Kagawaran ng Enerhiya)

REQUEST FOR CERTIFICATE OF COMPLIANCE

☐ Coal Importation

☐ Coal Exportation

Date: _____

Company name	
Accreditation number	

Quantity (MT)	
Unit Price (USD)	
Vessel name	
Commodity classification	

FOR COAL IMPORTATION

Estimated date of arrival	
Discharge port	
Country of origin	
Supplier	
Broker	

FOR COAL EXPORTATION

Estimated date of loading	
Buyer	
Port of origin	
Country of discharge port	

Signature

Name of Authorized Personnel

Designation