

May 18, 2012

THE BOARD OF DIRECTORS

Asian Development Bank
Mandaluyong City, Philippines

SUBJECT: Questionable Stakeholder Consultation on the CTF Project – E-trikes Initiative

Dear **Sir and Madame:**

The NGO Forum on ADB would like to bring to your urgent attention the questionable process by which the forthcoming **Consultation and Forum on the Department of Energy (DOE) – Asian Development Bank (ADB) Initiative for E-trikes in the Philippines** is being implemented. The Bank Management has informed us that the May 22 event will be one of three stakeholder consultations on the *“Electrification of Public Transport: Why E-trikes for the DOE and CTF Project?”*

The consultations are supposedly under the auspices of a multi-sectoral Steering Committee that Bank officials had helped form but which the same Bank officials discarded and ignored unceremoniously just days ago. The ADB is now undertaking the consultations outside of the very process it had pushed for in gross violation of the ADB's Safeguard Policy Statement of 2009 (SPS), including numerous sections of the SPS Operations Manual. More importantly, Bank officials are putting at risk the Philippine investment plan submission to the Clean Technology Fund (CTF), by repeatedly and deliberately contravening the instructions of the CTF's Trust Fund Committee to involve and undertake with civil society groups and other stakeholders a common credible consultative process over the updated Philippine investment plan which diverts funds away from renewable energy towards electric tricycles. Attached documents will show instructions from members of the Trust Fund Committee saying the Committee will not consider the Philippine submission unless and until a credible consultative process is undertaken with all concerned stakeholders.

Despite closely engaged and positive discussion that had come really close to conclusion among members (including the ADB) of the Steering Committee, on 16 May 2012 ADB officials stated it would carry out consultations on its own and proceeded to unilaterally issue invitations to undisclosed participants for so-called consultations scheduled to be held on May 21, 22 and 23. This act creates several fundamental issues that contravene ADB rules and which go against Trust Fund Committee instructions:

(1) By unilaterally organizing the consultations, the ADB discarded the agreement in the Steering Committee for an agreed Third Party to be hired to objectively organize, facilitate and document the consultation sessions. If the ADB unilaterally ends up hiring third party groups, the manner by which it unilaterally undertakes the process puts grave doubt as to the objectivity of the organization, facilitation and documentation of the outcomes of the sessions. Ironically, the CSOs agreed to be part of the Steering Committee to help the ADB and the Philippine government guide the process away from potentially biased, conflict of interest situations, which prevails in this case as it is the Bank that will be potentially paying the services of prospective parties.

(2) The ADB provided an undisclosed number of participants only two working days to go over background documents. Such short notice for meetings, not to mention an extremely short period to study drafts, is unacceptable and puts to question the meaningful interaction of participants who would not have had time to scrutinize the documents thoroughly.

This we believe contradicts Paragraph 54 (Consultation and Participation) of the SPS, as well as **Paragraph 19 (Consultation and Participation) of Safeguards Requirements 1: Environment**, and we cite:

“Para. 19. The borrower/client will carry out meaningful consultation with affected people and other concerned stakeholders, including civil society, and facilitate their informed participation. Meaningful consultation is a process that (i) begins early in the project preparation stage and is carried out on an ongoing

basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. Consultation will be carried out in a manner commensurate with the impacts on affected communities. The consultation process and its results are to be documented and reflected in the environmental assessment report.”

Similarly, we refer to Paragraphs 17-18 (Information Disclosure) and **Paragraph 19 (Consultation and Participation) of the Operational Manual (OM)** of the SPS, to wit:

“Para. 19. The project team advises the borrower/client that meaningful consultation with affected people will be carried out, and the consultation processes will be appropriately documented in the EIA, IEE, resettlement plan, and/or IPP. The operations department, through due diligence and review, determines how the borrower/client has met or will meet the requirements on consultation and participation outlined in Safeguard Requirements 1–4. The project team pays special attention to ensure that vulnerable groups have sufficient opportunities to participate in consultations. For projects classified as category A for environment, involuntary resettlement, or Indigenous Peoples, the project team participates in consultations to understand the main concerns of the project affected people so that these concerns and recommendations can be adequately addressed in project design and safeguard plans.”

Since February we have communicated to the Principal Energy Specialist and his team the urgent need to provide stakeholders a document that would serve as basis for the informed consultation and participation of affected people and concerned nongovernmental organizations as clearly stipulated in **Fifth Policy Principle of the Environmental Safeguards**, to wit:...”*Involve stakeholders, including affected people and concerned nongovernment organizations, early in the project preparation process and ensure that their views and concerns are made known to and understood by decision makers and taken into account. Continue consultations with stakeholders throughout project implementation as necessary to address issues related to environmental assessment.”*

(3) Contrary to commitments made by ADB officials (see attached minutes), the background documents for the supposed May 21 to 23 consultations were unilaterally selected by ADB officials. The document set issued by the ADB unsurprisingly represent a highly limited set of documents compared to what was earlier agreed in the Steering Committee.

(4) In their desire to rush the consultations, Bank officials employed deception and deliberately misused the name and logo of some members of the Steering Committee (WWF) in order to create the impression that sessions were co-organized with civil society groups. When the reprehensible act was brought to the attention of ADB officials, the same officials acknowledged the attempt and apologized - but the damage was already done. A huge number of invitations had already been issued - bearing the civil society group's name and logo - to private sector, government agencies, academe and civil society organizations - thus successfully completing the deception. ADB Officials that perpetrated this act deserve disciplinary action.

(5) ADB officials continue to restrict information about participants they unilaterally selected and invited to the so-called consultation sessions, thus giving rise to questions about Bank rigging of the session.

As grave as the substantive issues surrounding the Electric Tricycles Project are, we strongly believe that the consultation process being followed and implemented by the Bank Management relative to the project is grossly violative of the Safeguards Policy Statement (SPS) of 2009.

Beginning February 2012, the NGO Forum on the ADB, the Freedom from Debt Coalition (FDC), Aksyon Klima Pilipinas, Partnership for Clean Air and the Institute for Climate and Sustainable Cities (ICSC) have pro-actively engaged with the Principal Energy Specialist and his team in order to ensure that proper consultations are undertaken. As the attached minutes will show, ADB officials have been heavily involved in a series of meetings that formed a Steering Committee (SC) composed of civil society groups, the academe and the private sector. Civil society groups were actually requested by the ADB to help craft and undertake with them a process that would address the CTF Trust Fund Committee's recommendation.

We have repeatedly reminded Bank Management to carry out a truly inclusive, transparent and meaningful multi-stakeholder consultation that respects and adheres to the spirit and letters of the SPS, especially on Information Disclosure and Consultation and Participation. The Bank has attempted to short cut the process thrice - the first in February, the second in March, and the third in April. Still, CSOs made efforts to resume discussions so that the process can get underway and come to a credible conclusion. Unfortunately, we cannot countenance a fourth transgression.

We sincerely regret this impasse because, as we had repeatedly advised concerned Bank officials, the electric vehicle project enjoys broad support across different sectors, because it is not the ADB but local players that had carried out EV initiatives as early as 2004. There was no reason at all, save perhaps for arrogance and blatant disregard of common and enshrined ADB rules, for Bank officials to have chosen to abbreviate simple consultations. We sincerely hope that by raising these issues, the Board of Directors will direct Bank Management to carry out a credible consultative process for the E-trikes Project that would not place at risk the country's submission to the Trust Fund Committee and which would, in fact, truly respect and uphold the 2009 Safeguards Policy Statement.

Very truly yours,

NGO Forum on ADB

RONALD D. MASAYDA
NGO Forum on ADB

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ANNEX 1

Steering Committee plans the week before May 16 unilateral act of ADB

----- Forwarded message -----

From: **Victoria Segovia** <pcasecretariat2012@gmail.com>

Date: Mon, May 7, 2012 at 6:11 PM

Subject: Re: Fw: Enhance Program Design for the CTF Consultations

To: ethomas@adb.org

Cc: lenragarcia@yahoo.com, rene pineda <rene.publicist@gmail.com>, red ejeepney

<red.cosmo@gmail.com>, bert.fabian@cai-asia.org, Angela Consuelo Ibay <giaibay@gmail.com>, Coordinator Aksyon Klima <coordinator@aksyonklima.com>, Info Aksyon Klima <info@aksyonklima.com>, Bebet Gozun <bggozun@gmail.com>

Dear Lanie,

Thank you for forwarding this proposal of DOE/DAP, of which we, the original members of the Program Steering Committee, were not aware of since we were not furnished a copy of it.

I am baffled by the attitude manifested in the Background of the proposed revised consultations which insists that: The **Development Academy of the Philippines** (bold) was commissioned by the **Department of Energy** (bold) DOE to facilitate the CTF workshops..... It seems to me that DAP and DOE are now in the lead roles with regard to these consultations when I thought that this was CSO-initiated and led. That DOE, ADB and DAP are just supporting and **facilitating** them? I think there is a big difference between "facilitating" and "taking the lead or controlling"?

The second paragraph acknowledged that the DOE and Program Steering Committee (I suppose that refers to us?) agreed that ***DAP will provide logistics and facilitate the workshops*** (italics and bold mine). So I am surprised why in the 3rd paragraph DAP seems to be wanting to **lead and control the discussions?** And why are they changing the original proposals without even consulting the Program Steering Committee other than Atty. Gia Ibay of WWF? To our understanding, WWF is leading only the First Consultation in the series of six?

Ms. Lanie, I really find this turn of events baffling. Despite our hectic schedules, we tried in earnest to do the tasks assigned to us. On our end, Mr. Bert Fabian and I met with our government partner - DOTC and came up with a program and work-plan. I do not see that reflected in this proposal from Mr. Arnel Garcia.

I am sending again the program and workplan that I sent last week after consulting with DOTC Usec. Efrén Moncupa and Presidential Asst. Ms. Bebet Gozun regarding this.... if it is still of any relevance. I refer to Consultations 2 & 3 about the E-trikes which were supposed to be organized by CAI-Asia, PCA and DOTC as per our original plan.

Ms. Lanie, I do not know why, despite our good intentions, these consultation workshop plans keep getting derailed or bungled. I do not know where the problem stems from. But in my observation, instead of the process being facilitated and hastened (which is our goal) - something comes up - something new, surprising and not in the plan of the group - that keeps us going back to Round #1. I hope that everyone wants to see this pass through a harmonious process - to the satisfaction and consensus of everyone; and I hope that whoever is that sector or person or group of persons - who have other agenda: Will they please reflect on what they are doing and see whether what they are doing is helping all of us in seeing to it that we undertake this whole

process in a harmonious way that will prove convincing to everyone that the Consultations we did were genuine and reflective of the sentiments of CSO members who have requested for these consultations in the first place?

I hope that DOE and DAP would respect the CSO groups who requested for this consultations; who worked hard and long to give it form and substance. And then, when all are satisfied with the outcome, let us all work together to make this project a success for our country and our people. After all, the Filipino people will take responsibility for the payments of these loans. Isn't it?

God bless us all.

Vicky

On Mon, May 7, 2012 at 5:05 PM, <ethomas@adb.org> wrote:
Hi Arnel,

Thank you for your message. Could you kindly provide more background of the content of these consultations, as they are quite different from the original plans? I am copying the Steering Committee so that they can share their views on this new proposal by DAP, which I have attached.

Cheers,

Lainie

Lainie Thomas
Social Development Specialist (Civil Society and Participation)
Southeast Asia Regional Department
Asian Development Bank
Tel (+632) 632-4292
www.adb.org



Please consider the environment before printing this e-mail

From: arnel mathew garcia <lenragarcia@yahoo.com>
To: "ethomas@adb.org" <ethomas@adb.org>
Cc: sohail hasnie <shasnie@adb.org>, "jcata2003@yahoo.com" <jcata2003@yahoo.com>
Date: 05/04/2012 07:10 PM
Subject: Fw: Enhance Program Design for the CTF Consultations

----- Forwarded Message -----

From: arnel mathew garcia <lenragarcia@yahoo.com>
To: "ethomas@adb.org" <ethomas@adb.org>
Cc: Tet Serrano <mtaserrano@gmail.com>; Jovelyn Ferrer <jgferrer2003@yahoo.com>; evelyn reyes <enr104@yahoo.com>; "jcata2003@yahoo.com" <jcata2003@yahoo.com>; owen raymundo <mrcraymundo@pnoc.com.ph>; charming natividad <cbnatividad@pnoc.com.ph>; jorge bitoon <jorge_adonis@yahoo.com>; "mleonor123@yahoo.com" <mleonor123@yahoo.com>; "zenbcruz@yahoo.com" <zenbcruz@yahoo.com>
Sent: Thursday, May 3, 2012 4:38 PM
Subject: Enhance Program Design for the CTF Consultations

Dear Lenie:

As the coordinator of the planned series of consultation workshops in relation to the CTF and E-trike Project, we would like to inform you that DOE has tapped the Development Academy of the Philippines (DAP) to facilitate the conduct of the consultation workshops.

As reported, DAP has requested the six (6) program committees until April 24, 2012 to provide info and final program of their respective CTF consultations but got only inputs from CTF Consultation 1 and 6. After due consideration of the available inputs from key stakeholders, DAP has proposed to enhance the program agenda (which DOE has approved) by having a uniform format with the same topics to be presented in each of the three(3) consultations.

For each consultation, there will be target cluster groups such as the policy makers, RE developers, EV manufacturers, transport operators and drivers associations, civil society groups, among others. DOE believed that this approach will provide more focus on the CTF utilization, shift from solar to E-trike and the E-trike project design and implementation. There will be a wrap-up session that will synthesize all inputs and discussion from the three (3) consultation workshops.

DOE has directed DAP to finalize the preparations for the consultation to proceed on the target May 15, 2012 schedule and arrange subsequent consultations based on the DOE-approved program design flow.

Arnel Garcia
DOE

--

Victoria M. Segovia

Executive Director

Partnership for Clean Air (PCA) Inc.

Unit 3504, 35th Floor, Robinson's-Equitable Tower

ADB Avenue, Ortigas Center, Pasig City 1605

Telephone: (06 3) 395-7149; FAX: (06 3) 395-2846

www.cleanairinitiative.org/portal/countrynetworks/philippines



Department of
Energy



Development Academy
of the Philippines



May 3, 2012

Name: -----

Position -----

Dear Sir/Madame:

Warm greetings!

The Partnership for Clean Air, Inc. (PCA), in partnership with ADB, DOST, DOE, DAP and CAI-Asia is pleased to invite you to the Forum on **“Why E-Trikes for the DOE - CTF Project?”** to be held at DAP Conference Center ---- (*place*) on May 14, 2012. (*Note: date to be confirmed*)

This one-day forum is part of a series of consultation meetings aimed to inform and discuss with relevant stakeholders on the Department of Energy (DOE) – Asian Development Bank (ADB) plans for E-trikes deployment in the Philippines. The objective of this consultation is to clarify and discuss the need for electrification of tricycles as part of the DOE-ADB initiative using resources from the Clean Technology Fund.¹

The primary target participants in the morning session are policy makers, government officials, academics, and the main target participants in the afternoon session are other stakeholders in the transport sector such as JODAs/ TODAs, and bus operators and cities where they electric public transport vehicles have been adopted.

We are inviting you to attend the whole day session. Attached is the proposed Program Schedule.

Please confirm your attendance to the PCA Secretariat at: telephone 395-7149 or fax to: 395-2846. You may also email: pcasecretariat2012@gmail.com or tan.anna09@gmail.com.

Hoping for your prompt and positive response to join us, I remain on behalf of the other partners and stakeholders,

Yours sincerely,

Rene Pineda Jr.
President
Partnership for Clean Air

¹ The Clean Technology Fund (CTF), one of two Climate Investment Funds, promotes scaled-up financing for demonstration, deployment and transfer of low-carbon technologies with significant potential for long-term greenhouse gas emissions savings. The CTF finances programs in 12 countries and one region. For more information, visit <http://www.climateinvestmentfunds.org/cif/content/philippines>



Department of
Energy



Development Academy
of the Philippines



May 3, 2012

Name: -----

Position -----

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Rene Pineda Jr.
President
Partnership for Clean Air

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Department of
Energy



Development Academy
of the Philippines



ADB-DOST-DOE-DAP-CAI-ASIA-PCA CONSULTATION

May 14, 2012, DAP Conference Center, Ortigas, Pasig City

“Electrification Of Public Transport: Why E-Trikes”

PARTICIPANT’S CONFIRMATION SLIP

Name _____

Designation _____

Institution/Org. Represented: _____

Address _____

Fax No. _____ Phone No. _____

E-mailAddress _____

FOOD/DIET RESTRICTION? (Pls. specify):

Please mail or fax to:

The PARTNERSHIP FOR CLEAN AIR SECRETARIAT

Tel.Nos 395-7149/telefax 395-2846 or through mobile phone: 09278984878

Email address: pcasecretariat2012@gmail.com or tan.anna09@gmail.com

THANK YOU.

ANNEX 2
"Concrete intentions and plans before ADB scuttled the Steering Committee process"

----- Forwarded message -----

From: <ethomas@adb.org>

Date: Wed, Apr 11, 2012 at 5:31 PM

Subject: E-Trikes Steering Committee Meeting: Friday, April 13th, 9am-12noon, CAI-Asia

To: bert.fabian@cai-

asia.org, chester.chi@gmail.com, gibay@wwf.panda.org, info@aksyonklima.com, johntanlee@gmail.com, pcasecretariat2012@gmail.com, red@ejeepney.org, rene.publicist@gmail.com, clapsansky@adb.org, csamaniego@adb.org, dccauley@adb.org, jacharya@adb.org, shasnie@adb.org, tmrepizo@yahoo.com, alisonpartin@me.com, lgayson@doe.gov.ph, jcata2003@yahoo.com, januncia@doe.gov.ph, lenragarcia@yahoo.com, tgaltvante@yahoo.com, lmcapri2002@yahoo.com, rmpfi@yahoo.com, alancajes@yahoo.com, jgferrer2003@yahoo.com, jsm.etroev@gmail.com, rommeljuan@gmail.com, johnalfonsomarasigan@yahoo.com, yepublications@gmail.com, enr104@yahoo.com, atanjusay@yahoo.com, aaron.vermeulen@wwf.panda.org, glynda.bathan@cai-asia.org, Avilash Roul <avilash@forum-adb.org>, vincent.rapisura@sedpi.com

Dear Colleagues,

Happy Easter to you all. I hope that you've had a restful break.

As I'm sure you are likely to have heard, there have been several developments since we last met on March 16th.

- * On 12 March, the DOF submitted an update to the CTF on the consultation process, including an outline of the upcoming consultations. (Note: all of these letters are available or will be posted shortly on the CTF website)
- * The CTF review process was triggered, and they set April 11th as a deadline for no-objection for approvals
- * The planned steering committee meeting set on March 30th was moved from CAI-Asia to ADB to follow an industry meeting that same afternoon.
- * Red, Vicki, John Lee, DOE (Arnel and Jess), and ADB (Sohail, Alison, and Lainie) discussed at that meeting on March 30th the fact that the April 11th approval date preceded the planned consultations, and what should be done next. The group agreed:
 - * DOE and WWF (focal point for the planning of consultation #1 on the IP switch) should discuss the possibility of moving the consultation forward to the 20th of April
 - * ADB should explore with the DOE and DOF the possibility of requesting an extension from the CTF of the approval date until after the consultation takes place
 - * To meet on April 10th at 10am to draft a letter for the DOE's review and possible submission to the CTF
- * DOE, DAP, and WWF met on the 3rd and agreed that they could not move the consultation to the 20th. Minutes of the May 8th consultation attached.
- * Akyson Klima sent a letter to the CTF on April 5th, urging them to reject the approval of the Updated CTF Investment Plan
- * The DOE indicated to the ADB that they saw no need to request a change in a date that they didn't request in the first place

This morning, the DOE, ADB, and Vicki of the PCA met. In short, we agreed that due to all of these recent events, the full steering committee needs to meet to reach a consensus on moving forward with the consultation process. We want to reconfirm ADB's commitment on the consultations number 2-6 on project design. We propose to meet on **Friday morning, 9am-12noon at the CAI-Asia office**. The DOE will give us an update of the CTF status and we will decide on how to move forward.

In particular, the meeting will have the following **objectives**:

1. To clarify reasons for the shift of project funds from renewable energy (solar roofing) to electric trikes, and to discuss how to make the first consultation session (that will be managed by WWF with DOE and DAP), not just a session to clarify the shift but also to discuss how we can develop a long-term sustainable program for renewable energy, as new and additional funding will be available from Green Carbon Fund
2. To try to reach a comfortable consensus that would enable CTF to approve the revised project by their May 3 meeting.
3. To discuss how we can proceed satisfactorily with the planned consultations.

The proposed **agenda** is as follows:

- 1) Introduction of participants
- 2) Clarification of any recent events (to be answered by relevant person)
- 3) Update from the DOE/ADB on the CTF approval process and their proposed steps forward
- 4) Feedback and discussion on the proposed next steps forward
- 5) Confirmation of consensus

Since the meeting on Tuesday morning, the following events have also taken place:

- * FDC has also sent a letter requesting the CTF to not approve the IP
- * The German, Australian, and American governments requested that the CTF postpone approval

May we please ask that you all share these updates with your constituents and networks between now and Friday and come prepared to help reach a consensus on moving forward? Please let us know if you have any questions in the meantime, and we look forward to meeting again on Friday.

Cheers,

Lainie

PS- At the April 30th meeting, Vicky requested information on the Mandaluyong e-trike project. Here is the link: <http://adbweb/projects/etrike/pilot.asp>

Lainie Thomas
Social Development Specialist (Civil Society and Participation)
Southeast Asia Regional Department
Asian Development Bank
Tel (+632) 632-4292

Dear Ms. Thomas:

Good day.

We would like to inform you that a meeting among DOE, WWF and DAP was held on April 3, 2012 at the DOE office to discuss details of proposed consultation. Present during the meeting were:

DOE: OIC-Dir. Jesus Anunciacion, Mr. Arnel Mathew C. Garcia and Mr. Jorge Vincent Bitoon

WWF: Atty. Angela Consuelo S. Ibay and Ms. Denise Danielle Galvez

DAP: Ms. Jovelyn Ferrer and Ms. Jhona Casalan

The meeting was presided by Mr. Anunciacion and he provided an update of the meetings held at ADB on March 30, 2012. Mr. Anunciacion emphasized that there was a proposal (subject to DOE and WWF approval) that Consultation No. 1 be conducted on the 3rd week of April in consideration of the CTF Board pending decision on the approval of CTF for the Philippines subject to the conduct of consultations with various stakeholders to include RE groups, NGOs, etc. Mr. Anunciacion mentioned that during the March 30 consultation among ADB and NGO/Civil society there was a plan to draft a clarificatory letter to CTF Board to update them of the consultation related activities and request for possible extension.

Furthermore, Atty. Ibay said that during their initial consultation with ADB, May 8 onwards was agreed upon and concerns with respect to timelines and reasonable preparation were also considered in setting the date of consultation. Atty Ibay further explained that earlier than May 8 does not provide reasonable time to warrant substantial and meaningful consultation and it requires time to get maximum participation from RE stakeholders. She proposed to announce the scheduled CTF consultation during the RE summit scheduled on April 19, 2012.

Agreed preparatory activities were as follows:

- 1) DOE and WWF to come out with the Initial list of participants on April 13, 2012
- 2) DOE and DAP to Farm-out invitation on April 18, 2012
- 3) Announcement of CTF Consultation on April 19, 2012 at the RE Summit
- 4) DOE to tap services of DAP as moderator and facilitator of the event

It was agreed that DOE and WWF will communicate closely in preparation for the consultation.

Attached is the draft program for Consultation No. 1 which was jointly prepared by DOE and WWF.

For your information.

Regards,

Arnel Garcia
DOE

ANNEX 3
April 13 CTF Consultation Planning Meeting

----- Forwarded message -----

From: <ethomas@adb.org>

Date: Wed, Apr 18, 2012 at 1:53 PM

Subject: CTF Consultation Planning Meeting- minutes of April 13th meeting

To: aaron.vermeulen@wwf.panda.org, cpmaceda@gmail.com, jacharya@adb.org, shasnie@adb.org, pcasecretariat2012@gmail.com, red@ejeepney.org, rene.publicist@gmail.com, tmrepizo@yahoo.com, job.bordamonte@gmail.com, [\[asia.org\]\(mailto:asia.org\), \[corajays@yahoo.com\]\(mailto:corajays@yahoo.com\), \[reytg@yahoo.com\]\(mailto:reytg@yahoo.com\), \[lenragarcia@yahoo.com\]\(mailto:lenragarcia@yahoo.com\), \[januncia@doe.gov.ph\]\(mailto:januncia@doe.gov.ph\), \[info@aksyonklima.com\]\(mailto:info@aksyonklima.com\), \[dmccauley@adb.org\]\(mailto:dmccauley@adb.org\)](mailto:bert.fabian@cai-</p></div><div data-bbox=)

Cc: alancajes@yahoo.com, alisonpartin@me.com, atanjusay@yahoo.com, Avilash Roul <avilash@forum-adb.org>, chester.chi@gmail.com, clapsansky@adb.org, csamaniego@adb.org, enr104@yahoo.com, gibay@wwf.panda.org, [\[asia.org\]\(mailto:asia.org\), \[jcata2003@yahoo.com\]\(mailto:jcata2003@yahoo.com\), \[jgferrer2003@yahoo.com\]\(mailto:jgferrer2003@yahoo.com\), \[johnalfonsomarasigan@yahoo.com\]\(mailto:johnalfonsomarasigan@yahoo.com\), \[johntanlee@gmail.com\]\(mailto:johntanlee@gmail.com\), \[jsm.etroev@gmail.com\]\(mailto:jsm.etroev@gmail.com\), \[lgayson@doe.gov.ph\]\(mailto:lgayson@doe.gov.ph\), \[lmcapri2002@yahoo.com\]\(mailto:lmcapri2002@yahoo.com\), \[rmpfi@yahoo.com\]\(mailto:rmpfi@yahoo.com\), \[rommeljuan@gmail.com\]\(mailto:rommeljuan@gmail.com\), \[tgalvante@yahoo.com\]\(mailto:tgalvante@yahoo.com\), \[vincent.rapisura@sedpi.com\]\(mailto:vincent.rapisura@sedpi.com\), \[yepublications@gmail.com\]\(mailto:yepublications@gmail.com\)](mailto:glynda.bathan@cai-</p></div><div data-bbox=)

Dear All,

Please find attached the minutes of our April 11th meeting. I am not sure that I have all of the participants names listed correctly, so please do let me know if I've made a mistake or omitted some people; likewise, please let me know if you find any errors or omissions in the minutes.

In terms of moving forward, I am proposing that we take stock of the planning done by each of the six consultation organizing groups. I have asked Alison to contact each of the focal points and to prepare for us an update of where we are. Based on the results of the progress of each group, we can determine when we need to meet as a steering committee next. Alison will look into the status of the background documents needed, the status of the compilation of the guest lists, the invitations, the venue, facilitator, etc., and provide a summary for the steering committee.

We will circulate that as soon as she's talked to each group, and she can summarize also for us the suggestions for a need for our next meeting.

Cheers,

Lainie

Lainie Thomas
Social Development Specialist (Civil Society and Participation)
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Minutes, CTF Consultation Planning Meeting
April 13, 2012
CAI-Asia Office

I. Introductions

The participants introduced themselves. See attached list of participants.

II. Update from the DOE/ADB on the CTF approval process

- The DOE indicated that it wanted to move the first and or second consultation earlier, as the week of May 7th, they have other activities
- David McCauley said to the participants that the group should consider if it wanted to have a presentation at the CTF meeting on May 3rd at the CTF semi-annual meeting. He clarified that the DOE- or Climate Change Commission- would need to make the presentation, and not the steering committee or ADB. He said that there were options for what could be presented. First, it could be an update (which he further clarified as either a brief update or more substantial) or second it could be a request for endorsement. The deadline for requesting the addition to the agenda is today, so a recommendation had to be made to the DOE soon.
- David also explained the 7 different meetings that would take place at the CIF semi-annual meeting and then he answered questions on the funding modality (loan, not grant) and on the concessional terms.
- Bert Fabian asked if the presentation could also be an opportunity for the DOE to show its commitment to the CTF, and David answered that yes, it could, as it would give an indication that the Philippines is eager to have the funding, which could be important given the interest of other countries in the funding.
- Red Constantino said that bigger issues were at hand, that the lack of trust and the repeated attempts at circumventing the process needed to be addressed first.
- Lainie Thomas narrated the recent events of correspondence with CTF in April and May (see list of developments) and said that although there were different interpretations, ADB and DOE still wanted to move the process forward with full civil society participation.
- Red added four points to Lainie's narrative: 1) that the December letter to the CTF included decisions made without key stakeholder (RE sector) consultation, 2) that the key stakeholders from the sector who was receiving the money (sustainable transport) should also be consulted, and weren't, 3) that the fact that the DOE letter didn't ask for an endorsement date was not enough, and that the DOE should have specifically stated that it was not seeking an endorsement date, and 4) the matrix that listed responses to civil society concerns should have been a reflection of issues discussed and agreed upon at the consultations.
- David indicated that he would have been able to assist with the letter, and clarified that comments matrices in ADB are part of the institutional culture. David added that since the group has agreed that the history about the correspondence with CTF will be reflected as accurately as possible in future communications with CTF, then probably the group can already move forward.

III. Feedback and discussion on the proposed next steps forward

- Catherine Maceda of Renewable Energy Coalition suggested for DOE to already fix the date of the consultation.
- Concerns were raised about moving the consultation earlier than May 7 because of the Washington meeting, ADB annual meeting and WWF's own schedule and intent to announce the consultations during the energy summit on April 19.

- Red said that in setting the date for the consultation, the following should be considered 1) quality of what will be communicated to the CTF about the results of the consultation it being the more critical thing and 2) time for participants to prepare and consult with their constituencies.
- David indicated that discussions on the shift of funding should be linked to the broader discussions about the Investment Plan. If the objective is to present quality outcome to the CTF, it is good to note that it is not only the CTF that makes decisions but it is also based on the broader national strategy for addressing climate change.
- Sohail Hasnie upon inquiry explained that policy concerns (feed-in-tariff and maximum limit for solar allowed by the government at 50MW in the next two years which is low considering the funding available and the scale of ADB projects in other countries, and the intent of the private sector to provide up to 800 MW) and, considerations like, the project will not move before 2016 because enabling environment is not yet in place and CTF cannot wait until 2015 or 2016, prompted the shift of funding from renewable energy to sustainable transport.
- Vicky Segovia said that these things should be explained during the first consultation.
- Catherine Maceda said that while she advocates renewable energy, at the end of the day the issue on pricing should be considered in defining how to move the renewable energy sector forward. She added that the Renewable Energy Plan should be considered in the consultation discussions and offered to give a list of participants.
- Red asked if the group is moving away from the earlier suggestion that the first consultation be held first to meet CTF deadline and instead conduct all the six consultations entirely together. He added that the consultations are linked altogether and the Investment Plan should reflect the outcome of the entire consultation process. He cited as example the zeroing in on solar rooftops; the shift of funding from solar automatically to sustainable transport and the jump to e-trike even if what is indicated in the Investment Plan is electric vehicles.
- David asked if the suggestion is to finish all the consultations first before communicating to the CTF. He said that it is out of the norm based on how CTF normally operates. What happens is, they make decision based on the bigger picture first and have the country return to them for the approval of the project. He expressed hope that the group be able to make a distinction and can have a first consultation that gives a green, red or orange light for the Investment Plan.
- Red interjected that orange light may just mean funding remains in renewable energy or go to lower emission vehicle but not locked in to e-trike. He asked how orange is orange.
- Sohail said that the project is already in the pipeline and a major rethink of the project would have serious implication on the affair of ADB's finance as a partner.
- Bert Fabian asked if the intent of the discussion is, that the project will proceed but project details can be changed. He also asked whether it is still possible to transfer the money to something else if the result of the consultations is along that line.
- David said that this is precisely why there is a need to do first a consultation on the fund shift. The result would be, the government needs to update its national priorities with respect to renewable energy and sustainable transport and go back to the CTF for the earmark of the funds. After the first consultation would be the consultation on the details of the project.
- Bebet Gozun explained that the CTF funding program include municipal services apart from renewable energy and sustainable transport. She said that the reason why there is a shift of funds to sustainable transport is because private sector is willing to do the solar. In the transport sector, however, there are other forms of vehicles. She suggested that the funding program should be broad enough to

cover other green vehicles and the fast change in technology. She added that in the funds flow, the LGU should be taken out of the equation.

- Red said that the renewable sector has the main say in the fund diversion. He also said that there are other things to fund other than the solar rooftops.
- Catherine Maceda said that the objectives of the consultation should be clearly drawn up.
- David clarified that if the question is whether to shift the fund from renewable energy to sustainable transport, then it is green light or red light. Orange light comes in terms of other considerations that will come out during the consultations.

IV. Confirmation of Consensus

- First consultation, the green light or red light, is the broader discussion on the reallocation from renewable energy to sustainable transport. The entire process will continue and submission of update to the CTF will be done after the full consultations.
- Consultations will proceed between 8 May and 20 May as originally scheduled.
- A one-page factual update will be sent in time for the 3 May Washington meeting.
- Come up with a consolidated report one week after the conclusion of the full consultations.

APPENDIX I: List of participants

1. Lainie Thomas, Asian Development Bank
2. Catherine Maceda, Center for Clean and Renewable Energy (C-CRED)
3. Jiwan Acharya, Asian Development Bank
4. Victoria Segovia, PCA Secretariat
5. Red Constantino, Institute for Climate and Sustainable Cities
6. Job Bordamonte, Freedom from Debt Coalition
7. Sohail Hasnie, Asian Development Bank
8. Rene Pineda, Partnership for Clean Air
9. Bert Fabian, Clean Air Initiative- Asia
10. Maria Corazon Joyson, Department of Transportation and Communications
11. Reynaldo Gatchalian, Sr. TDO
12. Tess Resposito, Asian Development Bank
13. Arnel Garcia, Department of Transportation and Communications
14. Yasol
15. Denise Fontanilla, Aksyon Klima
16. Bert Suansing, Philippine Global Road Safety Partnership
17. David McCauley, Asian Development Bank
18. Bebet Gozun, Climate Change Commission
19. Aaron Vermeulen, WWF

ANNEX 4 Other Correspondences

----- Forwarded message -----

From: <ethomas@adb.org>
Date: Mon, Mar 19, 2012 at 2:55 PM
Subject: RE: E-trike consultations and NGO Forum
To: Avilash Roul <avilash@forum-adb.org>
Cc: red@ejeepney.org

Hi Avilash,

I'm glad it's not just me who is swamped and way behind on email! :)

Thanks for your support. I really appreciate it. We still have a long way to go, but I feel confident that we will get there. The steering committee is working really well together and we've had some highly productive meetings. In the meantime, I've written in the NGO Forum on ADB as co-organizer of that last session on our agenda. Here are our main working documents, FYI.

Let's keep in touch.

Cheers,

Lainie

Lainie Thomas
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Please consider the environment before printing this e-mail

From: "Avilash Roul" <avilash@forum-adb.org>
To: <ethomas@adb.org>
Cc: <red@ejeepney.org>
Date: 03/13/2012 06:27 PM
Subject: RE: E-trike consultations and NGO Forum

Dear Lainie,

Thank you. No, its not out of blue as I have been informed by Red. Sorry for my delayed response as I have been tremendously occupied here. However, I am very thankful to you to steer this meaningful consultation. Forum has always been suggesting meaningful consultations would lead to proper decision making process. As long as ADB is ready for a meaningful consultation, Forum will extend its support to you.

For the concluding consultation, Red, you and I will definitely sit down for the agenda and make the end happens well

like Safeguard consultation in Manila. I will be all along in April here in Manila, lets three of us meet sometime soon,

With best regards

Avilash

From: ethomas@adb.org [<mailto:ethomas@adb.org>]

Sent: Monday, March 05, 2012 5:05 PM

To: Avilash Roul

Cc: red@jeepney.org

Subject: E-trike consultations and NGO Forum

Hi Avilash,

I hope all's well. I hope this isn't out of the blue!

I agreed at our last CTF pre-consultation meeting to work with the NGO Forum on the agenda for the concluding consultation. I have just sent around the minutes, and I've added you to the list. You can see that I already put together a basic draft agenda without consulting you (sorry about that, but I was in a rush!), but I was hoping that you may want to be more involved in this last consultation. I know Red had been briefing you a bit on what we've been planning, but in short, it's a consultation where we're hoping to have a representative from all of the other consultations and using a professional facilitator, synthesize everything that has been said and come up with some concluding outcomes and recommendations.

I know that things are really busy for you now, but you don't need to do much at this point anyway. If you're interested, then I'll keep you in the loop about this and we can rework the agenda together and work out how to make this happen.

Cheers,

Lainie

Lainie Thomas

Social Development Specialist (Civil Society and Participation)

Southeast Asia Regional Department

Asian Development Bank

Tel (+632) 632-4292

OVERVIEW OF PROPOSED CONSULTATIONS

	Consultation #1	Consultation #2	Consultation #3	Consultation #4	Consultation #5	Consultation #6
Title	Why not Renewable Energy for the CTF?	Electrification of Public Transport: Why E-Trikes?	Electrification of Public Transport: Why E-Trikes?	Alternate Fuel Vehicles and Finance	Project Level Consultations	Concluding Consultation
Objectives	To understand the current state of renewable energy in the Philippines and why the shift to e-trike for CTF	To justify why the electrification of tricycles is the preferred choice for CTF	To justify why the electrification of tricycles is the preferred choice for CTF	To understand financing opportunities to AFVs and the proposed e-trikes financing scheme	To understand and contribute to specific aspects of the project design	To synthesize all of the discussions and outputs of the previous consultations and to create a clear mandate for moving forward
Draft Agenda						
Participants	RE developers, institutions financing RE, government representatives, electric co-ops, consumer groups, and CSOs	Policymakers, academics and experts	Transport sector JODA/TODAs, and bus operators	Banks- DBP, LBP, BPI IFIs- ADB, WB, JICA MFIs	EVA, academe, manufacturing, DTI	3 representatives from each consultation, plus WG members
Program Committee	DOE and WWF	PCA/CAI-Asia and DOTC	PCA/CAI-Asia and DOTC	AK, an MFI (TBC), and CCC	EVA	ADB and NGO Forum on ADB

PROGRAM COMMITTEE CONTACT DETAILS

The following people are representing the Working Group to the DAP team. They have two main responsibilities: to share the views of the WG to the DAP team in terms of how the consultations are planned and executed, and to report back to the WG the planning of their respective consultations with the DAP.

	Organization	Contact Person	Email	Cell phone
Consultation 1	WWF	Gia Ibay	gibay@www.org.ph	
Consultation 2	PCA/CAI-Asia and DOTC	Bert Fabian	Bert.fabian@cai-asia.org	
Consultation 3	PCA/CAI-Asia and DOTC	Vicky Segoria	pcasecretariat2012@gmail.com	
Consultation 4	AK, an MFI (TBC), and CCC	Denise Fontanilla	info@aksyonklima.com	
Consultation 5	EVA	Rene Pineda, John Lee, & Red Constantino	Rene.publicist@gmail.com johntanlee@gmail.com red@ejeepney.org	
Consultation 6	ADB	Lainie Thomas Avilash Roul	ethomas@adb.org avilash@forum-adb.org	0927-796-3909

DRAFT AGENDAS FOR CONSULTATION MEETINGS UPDATED MARCH 9, 2012

Working timeframe:

March 16-	handover to DAP
March 19–29-	DAP meets the individual working groups
March 30th-	Full working group meeting with DAP and DOE Finalize invitations, documentation, and schedules
March 30-May 7-	Participants review documentation, prepare position papers, meet in interest groups as needed; SG meets as needed to oversee the process
May 7–18-	Conduct consultations

Consultation 1: *Why not Renewable Energy for the Climate Trust Fund? (Proposed by WWF)*

- The **objective** of the first consultation is to understand the current state of renewable energy in the Philippines and why the shift for CTF is proposed to the e-trike.
- The **target participants** are RE developers, institutions financing RE, government representatives, electric co-ops, consumer groups, and civil society organizations.

OBJECTIVES:

- To understand current state of RE in the Philippines and why the shift to e-trikes for the CTF
- To present the CTF and Philippine Investment Plan with original components
- To present the Revised Investment Plan and reasons for deviating from the original plan
- To engage discussion on use of the CTF for a Transformational Strategy in the Energy Sector to Address Growing Demand

PROPOSED AGENDA:

- Welcome and introduction
- Rationale for the consultations
- Philippine Policy Framework for Renewable Energy
 - The National Climate Change Action Plan: Sustainable Energy, A Strategic Priority
 - The National Renewable Energy Program (Salient Features of the Renewable Energy Law and Current Updates)
- Harnessing Renewable Energy Resources: Potential, Benefits and Challenges
 - from a developer's perspective
 - from a consumer's perspective
- Is there financing for renewable energy projects?
- What is the CTF Approved Philippine Investment Plan?
- Why the Shift? Proposed Revised CTF-PIP
 - Effect on the Power Sector (supply, demand, grid, price)
 - What other options?
- Panel discussion and Open Forum

Consultation 2: Electrification of Public Transport: Why E-Trikes? (Proposed by CAI-Asia)

- The **objective** of the second consultation is to justify why the electrification of tricycles is the preferred choice for CTF.
- The **target participants** are policy makers, government officials, academics, and some transport stakeholders who want to participate to prepare for consultation #3.

This consultation will look at the other transport options for the CTF funding such as buses and e-jeepneys, and the DOE will present data and a case for choosing e-trikes. This consultation is putting into context and discussing with relevant government agencies and other stakeholders the decision on why e-trikes were selected and not specifically the other options for CTF funding.

The consultation will include experiences from other existing or previous electric fleets, such as those in Taguig, Puerto Princesa, Makati and Pasig.

Draft agenda:**1. Introduction and rationale –**

* DOE and/or ADB can present here e.g. present data and a case for choosing e-trikes

2. Transport and the role of tricycles in the Philippines –

* NCTS to put into context the role of tricycles in transport, its emergence as an intermediate public transport mode and highlight the pros and cons of this public transport mode

3. Plans and programs of DOTC –

* Where do tricycles fit in?

4. Project design as currently envisioned

*

5. Proposed shift to e-trikes, and why?

*

6. Panel discussion and open forum on the role of tricycles and the need for fleet electrification –

* Panel members include DOTC Planning, Transportation Science Society of the Philippines, an LGU representative, and to be facilitated by CAI-Asia

Consultation 3: Electrification of Public Transport: Why E-Trikes? (Proposed by CAI-Asia)

- The **objective** of the third consultation is to justify why the electrification of tricycles is the preferred choice for CTF.
- The **target participants** are transport sector stakeholders including JODAs/TODAs and bus operators.

Consultation #3 focuses on the full range of transport stakeholders. This consultation aims to discuss with public transport (jeepney and tricycles) operators/drivers associations on the use and potential of fleet electrification. Representatives from TODA/JODA groups from Taguig and Makati who have actual experience could join this consultation. DTI and DNR representatives could speak about the disposal issue.

DOE may present its case for using CTF funding for a sustainable transport project and solicit further inputs from key stakeholders. Note that some of the topics in the agenda below will also be covered in the project level consultations. However, at Consultation #3, as the target group is transport stakeholders, the depth of conversation will differ from those of the project level consultations with civil society.

(From Red) I would add to Consultation 3 (1) the ADB's replacement program (and the basis for this) in addition to (2) ADB's plan regarding disposal programs since I am hoping the ADB is not planning on sending the 2-strokes to the provinces, and (3) views from the transport sector via Congressional reps such as 1Utak. Happy to discuss tomorrow why Consultation 3 should not be about trike operators only/should include JODAs and bus people, since 5 to 8 seaters would have, whether negative or positive, impact on other public conveyances.

Draft agenda:

1. Introduction and rationale –

* DOE and/or ADB can present here e.g. present data and a case for choosing e-trikes

2. Transport and the role of tricycles in the Philippines –

* NCTS to put into context the role of tricycles in transport, its emergence as an intermediate public transport mode and highlight the pros and cons of this public transport mode

3. Plans and programs of DOTC –

* Where do tricycles fit in?

4. Project design as currently envisioned

*

5. Proposed shift to e-trikes, and why?

*

6. Panel discussion and open forum on the role of tricycles and the need for fleet electrification –

* Panel members include DOTC Planning, Transportation Science Society of the Philippines, an LGU representative, and to be facilitated by CAI-Asia

Consultation 4: Alternate Fuel Vehicles and finance (Proposed by Aksyon Klima with CCC)

- The **objective** of the fourth consultation is to understand financing opportunities for AFVs and the proposed e-trikes financing scheme.
- The **target participants** are commercial banks (such as DBP, LBP, BPI), international financial institutions (such as ADB, WB, and JICA), and microfinance institutes.

Consultation 4 is for those interested in financing and the sustainable transport sector. The DOE may present its rationale for seeking funding for the e-trike project and solicit inputs from key stakeholders. An example of the type of discussion that could take place in this consultation include asking why don't we use banks with DOTC-approved criteria for borrowing for sustainable transport, including but not limited to e-trikes?

Draft agenda:

1. ADB overview
2. CCC presentation- implications for finance. Is e-trike a loan? How does it fit into the CCC plan?
3. Renewable energy and sustainable transport issues and current bank facilities
4. Micro-finance response
5. Open forum for discussion
6. Break out groups for more discussion
7. Plenary to share the results of the group discussions
8. Consolidation of outputs/break
9. Plenary: agreements of local stakeholders

Consultation 5: *Project level consultations (proposed by EVA)* –

- The **objective** of the fifth consultation is to **understand and contribute to specific aspects of the project design**
- The **target participants** are EVA, academe, manufacturing, and the Department of Trade and Industry.

Assuming that the previous consultations conclude with an agreement to move forward with sustainable transport and an e-trike project, the project level consultations will cover topics specific to the project itself, as grouped in the agenda below.

Draft agenda:

- 1. Introduction**
 - a. Effects of the project on power
 - b. Effects of the project on oil
- 2. Technical design of the e-trike**
- 3. Financing of the e-trike**
- 4. The project model**

Consultation 6: Concluding consultation (proposed by ADB and the NGO Forum on ADB)

- The **objective** of the final consultation is to **synthesize all of the discussions and outputs of the previous consultations and to create a clear mandate for moving forward.**
- The **target participants** are **3 representatives from each of the prior consultations, plus WG members.**

At the end of the series of consultations, the wrap-up session will synthesize all inputs and discussions. At the end of each consultation, three representatives will be selected to join this wrap up meeting with the working group, the DOE and ADB, and agree on steps forward.

Draft agenda:**1. Welcome and rationale-**

The DOE/ADB/NGO Forum on ADB welcome participants and state the purpose of the consultation, to share information about all of the consultations and the inputs gathered, and to synthesize the information into a clear plan for moving forward

2. Introductions of participants-

Each participant introduces him/herself and the meeting that s/he is representing (if applicable).

3. Presentations of outcomes-

Each participant gives a summary of the consultation that s/he represents, and talks about the outcomes. The facilitator will note these points on a flip chart as they are presented.

4. Plenary discussion of the outcomes-

Led by the DOE, the participants discuss what the discussion's conclusions are, and what they see this means for the project. The DOE gives responses to any issues that require DOE input or positions.

5. Final conclusions-

The facilitator presents a consolidated set of conclusions of the stakeholder consultations for moving forward to the DOE.

* **Note:** This meeting may be more productive if each participant representative prepares a one-page summary sheet of his/her meeting in advance of this consultation, and shares it in advance of the meeting.

- 1. Design**
 - 1.1. Trike
 - 1.2. Body and chassis
 - 1.3. Battery
- 2. Standards and Tests**
- 3. Costs**
- 4. Warranties**
- 5. Registration and Franchising**
 - 5.1. Replacement of old units
 - 5.2. Right-sizing of franchises
 - 5.3. Dropping
 - 5.4. Encroachment into the Jeepney market
- 6. Business Model**
 - 6.1. Batteries Not Included/ Batteries Included
 - 6.2. Financing
 - 6.3. Ownership – boundary
 - 6.4. Amortization
- 7. Effects on the Power Sector**
 - 7.1. Supply
 - 7.2. Demand
 - 7.3. Grid
 - 7.4. Price
- 8. Effects on the Oil Sector**
 - 8.1. Supply
 - 8.2. Demand
 - 8.3. Price
- 9. Fares**