Summary of Discussions 12th Meeting of the Regional Power Trade Coordination Committee (RPTCC-12) Vientiane, Lao PDR, 17-18 May 2012

Objectives

- 1. The 12th RPTCC meeting (RPTCC-12) was held mainly to continue discussions on the inter-governmental MOU to establish the Regional Power Coordination Center (RPCC), focused on further firming up the draft inter-governmental MOU based on proposed amendments received by ADB during and after the recent RPTCC meeting held in Bangkok in March 2012. The RPTCC-12 meeting also took up the following: (i) finalization of the RPCC HQ selection criteria and process, followed by request for submission of proposals for HQ hosting; (ii) presentation of the revised scope of work of the working groups on (a) Regulatory Issues and (b) Performance Standards and Grid Code, discussion of their work plans, and finalization of the Chair, Vice-Chair and GMS nominees to the WGs; and (iii) discussion of the progress of RETA 7764: Ensuring Sustainability of GMS Regional Power Development will be discussed. The agenda for the meeting is attached for your kind reference (Annex 1).
- 2. The RPTCC-12 meeting was held in Vientiane, Lao PDR on 17-18 May 2012 and coorganized by the Ministry of Energy and Mines (MEM) of Lao PDR and the Asian Development Bank (ADB). It was attended by RPTCC nominees and other participants of the six GMS member countries, as well as by representatives of ADB, Agence Francais de Development (AFD), Australian Agency for International Development (AusAID), International Center for Environmental Management (ICEM), Mekong River Commission (MRC), and the World Bank (WB). Attached is the list of RPTCC-12 participants (Annex 2).
- 3. The RPTCC-12 meeting was co-chaired by Mr. Daovong Phonekeo, Director General, Department of Energy Policy and Planning (EPP), MEM of Lao PDR, and Mr. Jong-Inn Kim, Lead Energy Specialist. Energy Division (SEEN), Southeast Asia Department (SERD), ADB.

Opening Session

- 4. Mr. Daovong Phonekeo, Director General, Department of EPP, MEM of Lao PDR, warmly welcomed the participants to the meeting and noted the immense progress achieved by the country in electrifying villages- currently 73% of total, up from only 15% in 1995- despite the mountainous terrain and low population density which raises the cost of expanding electricity service. He noted that there are now 25 interconnection lines with Thailand, PRC, Cambodia and Viet Nam for both import and export of power. He added that installed hydropower capacity has now reached 3,200 MW, up from only 200 MW in 1995, of which 2/3 are exported. Earnings from hydropower projects contributed much to the Lao economy and helped build a more equitable Lao society. He hoped that cooperation among GMS members would lead to more fruitful development of clean and renewable energy sources.
- 5. Mr. Barend Frielink, Principal Country Economist, ADB Lao Resident Mission (LRM), on behalf of the Country Director, LRM, welcomed the RPTCC members and thanked the MEM of Lao PDR for the excellent meeting arrangements. He stressed the importance of GMS cooperation to Lao PDR, integrating it with regional and global economies (especially through the priority GMS transport corridors), which will further enhance investment and employment opportunities and promote export-oriented and labor intensive growth in the country. Lao PDR's

hydropower projects contributed their share to greater GMS energy connectivity which generated foreign exchange for Lao socio-economic programs and helped electrify rural communities while providing Thailand with clean and low-cost energy. Lao PDR has actively supported GMS efforts to develop regional power trade, being a signatory to all three GMS agreements on the matter, and has been preparing key cross-border interconnections to boost power trading with its neighbors. Moreover, Lao PDR has been supporting the GMS Energy Road Map's thrust to promote more sustainable energy development through renewable energy (RE), clean fuels (CF) and energy efficiency (EE) initiatives, and ensuring climate-proof development through improved SEA of the power sector. He stressed that as the GMS moves to put in place the new GMS Strategic Framework adopted at the last GMS Summit in Myanmar, the energy sector would be at the center of GMS responses to climate change and other threats, and in ensuring balance between energy sufficiency and food security. The new GMS Strategy also supports the establishment of the RPCC as a permanent GMS institution overseeing more harmonized power planning and program implementation, and power sector SEA application. He enjoined everyone to contribute their share to ensuring a workable agreement on the RPCC establishment.

Country Updates of Power Development Programs: Focus on Cross Border Projects (Annex 3)

- 6. **Cambodia**. The presentation by the Ministry of Industry, Mines and Energy (MIME) provided updates in Cambodia's power sector and briefed on its 5-Year Action Plan (2011-2015) which aims to reduce generation cost and increase electrification rate. For 2011-2015, he showed the coverage of the actual transmission line and plan, the outlook of supply and peak demand, and electricity generation by fuel type. He briefed on the progress of interconnection projects with Lao PDR and Viet Nam and the power demand for new connection points.
- 7. **Lao PDR**. The presentation by Electricite du Laos (EdL) discussed key elements and details of the power development plan for cross border projects, covering (i) responsibilities for the domestic and export power markets, (ii) existing network (2012), planned network up to 2015, and network planned 2015-2020, (iii) planned 500 kV lines and substations and their costs, and (iv) the National Control Center (to improve reliability of the network) and its costs.
- 8. **Myanmar**. The presentation by Ministry of Electric Power-2 (MOEP-2) provided a background on the power sector of the country and objectives of its power sector restructuring process. It discussed the organization chart of MOEP-2, described its policy objectives, and described electricity supply linkages (generation-transmission-distribution). It showed the location map of existing power plants, the installed capacity for 2012, and composition of the national grid system. It discussed the progress in electrification and the tariffs of both MOEP-1 and MOEP-2, the transmission/ distribution projects under the short term plan, the rural electrification program, and the hydropower and wind power program for export.
- 9. **PRC**. The presentation by the China Southern Power Grid Company (CSG) briefed on (i) PRC's area, GDP and total installed power capacity, (ii) coverage of CSG and its status in 2011-including installed capacity, breakdown by energy type, and generation level, (iii) CSG's internal power exchange and exchange with GMS countries, (iv) CSG's 12th 5-year Plan (2010-2015), including its power exchange plan (inside CSG area) and transmission system, and (v) status of cooperation with other GMS members (Viet Nam, Lao PDR, Myanmar, Cambodia, and Thailand). CSG hoped for strengthened cooperation among GMS members especially in optimizing energy resource distribution, exchanging technology and promoting green energy.

- 10. **Thailand**. The presentation by the Electricity Generating Authority of Thailand (EGAT) updated in Thailand's transmission interconnections with GMS countries. It showed details of power cooperation with Lao PDR covering current power purchase projects, associated transmission development and power tariffs, and projected future projects. It discussed also details of current and future power cooperation projects with Myanmar, Cambodia, and PRC, and a non-GMS member (Malaysia).
- 11. **Viet Nam**. The presentation by Electricity Regulatory Authority of Viet Nam (ERAV) discussed the current status of Viet Nam's power system, e.g., generation and energy imports, Power Development Plan 2011-2020, load forecasts/ generation mix of Master Plan VII. It updated on existing and future interconnection projects with PRC and Cambodia, and future connections with Lao PDR (e.g. Ban Hatsan-Pleiku).
- 12. **Discussions**. On ADB's query on the timetable of the PRC-Viet Nam 500 kV interconnection, PRC said the feasibility study on the project has commenced and target completion of the study would be around 2016-2017. Lao PDR informed that it is conducting additional studies on the environmental impacts of Xayaburi project, and COD will be meted as potential delay from this could be made up for during construction period.

Review/ Update of Draft Intergovernmental MOU to Establish the RPCC

- 13. Mr. M. Caubet, Consultant, presented the latest version of the intergovernmental MOU to establish the RPCC (revised 16 May 2012), highlighting the recent changes made after the last RPTCC meeting in Bangkok (March 2012). Thailand noted that the coming establishment of the ASEAN Economic Community (AEC) would have an effect on the RPCC, and presented its key proposed amendments to various articles of the MOU, effectively simplifying and shortening many provisions. Among the issues that Thailand raised was whether the grant of staff privileges and immunities by the host country need not be in the MOU yet, but may be introduced by an amendment later. Mr. Kim agreed and stressed that simplification could be pursued if this would bring about earlier agreement on the MOU's provisions. Mr. Caubet gave his responses/ views on the comments from Thailand, essentially expressing preference for a single MOU to establish the RPCC as the regional power trading institution. Based on Thailand's motion, the latest "short and light" version of the MOU was presented.
- 14. **Discussions on Each MOU Article**. A proposed additional paragraph in the preamble recognized the private sector's vital role in enhancing energy investments. The relevance of and need for this provision was discussed, given Viet Nam's observation that transmission facilities in GMS members are mostly state-owned. The meeting discussed the issue under Article 1 on whether the RPCC Board would be referred to as an executive body (given that it is not limited to a decision making function). A suggestion was made to refer to the Board as a governing body, but it was agreed that a decision on this would be deferred until after a consensus on the Board's scope and functions has been reached. On Article 3, the meeting discussed the Viet Nam proposal to make clearer the vital role of the RPCC in ensuring coordinated and coherent development of transmission interconnections, which if not properly adhered to by the GMS members, could result in power supply disturbances within the regional grid. ADB stressed that initially the RPCC would not be faced with this problem, but should be able to gradually build its leverage and capacity for ensuring synchronized power system operations of GMS countries.

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¹ A separate Articles of Association was proposed to define (in more detail) the composition/ modus operandi of the bodies, for adoption by the RPCC Board.

- 15. The meeting extensively discussed the proposed functions of the RPCC (Article 4) and agreed that those listed under its section 1 should be classified under a new Article 4 titled Mandate, while moving the rest of the functions under the new Article 5 (Functions). It was noted that Article 5- section 1 pertained to longer term, directional thrusts for the RPCC for moving the regional market to more advanced stages of power trade, while Article 5- section 2 pertained to day-to-day operations of the RPCC for both initial and more advanced stages of power trade. The meeting agreed to retain the reference to the adoption of the Articles of Association (AA) by the RPCC Board in Article 7- section 2, given that the operational aspects of the RPCC would need to be decided early on.
- 16. Subsections under Article 8-section 3 have been re-grouped for better logical flow. The meeting also considered various proposals on the RPCC Board's composition under Article 8-section 2 (e.g. ministries + utilities) and level (e.g. permanent secretary). It was agreed not to limit RPCC Board representatives to utilities and left the decision to GMS governments whether to also nominate from ministries since this MOU is a inter-governmental MOU. Lao PDR provided comments on Articles 9 to 20, which included combining Articles 17, 18 and 19 since these are inter-related, but ADB agreed only on combining Article 17 and 18 since ratification should come clearly before termination/ dissolution. The meeting considered detailed comments and suggestions from the GMS members on specific MOU articles, and those which have been agreed upon during the meeting were incorporated in the revised draft MOU.

Day 2

Further Discussions on Draft MOU. Mr. Caubet presented the revised draft MOU and 17. summarized the changes to various articles of the MOU agreed to by RPTCC members on day 1 (in red font) and additional suggestions by ADB/ consultant (blue font). The meeting agreed to retain the provision of Article 11 (Financing) but with the provision that contributions to operating expenses of the RPCC shall be specified in the Articles of Association to be passed by the RPCC Board. An amendment extensively discussed pertained to Article 12 (Privileges and Immunities). The meeting held that specific provisions to grant diplomatic immunity to RPCC staff and its assets need not be detailed in the MOU and should be included in the Headquarters Agreement with the host country. Article 13 (Dispute Resolution) was further simplified to stress the RPCC Board's role in settling disputes. Article 14 (Agreements with Non-Members) was drafted exactly similar to the IGA provision. Article 17 (Ratification and Entry into Force) provided for entry into force of the MOU if at least four (4) members have ratified or accepted the MOU. The meeting, after undertaking another round of review of the various articles, including for Articles 11 to 20 (which were not sufficiently discussed in day 1), agreed to incorporate further refinements to the revised draft MOU (Annex 4, with tracked changes).

Selection Criteria for RPCC Headquarters

18. **Selection Criteria/ Evaluation Methods and Scoring System**. Mr. Kim (ADB) discussed the proposed evaluation criteria and rating methodology for the hosting the RPCC headquarters. Besides three eligibility criteria, he explained the points system for each of the six evaluation criteria, namely (i) office space, facilities and benefits, (ii) secondment of staff, (iii) contribution to RPCC's operating budget, (iv) accessibility of HQs to other countries, (v) living conditions, and (vi) country balance for numbers of international organization. It was noted that the total maximum score is 100 points. World Bank noted the absence of previous cases wherein the host provided support for office furniture and equipment. Concerns were also expressed in giving free water, electricity, phone calls and internet service to the RPCC. The suggestion to give additional points to contributing to the RPCC's operating budget was not

accepted as there was a concern over fostering over-dependence of the RPCC to its host. The meeting discussed various refinements to the scoring system as proposed by the participants and agreed to incorporate these changes in the revised Evaluation Criteria and Rating Methodology, which was endorsed by the meeting (Annex 5). Mr. Kim informed that ADB will send an invitation to all GMS members and interested GMS members to submit their respective proposals for hosting the RPCC within 3 months from the date of invitation letter, with each proposal to be then evaluated and scored by the Evaluation Committee created to recommend the host of the RPCC HQs for the RPTCC.

Presentation of Revised Terms of Reference of Working Groups on (i) Regulatory Issues and (ii) Performance Standards and Grid Code

- 19. **Discussion/ Finalization (Scope of Work)**. For the <u>WG on Regulatory Issues</u>, Mr. Caubet highlighted the seven (7) simplified items under the WG's revised scope of work, which included review of regulatory and commercial barriers and review/ recommendations on the GMS market design and steps to create a fair regional electricity market. PRC clarified that as Chair of the WG, it would designate China Southern Power Grid Co. (CSG) as Secretariat. Schedule of proposed activities under MOU-2 milestones would be correspondingly adjusted depending on developments in the RPCC's establishment and adoption of the GMS Grid Code (including eventual transfer of work of WG to the Technical Group of RPCC). After additional exchanges on the revised scope of work, <u>the meeting adopted the TOR for the WG on Regulatory Issues</u> (Annex 6).
- 20. For the <u>WG on Performance Standards and Grid Code</u>, Mr. Kim discussed the seven (7) simplified items under the WG's revised scope of work which included review of performance standards for satisfactory operational security, reliability and quality of power supply, and establishment of the regional Grid Code. After additional exchanges on the revised scope of work, <u>the meeting adopted the TOR for the WG on Performance Standards and Grid Code</u> (Annex 6).
- 21. **GMS Countries' Nominations, Selection of Chair/ Vice-Chair**. Mr. Kim requested for the names of three (3) nominees for each WG from GMS countries. PRC requested to have two (2) more nominees from the generation companies. The meeting decided to limit membership to three (3) per country; however additional participants may be allowed to attend WG meetings (depending on the meeting topic) but in an unofficial capacity only. For the WG on Regulatory Issues, PRC nominated Ms. Jun Yang, Director of the State Electricity Regulatory Commission as Chair; Viet Nam nominated Mr. Pham Quang Huy, Director of Electricity Regulatory Authority (ERAV) as Vice-Chair. For the WG on Performance Standards and Grid Code, Thailand nominated Mr. Samerjai Suksumek, Deputy Director General of the Energy Policy and Planning Office (EPPO) as Chair. PRC committed to relay its nominee for Vice-Chair soon. ADB requested the heads of GMS delegations to immediately submit their WG nominees to ADB. The first meeting of two WGs will be held by June 2012 to discuss their indicative work plan and details of venue and date will be finalized through consultations with Chair of each WG and informed to members.

Progress of RETA 7764: Ensuring Sustainability of GMS Regional Power Development

22. **Draft RETA Report Based on Inception Report and Proposed Implementation Plan**. Mr. P. Meynell (ICEM) presented the outline of the presentations which covered (i) introduction to RETA 7764, (ii) power sector modeling, (iii) environmental and social analysis, (iv) communication, consultation and capacity building, and (v) questions and next steps. In the

introduction, he discussed the RETA's objectives, impact and outcome, its main outputs, core project structure, and Strategic Environmental Assessment (SEA) team. He discussed what SEA entails, its forms, and its four steps. He explained the process of the SEA for the GMS Power Development Plan, the phases in SEA scoping, the phases in SEA the SEA baseline, phases in the SEA impact assessment, and phases in the SEA avoidance (or impact reduction), enhancement of benefits and mitigation (which as last resort, involves compensation, trade-offs and offsets).

- 23. **Power Sector Modeling**. Mr. W. Derbyshire (ICEM) discussed the purpose, scope and approach of the power sector modeling and summarized the power sector modeling approach taken under RETA 6440 (database set-up, identification of investment needs, modeling nodes, simulation runs, base case definition and trade projections) which eventually resulted in identification of new interconnector projects. He explained the use of alternative scenarios, presented the proposed scenarios, and discussed the process of creating and analyzing the scenarios. He explained the process for modeling of the base case scenario using an updated version of the OptGen database prepared for RETA 6440, with the OptGen database to be circulated to national focals for updating (by 30 June 2012).
- 24. **Environmental, Social and Economic Analysis**. Mr. Meynell explained the process involved in environmental analysis, which comprised identifying issues and indicators for different types of power stations (fossil fuel thermal, nuclear, and medium/ large hydropower) and transmission lines. He discussed the social analysis approach, which involved trend analysis, policy/ institutional/ governance analysis, spatial analysis of social impacts and analysis of pathways from intervention to impacts. Economic analysis meanwhile involved five major components, namely, review of past work, monetization of impacts, assessment of energy security implications of scenarios, assessment of wider structural/ macroeconomic implications, and cost benefit analysis of scenarios.
- 25. **Communications, Consultation and Capacity Building**. Mr. Meynell explained the objectives of the communications and consultation plan, its key stakeholders, and its proposed consultation mechanisms. He discussed the proposed functions of the SEA Technical Advisory Group (TAG), and its proposed membership. He explained the plan and schedule for the following activities- baseline data capture, national consultations, country visits, and the various regional consultations- providing a summary schedule of key events. He briefed on other communication mechanisms (briefing papers, website), SEA capacity building, SEA capacity needs assessment, and proposed OptGen training. He posed a number of questions to the RPTCC for the guidance of the RETA team.
- 26. **Discussions/ Agreements**. ADB (Mr. Kim) noted the tight schedule for updating of the OptGen database, and suggested that instead of just waiting country's data/inputs, the team visit the countries where the data are not readily available (particularly Cambodia and Lao PDR) to obtain the data directly from national focals even ahead of the 30 June 2012 deadline. He stated that the OptGen methodology is appropriate and would be good to follow for modeling for PRC and Myanmar, and noted that based on PRC comment, the consulting team would then send the database format to PRC for the latter to fill in. He noted that the proposed regional/national consultations are appropriate. He obtained the names of tentative focal persons by country for the RETA 7764 SEA Focal Group, to be confirmed by the countries shortly. He expressed some concerns about the terms of reference of the TAG, and asked for differentiation of the roles of RPTCC and TAG. Lao PDR noted that the creation of the TAG is not necessary and proposed that the listed TAG members could instead be invited to RETA regional workshops/ meetings to provide advice on RETA implementation, which would also include SEA

experts from each GMS country as proposed by Thailand. This was supported by the other GMS countries. ICEM would develop the project website which would then be turned over to RPCC when this is established.

Closing Session

- 27. **Synthesis of Discussions/ Agreements by RPTCC Chair**. Mr. Kim announced the distribution of the revised draft MOU as agreed during the meeting, and requested each GMS delegation to initial (every page) of this version of the MOU, and to initiate immediately informal internal consultations within energy Ministry on the MOU. He asked each country delegation to give additional comments and raise issues/ concerns on this draft MOU on or before 30 June 2012. If there are comments and issues received from any member, these comments/ issues/ concerns would then be taken up in the next RPTCC meeting to be held in Yangon, Myanmar (at a date to be announced later) in order to finalize the MOU. But, If there are no longer substantial comments/ concerns on this version of the MOU, then each member will start the internal clearance process for signing the MOU at the GMS Ministerial Meeting. The Myanmar delegation would later confirm the formal Myanmar Government's concurrence to host the meeting in November on dates to be discussed by ADB with Myanmar.
- 28. **Consideration and Adoption of Proceedings** The Chair announced the distribution of the draft summary of proceedings for review by the participants. After the RPTCC members have reviewed the draft summary of proceedings, and after incorporation of suggested changes, the body therefore approved the minutes of the RPTCC-12 meeting *ad referendum*.
- 29. Closing Remarks by RPTCC Chair. Mr. Kim thanked MEM of Lao PDR for the excellent hosting, and thanked the RPTCC members for (i) their contributions in firming up the form and content of the draft RPCC MOU and initializing the MOU, (ii) their endorsement of the selection criteria for the RPCC HQ; and (iii) adopting the TOR of two WGs. He reminded the GMS participants to immediately submit their nominations to the two WGs (three for each country). He expressed satisfaction at the substantial results and agreements achieved by the meeting. Mr. Daovong thanked the RPTCC members' contributions to firm up the MOU, for signing hopefully in the next GMS Ministerial Meeting, and commended the Chair for the excellent conduct of the meeting.

Tentative Agenda and Program

May 17 (Thursday)	RPTCC-12 Meeting
08:30am-09:00am	Registration Plaza Hall, Lao Plaza
09:00am-09:30am	 Opening Session Opening Address by RPTCC Chair (for 2011-2012), Mr. Nguyen Vu Quang, Deputy Director, ERAV, Viet Nam Welcome Address by Mr. Daovong Phonekeo, Director General, Dept. of Energy Policy and Planning, MEM, Lao PDR Welcome Address by Mr. Chong ChiNai, Country Director, LRM, ADB
09:30am-10:30am	Country Updates of Power Development Programs: Focus on Cross-Border Projects (5-7 minutes for each country to present highlights) - Chair, GMS power focal persons - Discussions
10:30am-10:45am	Coffee Break
	Group Photo
10:45am-12:30pm	 Review/ Update of Draft Inter Governmental MOU to Establish the Regional Power Coordination Center (RPCC): Previous Discussions (Background, Objectives, Institution and Legal Framework) Proposed Key Amendments to MOU Based on Last Meeting Discussions / Comments Consultant, GMS members
12:30pm-02:00pm	Lunch, Dok Champa Casual Dining Restaurant
02:00pm-03:30pm	Discussions on Each Article of Draft MOU: DiscussionsConsultant, GMS members
03:30pm-03:45pm	Coffee Break
03:45pm-05:15pm	Continuation of Discussions on Draft MOU Discussions Consultant, GMS members
05:15pm-06:00pm	Revision of Guidelines for RPTCC in line with Draft MOU Discussions Consultant, GMS members
06:30pm-08:30pm	Dinner hosted by ADB Venue: May Hall, Lao Plaza

Mov. 40 (Friday)	PRICO 42 Macting (continued)
May 18 (Friday)	RPTCC-12 Meeting (continued)
08:30am-08:40am	Recap of Previous Day's Discussion Chair, ADB, GMS Participants
08:40am-10:30am	 Selection Criteria for RPCC Headquarters Selection Criteria/ Evaluation Methods and Scoring System Adoption of Selection Criteria Request for Submission of Proposals from GMS Members Discussions Consultant, Jong-Inn Kim, ADB
10:30am-10:45am	Coffee Break
10:45am-12:30pm	Presentation of Revised Terms of Reference of Working Groups on (i) Regulatory Issues and (ii) Performance Standards and Grid Code Discussion/ Finalization (scope of work and work plan) Names of Chair and Vice-Chair, Nomination of representatives of each GMS member Meeting schedule of two WGs Consultant, Jong-Inn Kim ADB
12:30pm-02:00pm	Lunch, Dok Champa Casual Dining Restaurant
02:00pm-03:30pm	 Progress of RETA 7764: Ensuring Sustainability of GMS Regional Power Development Draft RETA Report based on Inception Report and proposed Implementation Plan Status of Strategic Environmental Assessment (SEA) for Power Sector Discussions / Comments Consultant, GMS members
03:30pm-03:45pm	Coffee Break
03:45pm-05:15pm	Continuation of Discussions on RETA 7764 - Consultant, GMS members
05:15pm-05:30pm	 Closing Session Synthesis of Discussions/ Agreements by RPTCC Chair Consideration and Adoption of Proceedings/ Next Meeting Closing Remarks by RPTCC Chair, Mr. Dinh The Phuc



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