

Asian Development Bank and USAID, with World Resources Institute
and The Regulatory Assistance Project

Second Annual Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation



**Special Roundtable
to Develop a Regional Plan of Action for
Clean Energy Governance, Policy, and Regulation**

Asian Development Bank and USAID, with World Resources Institute
and The Regulatory Assistance Project

Second Annual Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation

Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation

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Contents

Foreword	iv
Acknowledgments	vi
Abbreviations	viii
Introduction	1
Section 1: Discussion of Governance, Policy, and Regulatory Priorities	2
1. Clean Energy Experts Agree That Efforts to Scale Up Energy Efficiency Are a First Priority	2
2. Promote Renewable Energy as Part of Asian Countries' Broader Energy and Development Strategies	4
3. Facilitate the Scale-Up of Energy Efficiency and Renewable Energy with Innovative Policy and Regulatory Models	5
Section 2: Expanding the Dialogue on Clean Energy Governance, Policy, and Regulation	9
1. Commitments Made by Roundtable Participants	9
2. Reported Activities of Other Dialogue Groups	10
3. Upcoming Events Mentioned by Dialogue Partners	12
Appendixes	13
1. Communiqué	13
2. Agenda	17
3. Overview of the Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation	19
4. List of Participants	21

Foreword

A radical transition to a clean energy future is needed to meet our energy needs, while stabilizing and then reducing carbon emissions in time to avoid catastrophic climate change. Projected increases in population and economic growth in the developing member countries (DMCs) of the Asian Development Bank (ADB) will translate to a growth in energy demand of up to 90% between 2010 and 2035. This growth will have implications for the ability of DMCs to provide access to energy and energy security for their citizens. The balance between the need for development and the need to reduce fossil fuel consumption must be achieved through scaling up clean energy solutions. Continuing to rely on fossil fuel resources will not only adversely impact DMC economies, but will also affect the earth's climate, potentially displacing millions of people, threatening agricultural production, and exacerbating existing vulnerability to flooding and storm surges, among other effects.

Scaling up clean energy solutions will require governments to establish appropriate institutional, policy, legal, and regulatory frameworks to incentivize public and private sector investments in innovative new clean technologies. These frameworks are required to guide public and private decisions about energy resource use, and ensure that the vast amounts of finance to be invested in clean technologies are spent for the purposes intended. Policy makers, lawmakers, and regulators must establish such frameworks.

To unite the developing countries and development of the Asia and Pacific region around a common agenda, ADB, the United States Agency for International Development (USAID), and other development partners hosted the Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy and Regulation as part of the Second Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation. The dialogue, held at the ADB headquarters in June 2011, builds on ADB's and USAID's earlier work on energy governance and regulatory reform. It brought together over 200 key public and private sector stakeholders interested in scaling up clean energy development through enhancing effective energy regulation and in aligning it with development objectives.

The dialogue and roundtable advance ADB's long-term strategic framework, Strategy 2020, which emphasizes environment as one of the core operational areas. This includes climate change and ADB's role in helping DMCs move their economies toward low-carbon growth paths by improving energy efficiency and expanding the use of clean energy resources. Strategy 2020 also highlights the importance of good governance and capacity development. Similarly, the dialogue and roundtable support ADB's 2009 Energy Policy and its three pillars that aim to promote energy efficiency and renewable

energy; maximize access to energy for all; and promote energy sector reform, capacity building, and governance.

Prepared under the Law and Policy Reform Program of the Office of the General Counsel, ADB, this publication provides an overview of the key development strategies on clean energy policy and regulatory priorities for Asia and the Pacific discussed during the roundtable. It also provides an overview of the discussions and commitments that can guide stakeholders in understanding the Asia and Pacific region's capacity-building needs, and present ideas for better clean energy implementation strategies within their own jurisdictions.

Jeremy H. Hovland
General Counsel
Office of the General Counsel
Asian Development Bank

Acknowledgments

The Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation under the auspices of the Second Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation was a success because of the contributions and support of many individuals and organizations.

Key development partners of the Asian Development Bank (ADB) provided collaborative support in bringing together policy makers, regulators, private sector representatives, academics, civil society representatives, and other energy experts to share cutting-edge experiences, thinking, and practice on clean energy regulation and governance.

The United States Agency for International Development (USAID) (Orestes Anastasia) worked in parallel with ADB to initiate, convene, and make the roundtable a success. Peter du Pont led the operational inputs of the USAID Economic Cooperation–Asia Clean Development and Climate Program and provided energy and enthusiasm that helped drive the roundtable’s success. Danish International Development Assistance (Jesper Vauvert); GE Energy (Kristin Paulson); the International Energy Agency (Grayson Heffner); the International Partnership for Energy Efficiency Cooperation (Amit Bando); the Limaye Foundation (Dilip Limaye); the Regulatory Assistance Project (RAP) (Max Dupuy, Dave Lamont, and Frederick Weston); the Sustainable Energy Regulation Network (Xavier Lemaire and Gill Owen); the United Nations Economic and Social Commission for Asia and the Pacific (Hongpeng Liu); and the World Resources Institute (Bharath Jairaj, Jennifer Morgan, Xiaoyu Shi, Letha Tawney, Lutz Weisher, and Davida Wood) all supported the dialogue and we appreciate their efforts toward making it a success.

Xianbin Yao (director general, Regional and Sustainable Development Department, ADB) gave the welcome remarks at the roundtable. Aiming Zhou (energy specialist, Regional and Sustainable Development Department, ADB) reported and gave a presentation on the results of the workshop on feed-in tariff policy. From the Office of the General Counsel, ADB, Kala Mulqueeney, senior counsel, was responsible for convening the roundtable with the assistance of an excellent team comprised of Mark Alain Villocero, Mary Gay Alegora, and Elenita Cruz-Ramos who provided invaluable administrative and research support. From the Office of Administrative Services, ADB, Paulo Aglahian, Anna Clarissa Araullo, and Thelma Gail Abiva assisted in logistics. From the Department of External Relations, ADB, Rodel Bautista, Principe Nicdao, Teri Temple, Billy Villareal, Kae Sugawara, Anthony Victoria, Vicente Angeles, Ma. Priscila Del Rosario, and Robert Hugh Davis assisted in the publication requirements.

Christoph Menke (professor, University of Applied Sciences, Trier, Germany); Dilip Limaye; John Byrne (director, Center for Energy and Environmental Policy, and Distinguished Professor of Energy and Climate Policy, University of Delaware); Carmine Piantedosi (chief executive officer, Utilities Regulatory Authority, Vanuatu); and Xavier Lemaire provided insights on the initial draft of the communiqué that was prepared following the roundtable.

ADB's Kala Mulqueeney and USAID ECO–Asia Clean Development and Climate Program's Peter du Pont provided overall leadership and guidance on and responsibility for the communiqué and this publication, which was prepared by Nelly Sangrujiveth based on participants' inputs. Orestes Anastasia provided helpful comments, and John Ymana volunteered extensive hours in the layout and design of the publication.

Abbreviations

ADB	Asian Development Bank
AERN	Association of Southeast Asian Nations Energy Regulators' Network
ASEAN	Association of Southeast Asian Nations
DSM	demand-side management
ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
GIZ	Gesellschaft für Internationale Zusammenarbeit (German Development Agency)
IPEEC	International Partnership for Energy Efficiency Cooperation
SEU	sustainable energy utility
USAID	United States Agency for International Development

Introduction

The Asian Development Bank (ADB) and the United States Agency for International Development (USAID), together with other development partners, held the Second Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation during the 6th Asia Clean Energy Forum in Manila at ADB headquarters during 20–24 June 2011. Approximately 200 policy makers and regulators attended the Dialogue and joined in policy and regulatory events during the forum. As the culmination of the week's events, ADB and USAID held a Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation in Asia and the Pacific (Roundtable). Of those joining the Dialogue, 47 clean energy policy experts from 16 countries¹ were at the Roundtable.

The Roundtable was a continuation of the 2010 Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation which was initiated by ADB and USAID in conjunction with the World Resources Institute, the Regulatory Assistance Project, and the International Energy Agency.²

The clean energy experts attending the Roundtable discussion all agreed that there is an urgent need for action on clean energy if the region is to increase energy security, build up developing economies, and reduce the harmful effects of climate change. This report contains the key development strategies that were discussed during the Roundtable and is organized into two sections.

- **Section 1** provides an overview of the discussion on policy and regulatory priorities for Asia and the Pacific. These are further divided by topic: (i) priorities pertaining specifically to energy efficiency, (ii) priorities pertaining specifically to renewable energy, and (iii) priorities pertaining to both energy efficiency and renewable energy. These priorities are distilled in the Communiqué that describes the key points of agreement among participants and is contained in Appendix 1.
- **Section 2** provides an overview of commitments made by Roundtable participants to expand the dialogue on clean energy, as well as an overview of the regional activities of other similar, regional forums. The idea of discussing the activities of other forums was to have a better understanding of the capacity-building needs in Asia and the Pacific, so that next year's Roundtable can continue to be relevant.

¹ See Appendix 4 for a list of participants.

² For an overview of the Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation, see Appendix 3.

Section I

Discussion of Governance, Policy, and Regulatory Priorities

Clean energy experts participating in the Special Roundtable to Develop a Plan of Action for Clean Energy Governance, Policy, and Regulations in Asia and the Pacific (Roundtable) developed a set of policy and regulatory priorities for clean energy in Asia and the Pacific that were largely based on lessons learned during this year's Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation (Dialogue). This section elaborates on the discussion of those priorities.

I. Clean Energy Experts Agree That Efforts to Scale Up Energy Efficiency Are a First Priority

Energy efficiency is one of the most cost-effective ways to address the region's growing energy security and environmental pollution issues. Despite this, only a small fraction of the economic potential for energy efficiency is currently being realized.

The Roundtable discussion focused predominantly on how policies and regulations could be devised to best take advantage of energy efficiency as a resource. This approach views energy efficiency as a way of yielding energy and demand savings while significantly reducing the need for electricity generation from fossil fuel and other resources. The experts agreed that as a preliminary matter, promoting energy efficiency will require countries to build a strong regulator, as many energy regulatory organizations in the region are without full authority or clarified functions.

Moreover, energy efficiency could be scaled up by implementing policies such as the following:

Widely Adopting Innovative Tariffs to Promote Energy Efficiency

While energy efficiency is the most cost-effective resource, there are numerous barriers that prevent the rapid scale-up of energy efficiency deployment at the pace needed. Innovative approaches such as a standard offer, which provides a set price for verified reductions in energy use, feed-in tariff for energy efficiency (which is a different name for a standard offer), or demand-side management (DSM) bidding, in which energy

savings are procured through a competitive bidding process, have proven to be effective tools to increase the amount of demand-side, energy efficiency resources into the power system, and should be widely adopted. Policy makers and regulators could learn from experience in India, South Africa, and the United States in devising their own innovative tariffs for energy efficiency.¹

One of the major challenges faced by policy makers in implementing energy efficiency tariffs is justifying it to consumers. An example of how this could be handled is requiring the industry sector to participate in energy efficiency programs, so that increases in tariffs would be balanced out by money saved through energy efficiency. Thus, industry ends up paying the same cost for energy as before the energy efficiency tariff was introduced.

Designing Policies and Regulations to Promote Innovative Financing Mechanisms for Energy Efficiency

More effort should be spent on the design and piloting of innovative financing mechanisms for energy efficiency. Such mechanisms include energy efficiency funds, dedicated credit lines, risk guarantee mechanisms, and leveraging commercial financing through performance contracting. Supporting policies and regulations are often necessary to initiate and support these types of clean energy financing mechanisms. Policy makers and regulators can play an important role by setting rules, regulations, and guidelines for innovative financing.

Evaluating Energy Efficiency Initiatives to Measure the Extent of the Resource

Energy efficiency initiatives should be evaluated to quantify and value the amount of energy savings and the impact of overall energy efficiency initiatives. Such energy efficiency evaluations also improve energy efficiency program delivery. Policy makers and regulators can play an important role by setting rules, regulations, and guidelines to ensure effective third-party evaluation of energy efficiency programs.

Designing Standards and Labeling to Better Promote Energy Efficiency Appliances and Equipment

Efficiency standards and labeling for appliances and equipment is an important area where capacity building is needed. This includes minimum energy performance standards, which set minimum thresholds for the efficiency of energy-using equipment, and energy labeling, which requires disclosure of the energy use or the relative efficiency of the equipment or product. Harmonization of such standards among countries can coordinate their standard making, and allows the private sector to participate in a more meaningful way.

¹ See, for example, Energy Sector Management Assistance Program (ESMAP). 2011. *Implementing Energy Efficiency and Demand Side Management: South Africa's Standard Offer Model*. http://www.esmap.org/esmap/sites/esmap.org/files/ESMAP_StandardOffer_SouthAfrica_WebFinal.pdf

Providing Technical Training and Workshops in Energy Efficiency

Developing Asian countries often lack a workforce with the skills necessary to implement clean energy programs. Training and workshops are particularly needed for energy monitoring and management, as well as end-use metering skills.

Defining Civil Society's Role in Clean Energy Governance

Independent civil society actors and consumer groups are very concerned about tariffs, energy prices, and having land taken away for renewable energy development projects; however, they are not engaging the energy sector in the area of energy efficiency or demanding that they be allowed a voice in the regulatory process. Civil society can, and should, play a larger role in holding government and utilities accountable, especially in terms of making energy efficiency targets and complying with energy efficiency programs. Policy makers (and development partners) should build the capacity of civil society through energy efficiency education programs and creating space for public participation in the policy-making and regulatory processes.

2. Promote Renewable Energy as Part of Asian Countries' Broader Energy and Development Strategies

Renewable energy feed-in tariffs are among the most effective methods of encouraging renewable energy development. More renewable energy in the total energy mix helps promote energy security by reducing the financial burden that fossil fuel dependency poses, while also helping meet developing Asia's socioeconomic needs. Thus, clean energy experts mainly focused their attention on how to best implement renewable energy feed-in tariff programs. Attention also focused upon setting enforceable and clearly definable targets for renewable energy deployment.

Establishing Renewable Energy Feed-In Tariffs

Renewable energy feed-in tariffs, and not renewable energy certificates, should be pursued, as these tariffs have proven to be more effective in encouraging renewable energy development. It is difficult for both tariff and certificate programs to coexist. Setting feed-in tariff rates, however, can also be very difficult, because the renewable energy technologies and markets change very quickly, and because they can have significant tariff impacts. Therefore, it is important to learn from international experience in the design of feed-in tariffs, and to have periodic review and adjustment of the tariff built into the feed-in tariff process.

Participants recommended that policy makers and regulators consider revising and improving on feed-in tariffs by:

- (i) conducting more analysis and dialogue on how to design feed-in tariffs to stimulate economic development, making sure that they create enough opportunities for small and medium-sized enterprises;
- (ii) creating a more permanent and targeted network of policy makers and regulators to share experience and data on feed-in tariffs' impact on ratepayers; and
- (iii) developing new financing models for controlling the impact on the poor, which may include financing from international donors.

Setting Clear and Measurable Renewable Energy Targets, Adopting Renewable Energy Laws and Regulations, and Enforcing Them

In addition to renewable energy feed-in tariffs, policy makers and regulators should set clear and measurable renewable energy targets in their national policies, laws, and regulations, where they do not already exist; adopt clear implementing rules and regulations; and enforce these laws and regulations. Renewable energy targets must be appropriate for the local market and conditions. In setting a renewable energy target, policy makers should keep in mind that renewable energy technologies and markets change very rapidly. The People's Republic of China has experienced some political issues with the fact that solar uptake occurred very rapidly, but that the government has been reluctant to officially raise the renewable energy target for solar.

3. Facilitate the Scale-Up of Energy Efficiency and Renewable Energy with Innovative Policy and Regulatory Models

While Roundtable participants agreed that renewable energy and energy efficiency feed-in tariffs, targets, monitoring, and other mechanisms need to be implemented, they also recognized the fact that many countries do not have the skills or expertise necessary for these mechanisms to be successfully implemented. Thus, one of the main recommendations for scaling up both energy efficiency and renewable energy in the region was to improve governance and capacity building through information sharing. Participants envisioned that this would involve training programs, twinning exchanges, developing guidebooks and online databases, and other mechanisms.

Other areas of discussion included financing, setting regional standards, establishing a model for a sustainable energy utility, and the issue whether implementing new standards for equipment efficiency in very small countries should be done at all, since these countries import their equipment and appliances.

Sharing Technology and Financial Resource Information

Many countries currently lack the expertise necessary to implement energy efficiency and renewable energy programs, and even if experts exist, much could be gained from sharing implementation strategies. For instance, regulators in some countries are very weak compared to the utilities that they regulate, but they want utilities to implement energy efficiency and renewable energy programs. Providing these regulators with access to information could help empower them vis-à-vis utilities.

Simple tools like handbooks and online databases can be useful in bridging the information gap. Handbooks should document already-existing approaches and policies, while summarizing lessons learned from each.² Handbooks and databases should ideally be translated into multiple languages. Some suggestions for online databases included an online database on current technologies, existing and planned energy efficiency and renewable energy policies and regulations, and which financial organizations are investing in clean energy.

In developing a renewable energy handbook, one issue to keep in mind is that renewable energy technologies and markets change very frequently. In that regard, it will be important for such information to be web-based and easily updatable. It may also be useful to focus on advanced training programs for renewable energy and how handbooks can be utilized during those advanced training programs.

Establishing Training Programs

Although countries often know what broad steps are required for better implementation of clean energy programs, the main issue is understanding details. Collaboration with other countries and/or regions can help with this issue, as it has between the European Union and Eastern Europe. Training programs should be tailored to address very specific needs. Webinars, twinning exchanges, and study tours are all methods that should be utilized to provide advanced training for staff. Issues discussed in these specific information exchanges can then be shared with high-level policy makers. Having one country lead a certain program, for example, leading on developing a tariff, could also be effective. Small-scale forums that happen on a frequent basis between countries dealing with similar issues could also prove to be very useful.

Institutional Mapping

In deciding to collaborate with other governments and institutions to scale up clean energy efforts, development partners need to identify experts and how each can

² See, for example, CLASP. 2008. *A Standards & Labeling Guidebook for Appliances, Equipment, and Lighting* (2nd Edition). Available online at: <http://www.clasponline.org/clasp.online.resource.php?sbo=526>. See also ADB. 2010. *Attaining Access for All: Pro-Poor Policy and Regulation for Water and Energy Services*. Available online at: <http://www.adb.org/documents/books/attaining-access/attaining-access-for-all.pdf>

contribute to the capacity-building needs of other nations. Thus, an effective way of streamlining the clean energy implementation process could be to:

- (i) map the areas of energy governance, policy, and regulation that collaborating development partners are working on;
- (ii) report on what progress is being made; and
- (iii) pinpoint who can help fulfill capacity-building needs.

Civil society should also be called upon as a resource for expertise.

Establishing a Sustainable Energy Utility Model

Policy makers should consider the sustainable energy utility (SEU) model, which is a utility that operates separately from, and differently than, a traditional energy utility. An SEU is specifically tasked to develop end-user markets for energy efficiency services and customer-sited renewable energy. For example, SEUs can issue bonds to fund energy efficiency and renewable energy as infrastructure investments. SEUs have been established in Delaware, Philadelphia, and Washington, DC, and several countries in Asia are also considering establishing SEUs.

Establishing or Strengthening Energy Agencies or Bodies as Independent Institutions

In conjunction with establishing SEUs, governments should consider establishing or strengthening existing independent energy bodies, agencies, and DSM offices for planning, monitoring, and evaluating energy efficiency and renewable energy policies. Independent energy agencies could also implement energy efficiency and renewable energy programs, but their main responsibility should be to provide regular feedback to ministries about the success of the programs. At least in Europe, independent energy agencies have proven to be an essential element for successful implementation of energy policies, as they help facilitate better decision making as to whether policies and targets for energy efficiency and renewable energy need to be adopted or changed.

Eliminating Trade Barriers on Environmental Goods and Services

Eliminating tariffs on environmental goods and services would increase global gross domestic product by \$5 billion, according to the representative of GE Energy. Eliminating barriers to trade, including nontariff trade barriers, could also improve countries' ability to obtain higher-quality environmental goods.

Regulating and Accrediting Energy Service Companies

Policy makers and regulators must consider national and international practices in use for accrediting or endorsing energy service companies. The standards, effectiveness, and

competence of such companies in Asia and the Pacific are not uniform. Best practice standards including licensing standards that could be considered nationally as regulation, or regionally as best practices. Development partners could play a role in developing such standards and guidelines, particularly regional standards.

Consider Whether Policies Should Be Implemented at All

For smaller developing nations like Vanuatu, there may be an issue of whether setting more energy efficiency and renewable energy policies could hinder clean energy development. For instance, the attitude of civil society in some nations has been against clean energy developers, as policies are typically interpreted as needing to pass on cost savings to civil society first. This makes clean energy development overly complicated, and policies thus often work against development than for it. Although this makes implementing feed-in tariffs and energy efficiency very difficult, renewable energy has nevertheless been successfully introduced through legal loopholes or legislation that generally mandate utilities to expand access to energy. In introducing renewable energy, the emphasis in these particular nations should be on capacity building through twinning, information exchange, and multisectoral infrastructure and regulatory forums that include groups outside, as well as inside, the energy sector.

Section 2

Expanding the Dialogue on Clean Energy Governance, Policy, and Regulation

I. Commitments Made by Roundtable Participants

The main reason for holding the Roundtable, which was a high point among the events associated with the 2011 Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation, was to consider the ongoing priorities of development partners; coordinate funding and technical assistance priorities; and, as appropriate, solicit commitments to scale up a coordinated set of activities on clean energy governance, policy, and regulation, and then support each other in delivering those commitments. Some of the commitments made in anticipation of the 2012 Asia Clean Energy Forum include the following:

Holding Clean Energy Dialogue Events More Frequently During the Year

Roundtable participants indicated the need to have greater continuity by ensuring more face-to-face meetings and training events during the year. Participants indicated the need to engage policy makers and regulators, civil society, and private sector participants at all levels. In particular, participants considered that events should be specifically tailored to target high-level policy makers, as well as mid-level ones, and that countries should commit to high-level representation at these events. Events should also target utilities, which can often be hostile toward clean energy policy and regulatory programs. GIZ Thailand has offered to contribute to specific meetings because the organization is already involved in regional and bilateral cooperation projects, and learned a number of lessons from these exchanges that it wishes to share.

Coordinating with Other International Organizations So That the Timing of Forums and Topics Do Not Overlap

Roundtable participants were concerned that there have been some instances where the Asia Clean Energy Forum was held when other organizations, such as the Association of Southeast Asian Nations (ASEAN) or Asia-Pacific Economic Cooperation (APEC),

were holding important high-level events for policy makers. Participants recommended that the Asian Development Bank (ADB) and United States Agency for International Development (USAID) coordinate and avoid such timetable clashes in the planning of the 2012 Forum and Dialogue.

Sharing Information on Interim Activities in Anticipation of the 2012 Asia Clean Energy Forum and Dialogue

Roundtable participants proposed that Dialogue partners share information on relevant events during the year, and as appropriate, these events be coordinated as part of Dialogue activities. In sharing interim activities, interested stakeholders will have a better idea of what agendas need to be set, based upon the activities of various other Dialogue partners.

2. Reported Activities of Other Dialogue Groups

During the Roundtable discussion, collaborating partners who were involved in related clean energy activities, which included the Association of Southeast Asian Nations Energy Regulators' Network (AERN), the International Partnership for Energy Efficiency Cooperation (IPEEC), and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), shared information on their recent and planned activities.

Association of Southeast Asian Nations Energy Regulators' Network

AERN is a venue for sharing and exchanging information and capacity building to support the energy regulation of ASEAN member countries, including regulation promoting energy efficiency, renewable energy, and pro-poor issues. Meetings are planned in late 2011 for Malaysia, Singapore, and possibly Indonesia.

AERN has categorized knowledge-sharing and capacity-building needs into national, regional, and international levels. On the national level, regulators have expressed a need in several areas: licensing, tariff setting and adjustment, independent power producers, energy efficiency resource planning and demand response, renewable energy net metering, feed-in tariffs, third-party access, consumer participation, ensuring consumer services, and a need to create a magna carta for consumers. At the regional level, AERN will consider appropriate coordination and harmonization on energy regulation to match proposed trans-ASEAN energy infrastructure networks. Similarly, on the international level, ASEAN regulators will seek to join the International Confederation of Energy Regulators.

International Partnership for Energy Efficiency Cooperation

IPEEC provides a ministerial platform for technology deployment, which focuses on facilitating a dialogue with the private sector. Members include Australia, Canada, the European Union, India, Italy, Japan, the Republic of Korea, Mexico, and the United States, with Indonesia planning to become a member.

IPEEC has found that even the best of the nations in the Organisation for Economic Co-operation and Development are missing 25% of potential energy efficiency savings. However, nations should realize that no new legislation is required to implement very simple energy efficiency technologies to achieve significant energy savings. For example, energy loss from standby power (e.g., televisions and cable boxes) globally is equivalent to 9 gigawatts, but moving to simple and available energy efficiency technologies can reduce standby power loss down to 6 gigawatts.

IPEEC has identified the following as energy efficiency capacity-building needs:

- **Establishing test groups.** These are especially needed for financing mechanisms developing a guide of lessons learned from these test groups.
- **Developing program metrics for evaluating energy efficiency.** Metrics that are currently being used evaluate energy intensity should be changed as needed to measure and track energy efficiency in the economy.
- **Developing better policies, especially with standards and labels.** For example, IPEEC is currently working with the nongovernment organization Prayas in India to hasten the adoption of super-efficient appliance technologies.
- **Harmonizing minimum energy performance standards within the region.** Certain countries have shown a strong interest in adopting such standards, but there should be concrete, regional standards for common regionally traded products. Although minimum energy performance standards could be tailored to meet specific climatic or use conditions in different countries, harmonizing regional efficiency and quality standards would reduce the regional trade of inefficient, poor-quality products.
- **Capacity building for government officials and energy managers in the area of certification and audits.** Currently, there are no specific standards in these areas, and the industry needs to know whether they are receiving a return on their investments in energy efficiency technologies. Monitoring leads to effective review of energy efficiency measures and financing of energy efficiency programs.

United Nations Economic and Social Commission for Asia and the Pacific (ESCAP)

ESCAP promotes sustainable development by facilitating regional dialogues on key development issues. Lately, ESCAP has been focused on establishing an information network for the energy sector, focusing in particular on strengthening institutional capacity in energy efficiency. For instance, ESCAP has been working with the European Commission to facilitate an energy efficiency forum in Kazakhstan and hopes to bring several countries from Central Asia to engage in a policy dialogue. This may be expanded to incorporate countries from Asia and the Pacific as well. ESCAP also recently established the Renewable Energy Cooperation Network for the Asia Pacific, which promotes networking and collaboration among science and technology and research and development institutions through information dissemination.

In anticipation of the RIO+20 conference in 2012, the representative from ESCAP encouraged nations to rethink how they will achieve the three targets for sustainable development set for 2030, as established by the United Nations Conference on Sustainable Development, and whether those targets should be rethought. The targets set for 2030 are universal access to energy, a 40% energy intensity reduction, and 30% of renewable energy in total energy supply.

3. Upcoming Events Mentioned by Dialogue Partners

Roundtable participants noted a number of upcoming events and opportunities for continuing the Dialogue:

ADB Water Regulators and AERN Workshop

Date: September 2011

Location: Indonesia (to be confirmed)

Side Event on the ASEAN Energy Regulators Network Meeting

Date: 10–11 October 2011

Location: 10th Year Anniversary of Energy Meetings in Malaysia

Regional Capacity-Building Meeting on Energy Efficiency

Date: 17–19 October 2011

Location: Jakarta, Indonesia. Organized by WEEACT, IPEEC in cooperation with Indonesian Ministry of Mines and Energy

ASEAN Energy Regulators' Network Meeting and Asia Business-Policy Dialogue on Clean Energy

Date: 25–27 October and 1–3 November 2011

Location: The Clean Energy Expo Asia/Singapore International Energy Week

Third Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation

Date: June 2012

Location: ADB headquarters in Manila

Appendix I

Communiqué

Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation

24 June 2011
ADB Headquarters, Manila

The Asian Development Bank (ADB) and the United States Agency for International Development (USAID), together with other development partners, held the Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation during the 6th Asia Clean Energy Forum, held in Manila at ADB headquarters between 20–24 June 2011. Approximately 200 policy makers and regulators attended the Dialogue and joined in policy and regulatory events during the week. As the culmination of the week's events, ADB and USAID held a special Roundtable. Of those joining the Dialogue, 47 clean energy policy experts and key partners from 16 countries¹ were able to stay to meet at the Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation.²

As the Roundtable was the culmination of the week's events, participants focused on identifying and articulating themes, issues, and priorities that had been discussed during the Dialogue, and agreed upon clean energy priorities for the Plan of Action for Clean Energy Governance, Policy, and Regulation. Those priorities are to:

1. **Promote energy efficiency as the least-cost energy resource.** Energy efficiency is the least-cost resource because it costs less to save a unit of energy at the end-use than to provide energy by adding new supply. Thus, investment in scaling up energy efficiency is the most cost-effective measure for curtailing dependency on fossil fuel imports. Moreover, to effectively mitigate the effects of climate change, the International Energy Agency has established that energy efficiency needs to comprise up to 57% of global emissions reductions by 2030, but only a fraction of this potential is currently met. Policy makers and regulators at both the national and regional levels must therefore consider and undertake energy efficiency, and other

¹ Australia, Belgium, Canada, the People's Republic of China, Denmark, India, Indonesia, Germany, the Kyrgyz Republic, Nepal, the Philippines, Singapore, Thailand, United Kingdom, United States, and Vanuatu.

² The Dialogue continued the 2010 Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation, initiated by ADB and USAID. In 2010, participants made a series of commitments laid out under the Asia and the Pacific Energy Policy-Makers and Regulators' Statement on Clean Energy and Climate Change. The statement can be found at www.cleanenergyasia.net/sites/default/files/resources/DialogueStatement2010.pdf.

least-cost solutions, before expanding energy supply. They could scale up energy efficiency by:

- a. **Setting energy efficiency targets, adopting energy efficiency laws, and regulations, and enforcing them.** Policy makers and regulators must set clear and measurable targets for energy efficiency in policy, law, and regulations, where they do not already exist, and adopt clear implementing rules and regulations, and enforce them.
 - b. **Widely adopting innovative tariffs to promote energy efficiency.** While energy efficiency is the most cost-effective resource, there are numerous barriers that prevent the rapid scale-up of energy efficiency. Innovative approaches such as a standard offer, which provides a set price for verified reductions in energy use, feed-in tariff for energy efficiency (which is a different name for a standard offer), or demand-side management (DSM) bidding, in which energy savings are procured through a competitive bidding process, have proven to be effective tools to increase the amount of demand-side, energy efficiency resources into the power system, and should be widely adopted.
 - c. **Evaluating energy efficiency initiatives to measure the extent of the resource.** Energy efficiency initiatives should be evaluated to quantify and value the amount of energy savings and the impact of the overall energy efficiency initiative. Such energy efficiency evaluations also improve energy efficiency program delivery. Policy makers and regulators can play an important role by setting rules, regulations, and guidelines to ensure effective third-party evaluation of energy efficiency programs.
 - d. **Designing policies and regulations to promote innovative financing of energy efficiency.** To fund energy efficiency programs, more effort should be spent in the design and piloting of innovative financing mechanisms for energy efficiency. Such mechanisms may include energy efficiency funds, dedicated credit lines, risk guarantee mechanisms, and leveraging commercial financing through performance contracting. Policy makers and regulators can play an important role by setting rules, regulations, and guidelines for innovative financing.
2. **Promote renewable energy as part of Asian countries' broader energy and development strategies.** More renewable energy in the total energy mix can help promote energy security by reducing the financial burden that fossil fuel dependency poses, while also helping meet developing Asia's socioeconomic needs. Policy makers and regulators at both the national and regional levels must therefore consider and undertake renewable energy to ensure its proper and effective deployment. They could scale up renewable energy by:
- a. **Establishing feed-in tariffs for renewable energy.** Feed-in tariffs, and not renewable energy certificates, are the most effective mechanism to scale up renewable energy. In adopting a feed-in tariff, policy makers and regulators must adapt feed-in tariffs for use in Asian countries; do work on data gathering,

- methodologies, and rate impacts for feed-in tariffs; and build the capacity of appropriate institutions to design, analyze, implement, and monitor feed-in tariffs.
- b. Setting renewable energy targets, adopting energy efficiency laws, and regulations, and enforcing them.** Policy makers and regulators at both the national and regional levels should set clear and measurable renewable energy targets in their national policies, laws, and regulations, where they do not already exist, and adopt clear implementing rules and regulations, and enforce these laws and regulations.
 - 3. Facilitate the scale-up of energy efficiency and renewable energy with innovative policy and regulatory models.** New thinking and models are needed to make the transition to a more sustainable energy system. Many of the policies and regulations to support energy efficiency and renewable energy are built on top of existing political, legal, and organizational frameworks. Policy makers should consider:
 - a. Establishing a sustainable energy utility.** A sustainable energy utility (SEU) is a utility that operates separately from, and differently than, a traditional energy utility. An SEU is specifically tasked to develop end-user markets for energy efficiency and customer-sited renewable energy. For example, SEUs can issue bonds to fund energy efficiency and renewable energy as infrastructure investments. SEUs have been established in Delaware, Philadelphia, and Washington, DC, and several countries in Asia are also considering establishing SEUs.
 - b. Establishing or strengthening effective independent energy agencies and demand-side management offices.** Bodies that are independent from ministries and public bureaucracy are needed to plan, monitor, and evaluate energy efficiency and renewable energy policies. In many developed countries, effective independent energy agencies are needed to ensure that energy efficiency and renewable energy are successfully deployed.
 - c. Establishing mechanisms to support, accredit, and regulate energy service companies.** Energy service companies are an important mechanism for delivering energy efficiency. In a number of developing countries, such companies have been slow to start up, and there have been problems with their quality and performance. It is important to establish programs to support the development of energy service companies, but at the same time ensure that there are mechanisms in place for monitoring, accrediting, and regulating these companies.
 - 4. Expand the Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation to satisfy the need for a region-wide network to address the capacity-building needs in Asia and the Pacific in clean energy governance and regulation.** There is a need for a region-wide network to address the capacity-building needs in Asia and the Pacific regarding clean energy governance and regulation. Designing and implementing policies and regulations for energy efficiency and renewable energy is

not easy. To streamline this process and help develop ambitious, efficient, and fair policies and regulations, governments should form a region-wide network that will:

- a. **Address weaknesses in governance.** Weak regulators cannot promote effective energy efficiency and renewable energy regulations. Governments should ensure accountability in meeting energy efficiency and renewable energy objectives and targets as laid out in their policies, laws, regulations, and plans, and to promote good energy sector governance.
- b. **Coordinate technical, financial, and organizational resources.** There is a need for regular and systematic sharing of information. Sharing can take the form of developing an online policy and/or standards database, webinars for very specific topics in clean energy, publicly available handbooks, topic-dedicated training workshops, and twinning exchanges between agencies and partners in the region.
- c. **Develop an institutional map.** There is a need to map out each institution's expertise and how each can distinctly contribute to enhancing clean energy governance throughout the region.
- d. **Expand the Dialogue.** In expanding the Dialogue on clean energy governance, policy, and regulation, clean energy experts should continue to coordinate their capacity-building plans, to report on their specific initiatives and activities, and to actively share lessons learned. The Dialogue could facilitate that information exchange by coordinating forums among key stakeholders and by reporting on the outcomes of those forums to policy makers and regulators throughout the region.

Finalized 21 July 2011

Appendix 2

Agenda

Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation

24 June 2011
ADB Headquarters, Manila

- 1:45 p.m. **Introduction to the Special Policy Roundtable of the Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation**
- **Welcome Remarks**
Xianbin Yao, Director General, Regional and Sustainable Development Department, ADB
Orestes Anastasia, Regional Environment Advisor, USAID Regional Development Mission for Asia
- 2:10 p.m. **Reporting Results from Dialogue Events**
- **Energy Efficiency Workshop:** *Peter du Pont*, PhD, USAID Contractor, Chief of Party, ECO-Asia Clean Development and Climate Program
 - **Feed-in Tariff:** *Aiming Zhou*, ADB
 - **ASEAN Energy Regulator's Network (AERN):** *Kala Mulqueeny*, Senior Counsel, Office of the General Counsel, ADB
- 2:40 p.m. **Multistakeholder Panel Discussion: Policy and Regulatory Barriers to Clean Energy Deployment—Stakeholder Perspectives on Lessons Learned and Capacity-Building Needs**
- Facilitator:** *Kala Mulqueeny*, Senior Counsel, Office of General Counsel, ADB
- **Policy Maker Perspective:** *Sanjay Garg*, Ministry of Power, India
 - **Utility Perspective:** *Napaporn Phumaraphand*, Director, DSM Office, Electricity Generating Authority of Thailand
 - **Regulator Perspective:** *Yang Jun*, Deputy Director, Department of International Cooperation, State Electricity Regulatory Commission of the People's Republic of China
 - **Civil Society Perspective:** *Shantanu Dixit*, Prayas Institute, India

- **Business Perspective:** *Kristin Paulson*, Manager, ASEAN Energy Policy
GE Energy, Singapore
- **International Perspective:** *Amit Bando*, Managing Director,
International Partnership for Energy Efficiency Cooperation

4:15 p.m. **Roundtable Wrap-up Session: Communiqué on Regional Road Map for
Clean Energy Governance, Policy, and Regulation in Asia and the Pacific**

Facilitator: *Peter du Pont*, PhD, USAID Contractor, Chief of Party,
ECO-Asia Clean Development and Climate Program

5:00 p.m. **Roundtable Ends**

Appendix 3

Overview of the Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation

About the Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation

The Asian Development Bank (ADB) and the US Agency for International Development (USAID), along with a number of partners from civil society and the private sector are working together with other international partners to develop effective policy frameworks and then prepare, implement, and ensure compliance with effective regulations. In June 2010, ADB, USAID, and the World Resources Institute (WRI) organized the Inaugural Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation, in cooperation with the International Energy Agency and the Regulatory Assistance Project. The agreement resulting from the Dialogue, The Asia and the Pacific Energy Policy-Makers and Regulators' Statement on Clean Energy and Climate Change, can be found at: www.cleanenergyasia.net/sites/default/files/resources/DialogueStatement2010.pdf.

Dialogue Events at the Asia Clean Energy Forum 2011

The Asia Clean Energy Forum (ACEF) is the premier regional event that brings together decision-makers and practitioners to share experience and lessons learned in the areas of clean energy policy, technology, and finance. ACEF will be held at the ADB headquarters during June 20–24, 2011. It is expected to attract more than 500 clean energy stakeholders from more than 40 countries around the world. During the week, ADB and USAID will build upon the Inaugural Dialogue with a series of events focusing on clean energy governance, policy, and regulation:

Energy Efficiency Workshop (20–21 June 2011). This workshop will bring together international experts, and Asian officials and stakeholders, to review experience in the implementation of energy efficiency policy and regulation to understand how policies and regulations can accelerate and scale up implementation of energy efficiency.

Renewable Energy Workshop: Feed-In Tariffs (20–21 June 2011). This workshop will focus on feed-in tariffs, which represent a key policy tool for accelerating renewable energy development. The workshop will include a set of case studies and training exercises on the design of feed-in tariffs.

Forum Track on Policy and Regulation (22–24 June 2011). The main ACEF event is a three-day meeting with plenary sessions and a series on focused topics. It includes the following policy and regulatory sessions:

Session 2: Voluntary, Market-Based Approaches to Drive Exemplary Building Energy Performance

Session 6: Policy to Improve Distribution System Efficiency and Develop Smart Grids in Asia

Session 11: Carbon and Energy Finance (1): Domestic Carbon Trading

Session 15: Key Policy and Implementation Issues in Renewable Energy

Session 16: Carbon and Energy Finance (2): Learning from the CDM

Session 17: ESCOs: 20 Years Later, How Much Progress Has Been Made?

Session 19: Green Solutions for Public Transport

Session 23: Low-Emission Development Strategies

Session 24: Experience with Tradable Energy Certificates

Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation in Asia and the Pacific (24 June 2011). This Roundtable will bring together key regional partners and stakeholders in the public and private sectors, and civil society, to develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation. Participants will review lessons from previous Dialogue events and seek to reach a consensus on a priority set of regional actions that can be taken to strengthen institutional and technical capacity to design, implement, monitor, and evaluate clean energy policies and regulations.

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Appendix 4

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Second Annual Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation

Under the auspices of the Second Annual Asia-Pacific Dialogue on Clean Energy Governance, Policy, and Regulation, the Special Roundtable to Develop a Regional Plan of Action for Clean Energy Governance, Policy, and Regulation was held on 24 June 2011 at the Asian Development Bank. This publication provides (i) overviews of the key development strategies on clean energy policy and regulatory priorities for Asia and the Pacific discussed during the roundtable, and (ii) discussions and commitments that can guide stakeholders in understanding the region's capacity building needs; and presents ideas for better clean energy implementation strategies within their own jurisdictions.

About the Asian Development Bank

ADB's vision is an Asia and Pacific region free of poverty. Its mission is to help its developing member countries reduce poverty and improve the quality of life of their people. Despite the region's many successes, it remains home to two-thirds of the world's poor: 1.8 billion people who live on less than \$2 a day, with 903 million struggling on less than \$1.25 a day. ADB is committed to reducing poverty through inclusive economic growth, environmentally sustainable growth, and regional integration.

Based in Manila, ADB is owned by 67 members, including 48 from the region. Its main instruments for helping its developing member countries are policy dialogue, loans, equity investments, guarantees, grants, and technical assistance.



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