COMMONWEALTH OF PUERTO RICO
PUERTO RICO ENERGY COMMISSION

CEPR
COMISIÓN DE ENERGÍA DE PUERTO RICO
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IN RE: PETITION FOR APPROVAL OF TRANSITION ORDER FILED BY THE PREPA REVITALIZATION CORPORATION	**CASE NO.:** CEPR-AP-2016-0001 **SUBJECT:** Corporation's Motion to Reconsider and Revise / Informative Motion and Response

RESOLUTION

On May 18, 2016 the Puerto Rico Energy Commission ("Commission") issued a Resolution and Order establishing the procedural guidelines and itinerary applicable to the Technical Hearing to be held as part of the evaluation of the Verified Petition for Restructuring Order ("Petition") filed by the Puerto Rico Electric Power Authority Revitalization Corporation ("Corporation").

On May 19, 2016, the Corporation filed two documents titled *Motion to Reconsider and Revise its May 17, 2016 Technical Hearing Procedure Order* and *Informative Motion and Response to the Commission's May 17, 2016 Technical Hearing Procedure Order*, respectively. After reviewing both filings, the Commission has determined the following:

The Commission is fully aware of its statutory authority under Act 4-2016[1] and, when issuing its final order, the Commission will act within its jurisdiction. However, Act 4-2016 does not preclude the Commission from obtaining background and context information that allows it to fully understand the content of the Petition when making the determinations specifically required by Article 6.25A of Act 57-2014[2]. Such information will also help the Commission (i) carry out its obligation under Section 6.25A(j) regarding annual reports on the Corporation's activities; (ii) ensure an appropriate relationship between the Transition Charge and the Puerto Rico Electric Power Authority's ("PREPA") permanent rates; and (iii) fully understand PREPA's current fiscal condition.

The Commission notes that the "Corporation takes no issue with providing any of the information contained in the Commissions proffered topics,"[3] and that the Corporation "does not dispute that the Commission has a right to understand and ask questions to further its knowledge of the issues underlying this proceeding."[4] The Corporation's Motion offers a useful distinction between (i) information essential to carry out the Commission's

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[1] Act 4-2016, known as the Puerto Rico Electric Power Authority Revitalization Act.
[2] Article 6.25A of Act 57-2014, as amended, known as the Puerto Rico Energy Transformation and RELIEF Act.
[3] PREPA Revitalization Corporation's Motion to Reconsider and Revise its May 17, 2016 Technical Hearing Procedure Order, ¶ 5.
[4] *Id.*

specific duties under Article 6.25A; and (ii) information that is useful "for background and context purpose." The Commission understands that distinction.

Furthermore, it is the Commission's responsibility to ensure that the public has access to all the information necessary to achieve a clear and reasonable understanding of the Petition. As such, any question asked by the Commission which may be interpreted that exceeds the precise boundaries of Act 4-2016 will also be made for purposes of ensuring transparency and accessibility to the proceedings and promoting a reasonable understanding of the Petition by the general public.

In light of the above, **to the extent the Corporation has a concern that the Commission will exceed its jurisdiction, at this moment such concern is both unwarranted and premature**.

Finally, the Commission has put detailed and careful thought into organizing the technical hearing to explore the questions it deems relevant to its responsibilities as described before. The Commission will not alter the procedures set forth on its May 18, 2016 Resolution and Order. Nonetheless, the Commission determines to add witness Mace to Panel number five (5). As such, Panel five (5) shall be comprised of the following witnesses: **Quintana-Méndez, Gil-Olazábal and Mace**.

For the benefit of all the parties involved, the Commission issues this Resolution in both Spanish and English languages. Should any discrepancy between each version arise, the content and provisions of the Spanish version shall prevail.

Be it notified and published.

Agustín F. Carbó Lugo
Chairman

Ángel R. Rivera de la Cruz
Associate Commissioner

José H. Román Morales
Associate Commissioner

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I certify that the Puerto Rico Energy Commission has so agreed on May 23, 2016. I also certify that on this date a copy of this Resolution was notified via email to: guillermo.m.riera@gmail.com, mgrpcorp@gmail.com, agraitfe@agraitlawpr.com, edwin.quinones@aae.pr.gov, codiot@oipc.pr.gov, equinones@qalawpr.com, glenn.rippie@r3law.com.

Brenda Liz Mulero Montes

Brenda Liz Mulero Montes
Interim Clerk

CERTIFICATION

I certify that the foregoing is a true and exact copy of the Resolution issued by the Puerto Rico Energy Commission. I further certify that on May _____, 2016 I have proceeded with the filing of this Resolution and I have sent a copy thereof to:

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For the record, I sign this in San Juan, Puerto Rico, today, May _____, 2016.

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Rafael O. García Santiago
Clerk of the Puerto Rico
Telecommunications Regulatory Board

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