COMMONWEALTH OF PUERTO RICO
PUERTO RICO ENERGY COMMISSION

IN RE: PUERTO RICO ELECTRIC POWER AUTHORITY RATE REVIEW	**CASE NUM.:** CEPR-AP-2015-0001 **Subject**: Motion requesting procedures to be conducted in Spanish filed by the CEPPO.

RESOLUTION AND ORDER

On August 5, 2016, the Commonwealth Energy Public Policy Office ("CEPPO") filed a motion requesting that the procedures related to the Petition for Rate Review ("Petition"), filed by the Puerto Rico Electric Power Authority ("PREPA") on May 27th, 2016, be conducted in Spanish.[1]

In support of its request, CEPPO cites the public policy established by Act 57-2014[2] of promoting transparency and citizen participation in all procedures related to Puerto Rico's energy market. Likewise, CEPPO makes reference to Section 1.10(B) of Commission's Regulation No. 8543 of Adjudicative Proceedings[3], which provides that "[t]he proceedings heard before the Commission shall be conducted in the Spanish language." Nevertheless, CEPPO failed to mention that such subsection also grants the Commission discretion to conduct the proceedings in English, if doing so is in the public's best interest and results in a fair proceeding.

Act 57-2014 conceived the Commission as the main driver of Puerto Rico's energy reform, granting it broad powers and responsibilities, among them the duty of leading a new era in Puerto Rico's electric market. Since its inception, the Commission has willingly and enthusiastically confronted its statutory obligation and has endeavored to design transparent administrative proceedings which are accessible to the public. The Commission has also strived to guarantee access to information through the publication of its orders and resolutions in its website, as well as the creation of digital dockets for high public interest cases which are accessible to the general public.

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[1] On August 18, 2016 the Puerto Rico Energy Commission ("Commission") order OEPPE to notify their motion to PREPA and the other intervening parties in the case. On August 19, 2016, the OEPPE filed a motion certifying having notified such motion, as required by the Commission.
[2] Puerto Rico Energy Transformation and RELIEF Act, as amended.
[3] Regulation No. 8543, Regulation of Adjudicative, Notice of Non Compliance, Rate Review and Investigations Proceedings.

Evidence of the Commission's commitment with transparency is the manner in which it has conducted its procedures in the past. As an example, during the public hearings for PREPA's Integrated Resource Plan (CEPR-AP-2015-002) and the procedures related to the Transition Charge (CEPR-AP-2016-001), both cases of high public interest, the Commission ensured the availability of simultaneous translation from Spanish to English and *vice versa*. Moreover, the Commission enabled live broadcast of such hearings in both Spanish and English through its website. Likewise, in cases such as the present case, the Commission has endeavored to publish its orders and resolutions simultaneously in English and Spanish so that every person interested in the proceedings can review its content and be completely informed of the Commission's decisions.

The Commission acknowledges the considerations for which CEPPO requests that the proceedings be held only in Spanish. Nevertheless, CEPPO's request fails to take into consideration the highly technical nature of the subject matters involved in this case, nor the fact that the majority of the literature and specialized knowledge related to the evaluation and review of similar proceedings is derived from experts whose primary language is not Spanish. Given this proceeding is the first formal electric service rate review process in Puerto Rico in more than twenty-seven (27) years, the Commission is forced to look abroad to seek technical and specialized knowledge which allows for a thorough evaluation of PREPA's Petition. In order to responsibly undertake its duties and responsibilities, the Commission is required the use of all available resources to design and carry out a procedure that is up to the challenges we face as a country. To require that the proceedings be held only in Spanish is not practical, ignores the realities surrounding the procedure and, far from contributing to its fair resolution, would have the effect of hampering it and increasing the risk of an outcome that is not aligned with the best interests of the country and the electric energy consumer.

Nevertheless, with the purpose of guaranteeing transparency and accessibility in the present procedure, the Commission has attempted to publish all its orders and resolutions in both languages. The Commission will request all parties the same dedication and commitment. Accordingly, the Commission **RESOLVES** and **ORDERS** the following:

> ***Every document produced, drafted or elaborated in response to any portion of this proceeding (such as information requirements, briefs, answers, testimony, etc.) can be filed in English or Spanish. No later than two (2) days after filing, the filing party shall notify all other parties and the Commission, through email, a translation of such document. A certified translation is not required. Documents that have been produced as part of any information requirement or attached to any brief or motion that have not been produced, drafted or elaborated with the purpose of being filed in this proceeding may be filed in the language in which they were originally created and need not be accompanied by a translation.***

With regards to the filing of documents, the Commission **RESOLVES** and **ORDERS** the following:

With the exception of information requests and their corresponding answers, all documents filed as part of the present case shall be filed at the Commission's Clerk's Office, temporarily located at the Puerto Rico Telecommunications Regulatory Board, 500 Roberto H Todd Ave., San Juan, 00907.

Copy in searchable PDF (save as PDF) format, along with the original copy stamped by the Clerk (in those cases in which the document is required to be filed at the Clerk's Office, as set forth above) shall be notified through email to all parties and to the Commission to the following emails afigueroa@energia.pr.gov, tnegron@energia.pr.gov, mcintron@energia.pr.gov y legal@energia.pr.gov. Any document filed at the Clerk's Office that is not sent through email o that it is sent through email and not filed at the Clerk's Office (in those cases where the document is required to be filed at the Clerk's Office, as set forth above) shall be deemed as not having been filed. If, given the documents size, it is unpractical to be sent via email, such documents shall be filed at the Clerk's Office using USB pen drive.

Failure to comply with the aforementioned may result in the imposition of administrative penalties and fines.

Furthermore, the Commission **NOTIFIES** that **the Public Comments Hearings, set to begin on September 10, 2016, will be held in Spanish**. On the other hand, **the Technical Hearing will be held in both languages**. The Commission will provide simultaneous translation for the parties, their representatives and the public present at the hearing, subject to the availability of the equipment. Finally, the Technical Hearing and the Public Comments Hearings will be transmitted live and, in the case of the Technical Hearing, in both languages, through the Commission's website.

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

Be it published and notified.

Agustín F. Carbó Lugo
President

Ángel R. Rivera de la Cruz
Associate Commissioner

José H. Román Morales
Associate Commissioner

CERTIFICATION

I hereby certify that the Puerto Rico Energy Commission has so agreed on August 29, 2016. I also certify that on this date a copy of the Resolution and Order was notified by electronic mail sent to: n-ayala@aeepr.com, c-aquino@aeepr.com, glenn.rippie@r3law.com, michael.guerra@r3law.com, john.ratnaswamy@r3law.com, michael.guerra@r3law.com, cfl@mcvpr.com, ivc@mcvpr.com, mmuntanerlaw@gmail.com, jfeliciano@constructorespr.net, abogados@fuerteslaw.com, jose.maeso@aae.pr.gov, edwin.quinones@aae.pr.gov, nydinmarie.watlington@cemex.com, aconer.pr@gmail.com, epenergypr@gmail.com, jorgehernandez@escopr.net, ecandelaria@camarapr.net, pga@caribe.net, manuelgabrielfernandez@gmail.com, mreyes@midapr.com, agraitfe@agraitlawpr.com, mgrpcorp@gmail.com, codiot@oipc.pr.gov, maribel.cruz@acueductospr.com and jperez@oipc.pr.gov.

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For the record, I sign this in San Juan, Puerto Rico, today, August ____, 2016.

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