

COMMONWEALTH OF PUERTO RICO
PUERTO RICO ENERGY COMMISSION



IN RE: INTEGRATED RESOURCE PLAN FOR
THE PUERTO RICO ELECTRIC POWER
AUTHORITY

ORDER No.: CEPR-AP-2015-0002

SUBJECT: PETITION FOR INTERVENTION
IN THE INTEGRATED RESOURCE PLAN
ASSESSMENT PROCEEDING

FINAL RESOLUTION

On August 18, 2015, Energy Answers Arecibo, LLC (Energy Answers) submitted a letter to the Puerto Rico Energy Commission (Commission) in relation to the Integrated Resource Plan (IRP) assessment proceeding. The Commission construed Energy Answers' letter as a petition to intervene, filed under Section 3.02 of Regulation No. 8594, known as the Regulation on Integrated Resource Plan for the Puerto Rico Electric Power Authority (Regulation 8594).

After reviewing the petition to intervene, we determined that Energy Answers did not provide sufficient information to put the Commission in a position to properly evaluate the same. Specifically, Energy Answers' petition failed to address several points required in Section 3.02 (B) of Regulation 8594. In consideration of the foregoing, on August 26, 2015 the Commission issued Resolution No. CEPR-AP-2015-0002 (Resolution) ordering Energy Answers to file, on or before September 8, 2015, a Supplemental Petition to Intervene addressing all the points required in Section 3.02 of Regulation 8594. We also notified Energy Answers that "[f]ailure to do so will result in the dismissal of Energy Answers' petition."¹

As of September 9, 2015, Energy Answers has not filed the Supplemental Petition to Intervene, as ordered by the Commission. Therefore, this Commission issues this Final Resolution dismissing Energy Answers' petition to intervene.

If Energy Answers is not satisfied with this determination, it may file a motion for reconsideration of this Final Resolution before the Commission. In its motion, Energy Answers shall explain in detail the bases supporting its motion and the remedy that, to its judgment, the Commission should have granted, pursuant to Section 11.01 of Regulation 8543, and the applicable provisions of Act No. 170 of August 12, 1988, as amended, known as the Uniform Administrative Procedures Act. Energy Answers shall file its motion for reconsideration within the term of twenty (20) days from the date of the filing of this Final Resolution, by personal delivery to the Clerk of the Commission, located temporarily at the

¹ Resolution CEPR-AP-2015-0002 of August 26, 2015 at page 2.

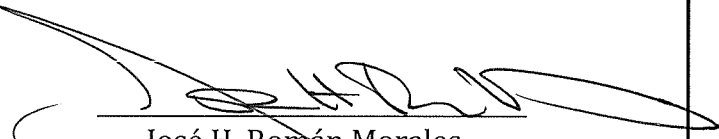
Telecommunications Regulatory Board in 500 Ave. Roberto H. Todd, San Juan PR 00907-3941.

The Commission shall consider said motion within fifteen (15) days of its filing. Should the Commission reject it forthright or fail to act upon it within fifteen (15) days, the term to request review shall recommence from the date of notice of such denial, or from the expiration of the fifteen (15)-day term, as the case may be. If a determination is made in its consideration, the term to petition for review shall commence from the date a copy of the notice of the Commission's resolution definitively resolving the motion to reconsider is filed in the record of the case. Such resolution shall be issued and filed in the record of the case within ninety (90) days after the motion to reconsider has been filed. If the Commission accepts the motion to reconsider but fails to take any action with respect to said motion within ninety (90) days of its filing, it shall lose jurisdiction on said motion and the term to file judicial review shall commence upon the expiration of said ninety (90)-day term, unless the Commission, for just cause and within those ninety (90) days, extends the term to resolve for a period that shall not exceed thirty (30) days.²

In the alternative, Energy Answers "may file a petition for review before the Court of Appeals within a term of thirty (30) days from the date the copy of the notice of this Final Resolution was filed in the record of the [Commission] or from the applicable date of those provided in [Section 3.15 of Act No. 170, 3 L.P.R.A. § 2165], when the term to petition for judicial review has been interrupted by the timely filing of a motion to reconsider."³

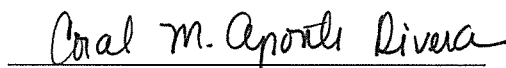
Be it hereby notified and published.


Ángel R. Rivera de la Cruz
Associate Commissioner


José H. Román Morales
Associate Commissioner

I certify that the Puerto Rico Energy Commission has so agreed on September 11, 2015. The Chairman, Agustín F. Carbó Lugo, recused himself from considering Energy Answers Arecibo LLC's petition to intervene. I also certify that on this date a copy of this Resolution was notified by electronic mail sent to n-vazquez@aepr.com; n-ayala@aepr.com; victorluisgonzalez@yahoo.com; mgrpcorp@gmail.com; carlos.reyes@ecoelectrica.com; ccf@tcmrslaw.com.




Coral M. Aponte Rivera
Deputy Legal Counsel

² 3 L.P.R.A. § 2165.

³ 3 L.P.R.A. § 2172; *see also* Regulation 8543, Section 11.03.

Handwritten initials: A/ and JARM

CERTIFICATION

I certify that this is a true and exact copy of the Resolution issued by the Puerto Rico Energy Commission. I further certify that today September 11, 2015, I have proceeded with the filing of this Resolution and I have sent a copy thereof to the:

Puerto Rico Electric Power Authority

To the Attention of Nélide Ayala and Nitza D. Vázquez Rodríguez
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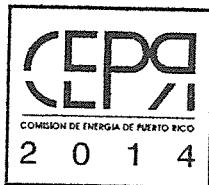
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Toro, Colón Mullet, Rivera & Sifre, PSC

PO Box 195383
San Juan, PR 00919-5383

For the record, I sign this in San Juan Puerto Rico, today September 11, 2015.



per: Nitza D. Vázquez Rodríguez
Rafael O. García Santiago
Clerk of the Puerto Rico
Telecommunications Regulatory Board

