

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

RESOLUTION

On August 18, 2015, Energy Answers Arecibo, LLC (Energy Answers) presented a letter to the Puerto Rico Energy Commission (Commission) in relation to the Integrated Resource Plan (IRP) assessment proceeding. In the letter Energy Answers claims it has a "Power Purchase and Operating Agreement with PREPA" for a project consisting of a "nominal 80 MW gross/70 MW net Resource Recovery/Waste-to-Energy facility" that "[would provide] base load power on a must run basis", and would "use approximately 2,100 tons/day of processed Municipal Solid Waste (MSW) as its fuel source to generate steam and electricity" (Project).

Energy Answers requests the Commission to include the Project in the Final IRP.

We construe 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). Having examined Energy Answers' petition, this Commission finds that the filing does not provide sufficient information to put the Commission in position to properly evaluate a petition to intervene.¹

Section 3.02 (B) of Regulation 8594 states that any petition to intervene in the IRP assessment procedure must address each of the following points:

- 1) The nature and extent of the petitioner's interest in the proceeding;
- 2) The legal positions advanced by the petitioner and its probable relation to the merits of the case;

¹ It is important to note that Section 3.05 of Act No. 170 of August 12, 1988, as amended, known as the Uniform Administrative Procedure Act, states that petitions to intervene shall be duly grounded.

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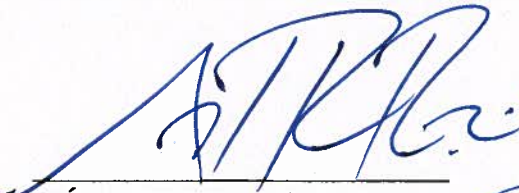
3) Whether granting the petitioner intervention will contribute to the full development and just and equitable resolution of the facts in the case; and

4) Whether granting the petitioner's intervention will not unduly prolong or delay the proceeding.

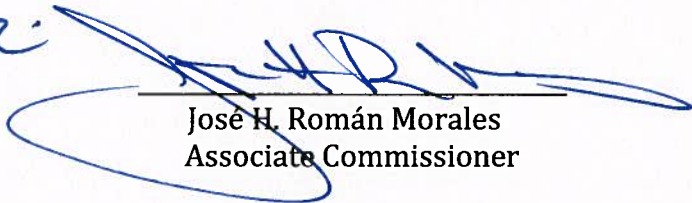
It is clear, from Energy Answers' petition, the nature and extent of its interest in the proceeding. However, the petition fails to address the other points required in Section 3.02 (B) of Regulation 8594.

In consideration to the foregoing, Energy Answers shall file, on or before September 8, 2015, a Supplemental Petition to Intervene addressing all the points required in Section 3.02 of Regulation 8594 in conformity with this Resolution. Failure to do so will result in the dismissal of Energy Answers' petition.

Be it hereby notified and published.

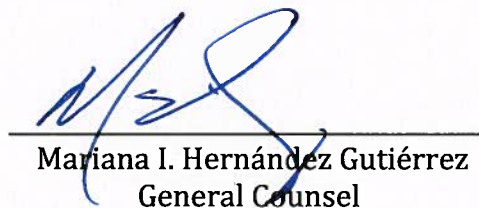


Ángel R. Rivera de la Cruz
Associate Commissioner



José H. Román Morales
Associate Commissioner

I certify that the Puerto Rico Energy Commission has so agreed on August 26, 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.



Mariana I. Hernández Gutiérrez
General Counsel

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 August 26, 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
PO Box 363928
Post Office Headquarters
San Juan, PR 00936-3928


Windmar Group

San Francisco St. #206
San Juan, PR 00901

Energy Answers Arecibo, LLC

Atrium Business Center, Suite 229
530 Constitution Avenue
San Juan, PR 00901-2304

For the record, I sign this in San Juan Puerto Rico, today August 26, 2015.


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

