

COMMONWEALTH OF PUERTO RICO
PUERTO RICO ENERGY COMMISSION



MARC BEJARANO
PETITIONER

vs.

AUTORIDAD DE ENERGÍA ELÉCTRICA DE
PUERTO RICO
RESPONDENT

CASE No.: CEPR-RV-2017-0004

SUBJECT: Scheduling of administrative hearing.

ORDER

On February 27, 2017, Mr. Marc Bejarano (“Petitioner”) filed a “petition for bill review” with the Puerto Rico Energy Commission (“Commission”), against the Puerto Rico Electric Power Authority (“PREPA” or “Respondent”).

In his motion, the Petitioner claims that on November 5, 2016, he had initiated a procedure, following PREPA’s instructions, for contesting certain charges included in an electric service bill issued by PREPA to his tenant on October 28, 2016. The Petitioner provided a timeline describing the history of his disputed bills with PREPA, which go back to a series of charges billed to his account in 2012. The Petitioner unsuccessfully tried to contest such charges in 2013 and, according to him, his account balance was “transferred” to an account in the name of his tenant in early 2016.

On January 6, 2017, the Petitioner received a response from PREPA, indicating that the charges he disputed on October 28, 2016, may not be objected. The Petitioner claims to have requested a review of that decision, and that he received no response to his request. He further argues that PREPA’s deadline for review was February 5, 2017. Along with his motion, the Petitioner included a log of email messages he claims to have exchanged with PREPA during the dispute process. In essence, besides disputing those charges, the Petitioner claims PREPA has not followed its own procedures and legal obligations with regard to his bill review case. Lastly, the Petitioner requests a hearing to be convened, in which he can discuss the history of his dispute with PREPA, including the original charges from 2012 and 2013, the transfer of the debt to his tenant’s account, and the interest accrued.

In accordance with Section 9.02 of Regulation 8543¹, the Commission **ORDERS** the parties to appear at a hearing to be held on April 19, 2017, at 9:00 a.m., at the Commission’s Hearing Room, located at the Seaborne Building, 8th Floor, 268 Muñoz Rivera Ave., San Juan, Puerto Rico.


¹ Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Proceedings.




In the aforementioned hearing, the Commission shall address the following issues: (1) whether it has jurisdiction to consider the dispute of the past due charges contested by the Petitioner; (2) whether there are grounds to consider the present case as a complaint rather than a petition for bill review, given PREPA having allegedly transferred the past due balance to the Petitioner's tenant's account; (3) the applicability of the provisions of Act 7-2014; (4) whether PREPA failed to comply with the bill review procedures or any other procedural matter in its handling of the Petitioner's case; and (5) any other subject deemed relevant by the Commission.

The parties may bring forth all documents and witnesses relevant to the aforementioned issues. The parties are advised that failure to appear at the hearing may result in the dismissal of the claim or the imposition of administrative fines and sanctions by the Commission, pursuant to Article XII of Regulation 8543. Finally, the aforementioned hearing shall not limit the right of any party to file before the Commission any motion it deems pertinent to the instant case.

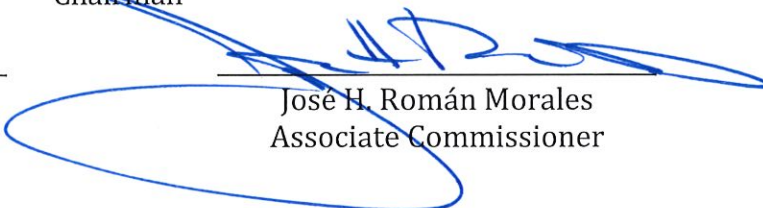
Be it hereby notified and published.



Agustín F. Carbó Lugo
Chairman



Ángel R. Rivera de la Cruz
Associate Commissioner



José H. Román Morales
Associate Commissioner

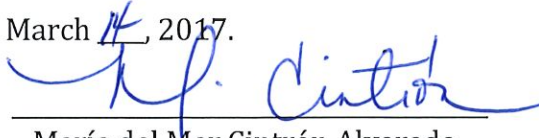
CERTIFICATION

I hereby certify that the Puerto Rico Energy Commission has so agreed on March 14, 2017 and that a copy of this Order was notified by electronic mail to the following: n-vazquez@aepr.com, n-ayala@aepr.com, and energia.pr.gov@beej.org. I also certify that on March 14, 2017, I have proceeded with the filing of this Order and I have sent a copy to:

Autoridad de Energía Eléctrica de Puerto Rico
Attn.: Nélide Ayala Jiménez
Nitza D. Vázquez Rodríguez
PO Box 364267
Correo General
San Juan, Puerto Rico 00936-4267

Mr. Marc Bejarano
2885 Sanford Ave. SW # 16197
Grandville, MI 49418

For the record, I sign this in San Juan, Puerto Rico, today, March 14, 2017.



María del Mar Cintrón Alvarado
Clerk