

**COMMONWEALTH OF PUERTO RICO
PUERTO RICO ENERGY COMMISSION**

IN RE: AGUIRRE SITE ECONOMIC ANALYSIS

CASE NO.: CEPR-AP-2017-0001

SUBJECT: PREPA's Motion for Clarification of
Procedural Dispositions of February 10, 2017
Order.

RESOLUTION AND ORDER

On March 23, 2017, the Puerto Rico Electric Power Authority ("PREPA") filed a motion with the Puerto Rico Energy Commission ("Commission") requesting clarification of certain procedural dispositions included in the Commission's February 10, 2017 Order Initiating the Proceeding on the Aguirre Site Economic Analysis ("February 10th Order"). Specifically, PREPA requests the Commission to order "intervenors to state if they intend to submit independent economic models, and, if they do, sign the corresponding NDAs, before PREPA provides them with the required data."¹

PREPA's request is based on the dispositions of the February 10th Order in which the Commission established that any intervenor who wishes to submit alternative fueling plans for the Commission's consideration "must declare their intent to file independent modeling and costs results."² The Commission stated that intervenors, after expressing their intent, may request from PREPA certain information necessary for them to submit their independent modeling.³

PREPA argues that of the intervening parties only SeaOne Puerto Rico, LLC ("SeaOne"), Windmar Group and National Public Finance Group, Inc. ("National") have filed their corresponding NDAs and requested the data input from PREPA.⁴ Nevertheless, PREPA argues that neither Windmar nor SeaOne have clearly stated their intention of submitting independent modeling, while National reserved its right to do so. Therefore, PREPA requests the Commission to clarify if it is compelled to provide such information to intervening parties if they have not expressed a clear intention, as interpreted by PREPA, of submitting independent modeling.

¹ See PREPA's Motion for Clarification and Order.

² Order Initiating Proceeding on the Aguirre Site Economic Analysis, CEPR-2017-0002 at page 9.

³ *Id.* See item c on page 9.

⁴ On the same date PREPA filed its Motion for Clarification, the Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico ("ICSE-PR") filed its NDAs, signed by Tomás J. Torres and Fernando E. Agrait. ICSE-PR and sent an information request to PREPA on March 24, 2017.



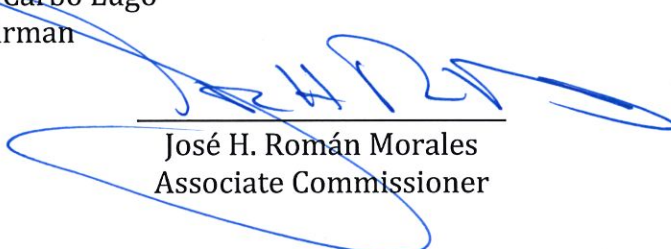
SeaOne, Windmar, National and ICSE-PR all filed individual requirements of information to PREPA requesting the input data, as indicated in the Commission's February 10th Order as amended by the March 15th Resolution and Order.⁵ These parties also filed corresponding non-disclosure agreements along with their requests.

After reviewing PREPA's arguments, and the requests sent by intervening parties, the Commission concludes that Windmar, SeaOne, National and ICSE-PR, have expressed their intent to file independent modeling through their submitted requests and NDAs, as required by the Commissions orders. As such, the Commission **ORDERS** PREPA to provide said parties with the requested information inputs.

The Commission clarifies that any other party that does not express its clear intent to perform an independent modeling, will be allowed to request information from PREPA during the discovery period and not before.

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

Be it notified and published.

 _____ Ángel R. Rivera de la Cruz Associate Commissioner	 _____ Agustín F. Carbó Lugo Chairman	 _____ José H. Román Morales Associate Commissioner
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CERTIFICATION

I hereby certify that the Puerto Rico Energy Commission has so agreed on March 21, 2017. I also certify that a copy of this Resolution regarding Case No. CEPR-AP-2017-0001 was notified by electronic mail to the following: : n-ayala@aeep.com, n-vazquez@aeep.com, c-aquino@aeep.com, jperez@oipc.pr.gov, codiot@oipc.pr.gov, francisco.rullan@aae.pr.gov; epo@amgprlaw.com, acasellas@amgprlaw.com, ladrian@gasnaturalfenosa.com, rstgo2@gmail.com, cfl@mcvpr.com, carlos.reyes@ecoelectrica.com, ccf@tcmrslaw.com,

⁵ SeaOne group sent their information request to PREPA on March 16, 2017 and filed its NDAs on March 13, 2017 signed by M. Barton Baker; National sent their information request to PREPA and filed its NDAs on March 20, 2017 signed by Alexandra C. Casellas, Eric Pérez Ochoa, Matthew Cohn, Denise M. Nelson and Bradley Kushner; Windmar sent their information request to PREPA and filed its NDAs on March 23, 2017 signed by Marc Roumain and Victor González.

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 lmorera@estrellallc.com, pbarcelo@estrellallc.com and gmartinez@qaclaw.com. I further
 certify that on March 27, 2017, I have proceeded with the filing of this Resolution and I have
 sent a copy thereof to:

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Puerto Rico**

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For the record, I sign this in San Juan, Puerto Rico, today, March 27, 2017.



María del Mar Cintrón Alvarado
Clerk