

COMMONWEALTH OF PUERTO RICO
PUERTO RICO ENERGY COMMISSION

IN RE: AGUIRRE SITE ECONOMIC ANALYSIS

CASE NO.: CEPR-AP-2017-0001

SUBJECT: Amended Procedural Calendar.

RESOLUTION

On February 10, 2017, the Puerto Rico Energy Commission (“Commission”) issued an Order Initiating the Proceeding on the Aguirre Site Economic Analysis (“February 10 Order”). In said Order, the Commission established the requirements for the economic analysis to be filed by the Puerto Rico Electric Power Authority (“PREPA”), as well as the procedural calendar for the instant proceeding.

On April 18, 2017, PREPA requested a second extension of time to file its economic analysis. It argued that it had been working diligently, but that its responsibilities to the Fiscal Oversight Management Board of Puerto Rico (“PROMESA”) and the Fiscal Agency and Financial Advisory Authority, among other things, have not allowed it to complete the filing on time. As such, PREPA requested a second extension until April 28, 2017.

On April 20, 2017, the Commission granted PREPA until April 21, 2017 to file all available information, studies or documents (including relevant workpapers and other relevant supplemental information) compiled, prepared, developed or elaborated in compliance with the Commission’s February 10, 2017 Order. The Commission also ordered PREPA to file a detailed report specifying the status of each of the phases, steps or processes of the economic analysis which have not been concluded, including the specific reasons for which PREPA has failed to provide such information within the timeframe established by the Commission.

On April 21, 2017 and April 25, 2017, PREPA filed separate motions in compliance with the Commission’s Resolution and Order of April 20, 2017. In light of the aforementioned, the Commission modifies the Procedural Calendar in the instant proceeding as follows:

Discovery – Every intervenor will have the right to issue discovery with regards to the economic analysis presented by PREPA and/or intervenors that present their independent analysis, pursuant to the norms established in Regulation No. 8543.¹ The discovery period **began on April 20, 2017 and will end on May 9, 2017**. There will be a

¹ Regulation No. 8543, Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Proceedings.

ten (10) day term to answer all information requests.² Every request for information or documents, and the corresponding answers, shall be notified by email to the address on record of every intervenor and to the Commission.

The following shall apply to all discovery requests and corresponding responses:

1. Any information requirement, request for production of documents or any other discovery requirement must be sent in **searchable PDF format** via email to the party to whom the request is made, to the Commission, and to all other approved intervenors. It will not be necessary for a discovery request to include the signature of the requesting party's authorized representative. Parties may use electronic signatures when sending such documents.
2. All discovery request shall be sent via email by the requesting party's authorized representative to the email in record of each intervenor, and to the Commission. Parties **need not** file a physical copy of the discovery request with the Commission's Clerk.
3. When answering any discovery request, the responding party shall notify its responses to the requesting party, all other intervenors and to the Commission via email. Responses to any discovery request must be filed in **searchable PDF format**. All answers may only be notified by the responding party's authorized representative.
4. If, due to its size, a document is unable to be sent via email, the responding party shall deliver it to the requesting party, all other intervenors, and to the Commission, through a pendrive or a cloud-based storage service (e.g. Dropbox, OneDrive, Google Drive, etc.).
5. With the purpose of easing the discovery process, the Commission has determined to exempt all parties in the instant proceeding from the requirement that all answers to a discovery request be physically signed and notarized.
6. Each discovery response must clearly identify the person providing the answer to each question or requirement and include a certification regarding that, to the best of his/her knowledge, all answers provided are true and correct and none of the information provided is willingly misleading.
7. Physical copies of responses to discovery request **need not** be filed with the Commission's Clerk.
8. Should any party claim confidential treatment of the information provided in response to a discovery request, or a portion thereof, said party shall follow the guidelines set forth by the Commission in its August 31, 2016 Resolution, CEPR-MI-2016-0009.

² Parties will have until May 19, 2017 to file its answers to the discovery.

9. All emails addressed to the Commission shall be sent to the following addresses: tnegron@energia.pr.gov, viacaron@energia.pr.gov, afigueroa@energia.pr.gov and secretaria@energia.pr.gov.

Public Hearing – The Commission will hold a public hearing with the purpose of achieving a bigger citizen participation. The hearing will be held on **May 24, 2017** at the Commission’s Hearing Room, Seaborne Building, 268 Ave. Muñoz Rivera, 8th Floor. During the public hearing, the general public will have the opportunity to present their opinion about the economic analysis presented. During the course of the proceeding the Commission may determine to celebrate additional hearings in different places along the Island.

Written public comments – Any person interested in presenting their comments regarding this proceeding to the Commission may file their written comments **on or before May 30, 2017**. The comments may be presented at the Commission’s Clerk, located at Seaborne Building, 268 Muñoz Rivera Avenue, Nivel Plaza Suite 202, San Juan, Puerto Rico, or by email at comentarios@energia.pr.gov.

Testimony on parties’ analysis – PREPA and intervenors may file testimony on any party’s analysis **on or before May 30, 2017**.

Reply to Testimony on parties’ analysis – Any party who received comments on their proposal by PREPA or other intervenors, may file responses to such comments **on or before June 8, 2017**.


Technical Hearing – The Commission will hold a Technical Hearing in which parties will have the opportunity to participate in a session of questions about the testimonies filed as part of the economic analysis presented. The hearing will be held from **June 12, 2017 to June 14, 2017** at the Commission’s Hearing Room, Seaborne Building, 268 Ave. Muñoz Rivera, 8th Floor. The Commission will provide at a later date all information regarding the format of the technical hearing, including the applicable rules of behavior and the order of the proceedings.

Final Substantive and Legal Briefs – PREPA and Intervenors may file their substantive and legal briefs **on or before June 21, 2017**.

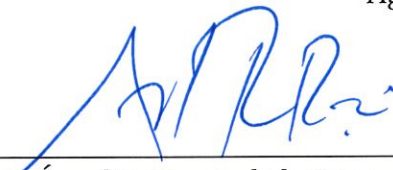
The Commission will not entertain requests for extension from PREPA, or any other party, and shall require strict compliance with the amended schedule from all parties. Failure from any party to comply with the established deadlines may result in their analysis, testimonies or any other submitted document, be stricken from the record.

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

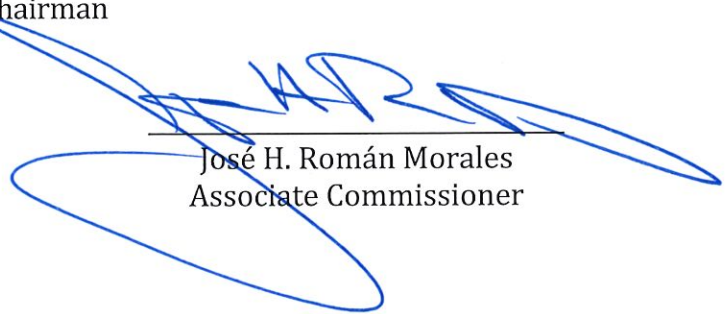
Be it notified and published.



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 April 27, 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: j-morales@aepr.com, n-vazquez@aepr.com, c-aquino@aepr.com, jperez@oipc.pr.gov, codiot@oipc.pr.gov, francisco.rullan@aae.pr.gov; epo@amgprlaw.com, wilma.lopez@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, agraitfe@agraitlawpr.com, hmc@mcvpr.com, molinilawoffices@gmail.com, sierra@arctas.com, Serdar.Tufekci@na.engie.com, tonytorres2366@gmail.com, richard.houston@na.engie.com, mgrpcorp@gmail.com, tufekcivictorluisgonzalez@yahoo.com, lfortuno@steptoe.com, equinones@qaclaw.com, vcandelario@qaclaw.com, lmorera@estrellallc.com, pbarcelo@estrellallc.com and gmartinez@qaclaw.com. I further certify that on April 27, 2017, I have proceeded with the filing of this Resolution and I have sent a copy thereof to:

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Lcdo. Carlos M. Aquino Ramos
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**Oficina Independiente de Protección
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**Instituto de Competitividad y
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National Public Finance Guarantee Corp.

Adsuar Muñoz Goyco Seda & Pérez Ochoa, P.S.C.
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SeaOne Puerto Rico, LLC

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

María del Mar Cintrón Alvarado
Clerk