

GOVERNMENT OF PUERTO RICO  
PUERTO RICO ENERGY COMMISSION



**IN RE:** REQUEST FOR CERTIFICATION DG  
SOLAR LESSEE II, LLC

**CASE NO.:** CEPR-CT-2016-0017

**SUBJECT:** Petition for confidential  
treatment of information.

**RESOLUTION**

On May 17, 2018, **DG SOLAR LESSEE II, LLC** (“DG Solar”) filed before the Puerto Rico Energy Commission (“Commission”) additional information related to its gross revenues for fiscal year 2016 as requested by the Commission on May 3, 2018.<sup>1</sup> As part of its filing, DG Solar requests confidential treatment for the information and related documents presented as part of its submission, stating that the disclosure of such information would place the company at a competitive disadvantage and cause it economic harm. DG Solar requests confidential treatment for the following information:

1. Complete DG Solar Puerto Rico Tax Returns for Fiscal Year 2016.
2. Volume of Business Declaration for Fiscal Year 2016.

The information submitted on May 17, 2018 is an update of information already evaluated for confidential treatment by the Commission.<sup>2</sup> As determined in the March 27, 2018 Resolution, DG Solar’s request is **GRANTED** as to the documents described on paragraph (1) above. Since the document described on paragraph (2) above is directly related to the company’s financial information, the Commission also **GRANTS** the confidentiality request for said document.

Any party affected by this determination may file a motion for reconsideration of this Resolution before the Commission pursuant to Section 11.01 of Regulation 8543,<sup>3</sup> and the applicable provisions of Act 38-2017, known as the Uniform Administrative Procedures Act of the Government of Puerto Rico (“UAPA”). The affected party shall file its motion for reconsideration within the term of twenty (20) days from the date of the filing of this Resolution. Such request must be presented to the Commission Clerk’s Office.

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

<sup>1</sup> See Letter to Carlos Fernández, Esq., from Vanessa I. Acarón Toro, Request for Additional Information – DG Solar Lessee II, LLC, May 3, 2018.

<sup>2</sup> See Resolution, Case No. CEPR-CT-2016-0017, March 27, 2018.

<sup>3</sup> Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Procedures.



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 when 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.

In the alternative, any affected party 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 Resolution was filed in the record of the Commission. The aforementioned pursuant to Section 11.03 of Regulation 8543, and the applicable dispositions of the UAPA and the Court of Appeals Regulation.

Be it hereby notified and published.

Ángel R. Rivera de la Cruz  
Associate Commissioner

José H. Román Morales  
Associate Commissioner  
Interim Chairman

**CERTIFICATION**

I hereby certify that the Puerto Rico Energy Commission has so agreed on June 4, 2018, and on this date a copy of the Resolution was notified by electronic mail sent to: cfl@mcvpr.com. I also certify that this is a true and exact copy of the Resolution issued by the Puerto Rico Energy Commission and I have proceeded with the filing of this Resolution and I have sent a copy thereof to:

**DG Solar Lessee II, LLC**  
Lcdo. Carlos Fernández Lugo  
PO Box 364225  
San Juan, PR 00936-4225

For the record, I sign this in San Juan, Puerto Rico, today, June 4, 2018.

María del Mar Cintrón Alvarado  
Clerk