

COMMONWEALTH OF PUERTO RICO

SECRETARIA
COMISION DE ENERGIA DE
PUERTO RICO

PUERTO RICO ENERGY BUREAU

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IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY
FY19 RATES

NO. CEPR-AP-2018-0002

SUBJECT: PREPA'S SECOND
MOTION TO EXTEND DUE DATE OF
RESPONSE TO JUNE 22 ORDER,
ITEM A

**PREPA'S SECOND MOTION TO EXTEND DUE DATE
OF RESPONSE TO JUNE 22 ORDER, ITEM A**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority ("PREPA") and respectfully submits to the honorable Puerto Rico Energy Bureau (the "Bureau")¹ PREPA's second Motion to extend the due date for compliance item A under the Bureau's June 22, 2018, order. PREPA cannot prepare and submit item A until after the federal Financial Oversight and Management Board ("FOMB") takes certain action, which may take place as soon as August 31, 2018, as explained below. In this circumstance, PREPA requests to extend the current due date for item A from August 31, 2018, to September 14, 2018.

1. On May 4, 2018, the Bureau issued its Resolution and Order Regarding Rates for Fiscal Year 2019 ("FY2019") (the "May 4 Order"), initiating this proceeding. The May 4 Order included the Bureau's Appendix A, which set forth certain information requirements for PREPA.

2. On May 22, 2018, the Bureau issued its Resolution and Order Following Technical Conference (the "May 22 Order"). In the May 22 Order, the Bureau ordered PREPA to submit, no later than May 25, 2018, an annotated version of Appendix A to the May 4 Order. The Bureau directed that PREPA's annotated Appendix A should explain: "(a) whether the

¹ References herein to the Bureau include the former Puerto Rico Energy Commission when applicable.

information is or can be made available, and in what form; (b) for information that is or can be made available, an estimated time of submission that information to the Bureau; and (c) for information that cannot be made available, a brief explanation.”

3. On May 25, 2018, PREPA filed its Response to the May 22 Order. As part of its response, PREPA identified certain information requirements for which it was unable to comply, and explained why.

4. On June 22, 2018, the Bureau issued its Resolution and Order Establishing Calendar for Submission of Information (the “June 22 Order”). The June 22 Order in part addressed PREPA’s May 25th Response, and directed PREPA to provide additional information consistent with Appendix A to the May 4 Order. The June 22 Order also included an Appendix A that set forth certain information requirements and established deadlines for PREPA. Appendix A, items B, C, D, F, G, and H, were due July 13, 2018. Item D was due August 10, 2018. Item A originally was due August 17, 2018.

5. On July 13, 2018, PREPA submitted its compliance filing for items B, C, D, F, G, and H. The compliance filing was “informal” because of the electronic format and availability of certain of the items. PREPA asked the Bureau to follow up if it wished anything more in relation to the manner in which those items were submitted. On August 24, 2018, PREPA submitted the same materials in a formal manner.

6. On August 10, 2018, PREPA submitted its compliance filing for Item E combined with its first motion to extend the due date of item A, seeking to change the due date of item A from August 17, 2018, to August 24, 2018.

7. On August 16, 2018, the Bureau issued its Resolution and Order extending the due date for item A to August 24, 2018.

8. Item A essentially calls for an update relating to PREPA's costs of service but the item is phrased in a fairly general way. Depending on the degree of detail and support intended by Item A, the request hypothetically could be read to call for the development and presentation of a full-blown PREPA "revenue requirement" (total cost of service analysis), such as is presented in a rate case, a task that typically takes a large multi-disciplinary team months to prepare. PREPA believes that that is not intended and that a higher level of information is requested.

9. Given PREPA's understanding, PREPA nevertheless must respectfully request a second extension of the due date for Item A, from August 31, 2018, to September 14, 2018.

10. PREPA believes that the only practical and timely approach to item A is for PREPA to submit an answer based on the forthcoming FOMB-certified PREPA budget for Fiscal Year 2019 (July 2018 – June 2019). Although PREPA, in its first motion to extend the due date for item A, anticipated that the FOMB certification would occur in time for PREPA to be able to develop and file item A by August 31, 2018, that did not happen. The FOMB has not yet approved PREPA's budget and the budget currently remains under revision. Until such approval is granted, the required data for item A is unavailable. The FOMB budget subcommittee is scheduled to meet on August 31, 2018, when it is possible that the budget will be approved. As soon as the budget is approved, PREPA will be in a position to develop and provide the requested information. PREPA requests a two-week extension, to September 14, 2018, in anticipation that that period is likely to be sufficient, although that is not in PREPA's control.

WHEREFORE, the Puerto Rico Electric Power Authority respectfully requests that the Honorable Puerto Rico Energy Bureau grant this Motion and extend the due date for item A of the June 22 Order by two weeks to September 14, 2018.

RESPECTFULLY SUBMITTED,

IN SAN JUAN, PUERTO RICO, THIS 31 DAY OF AUGUST, 2018

PUERTO RICO ELECTRIC POWER AUTHORITY



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CERTIFICATION OF INFORMAL SUBMISSION

I hereby certify that on August 31, 2018, I have sent the above Motion to the Puerto Rico Energy Bureau through (1) its Clerk via emails to mcintron@energia.pr.gov and secretaria@energia.pr.gov; and (2) the office of the Bureau's internal legal counsel via email to legal@energia.pr.gov and sugarte@energia.pr.gov.



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