

**GOVERNMENT OF PUERTO RICO
PUBLIC SERVICE REGULATORY BOARD
PUERTO RICO ENERGY BUREAU**



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 30, 2018, **DG SOLAR LESSEE II, LLC** ("DG Solar") filed before the Puerto Rico Energy Bureau ("Energy Bureau") information related to its gross revenues for fiscal year 2017 as requested by the Energy Bureau on May 3, 2018.¹ 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. Audited Financial Statements for Fiscal Year 2017.
2. Documents related to the Volume of Business Declaration for Fiscal Year 2017.
3. Documents related to the PR Tax Returns for Fiscal Year 2017.

The information submitted on May 30, 2018 is an update of information already evaluated for confidential treatment by the Energy Bureau.² As determined in the March 27, 2018 and June 4, 2018 Resolutions in the instant case, DG Solar's confidentiality request is **GRANTED**.

Any party affected by this determination may file a motion for reconsideration of this Resolution before the Energy Bureau pursuant to Section 11.01 of Regulation 8543,³ 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 Energy Bureau Clerk's Office.

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

² See Resolution, Case No. CEPR-CT-2016-0017, March 27, 2018. *See also* Resolution, Case No. CEPR-CT-2016-0017, June 4, 2018.

³ Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Procedures.

The Energy Bureau shall consider said motion within fifteen (15) days of its filing. Should the Energy Bureau reject it forthright or fail to act upon it within fifteen (15) days, the 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 Energy Bureau'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 Energy Bureau 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 Energy Bureau, 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 Energy Bureau. 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.



Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ángel R. Rivera de la Cruz
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner

CERTIFICATION


I hereby certify that the Puerto Rico Energy Bureau has so agreed on October 5, 2018 and on this date a copy of the Resolution was notified by electronic mail sent to jeff.lewis@terraform.com and cfl@mcvpr.com. I also certify that this is a true and exact copy of the Resolution issued by the Puerto Rico Energy Bureau and I have proceeded with the filling of this Resolution and I have sent a copy thereof to:

Jeff Lewis
Terra Form Power
200 Liberty Street 14th Floor
New York, NY 10281

McConnell Valdés, LLC
Lcdo. Carlos Fernández Lugo
PO Box 364225
San Juan, P.R. 00936



For the record, I sign this in San Juan, Puerto Rico, today, October 5, 2018.



María del Mar Cintrón Alvarado
Clerk