

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



**IN RE:** REVIEW OF THE PUERTO RICO  
ELECTRIC POWER AUTHORITY  
INTEGRATED RESOURCE PLAN

**CASE NO.:** CEPR-AP-2018-0001

**SUBJECT:** PREPA's Motion to Submits  
Updated Report and Request for  
Confidential Treatment Information.

**RESOLUTION**

On November 2, 2018, the Puerto Rico Electric Power Authority ("PREPA") filed before the Puerto Rico Energy Bureau ("Energy Bureau") a document titled "Motion to Submits Updated Report", which contained an updated version of the October 24, 2018 report filed before the Energy Bureau on October 26, 2018 which included an updated version of the Preliminary IRP Report, Scenario 3.<sup>1</sup> As part of its submission, PREPA requested confidential designation and treatment of the filed report<sup>2</sup> based on the fact that it contains confidential Critical Energy Infrastructure Information that requires special treatment under applicable federal and Puerto Rico Law and prior decisions of the Energy Bureau.<sup>3</sup>

Act 57-2014<sup>4</sup> establishes that any person having the obligation to submit information to the Energy Bureau, can request privilege or confidential treatment to any information that the submitting party understands deserves such protection.<sup>5</sup> Specifically, Act 57-2014 requires the Energy Bureau to provide confidential treatment to information provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected".<sup>6</sup> In such case, the Energy Bureau "shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted."<sup>7</sup>

<sup>1</sup> See "Motion for an Expedited Technical Conference", Case No. CEPR-AP-2018-0001, October 26, 2018.

<sup>2</sup> See updated redacted version of the report, "PREPA IRP 2018, Preliminary Results of the Long-Term Capacity Expansion Plan, dated October 31, 2018.

<sup>3</sup> See "PREPA's Motion to Submit Updated Report", November 2, 2018.

<sup>4</sup> *The Puerto Rico Energy and Transformation and RELIEF Act*, as amended.

<sup>5</sup> Section 6.15 of Act 57-2014, as amended.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

Upon examining PREPA's arguments, the Energy Bureau **GRANTS** confidential designation and treatment for the filed updated report<sup>8</sup> in accordance with the provisions of Article 6.15 of Act 57-2014.

Any party affected by this determination may file a motion for reconsideration of this Resolution before the Puerto Rico Energy Bureau pursuant to Section 11.01 of Regulation 8543, 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 Bureau Clerk's Office, located at World Plaza Building, 268 Ave. Muñoz Rivera, Plaza Level Ste. 202, San Juan, P.R. 00918.

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.

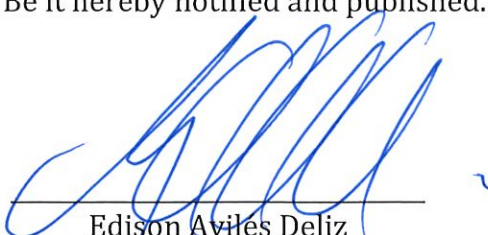
---

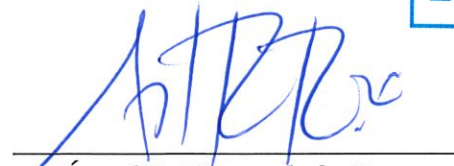
<sup>8</sup> See updated redacted version of the report, "PREPA IRP 2018, Preliminary Results of the Long-Term Capacity Expansion Plan", dated October 31, 2018.



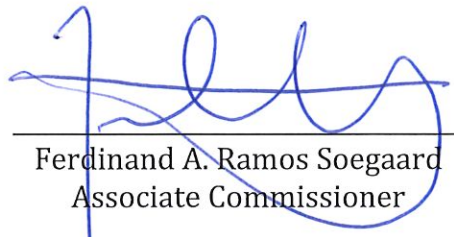
Be it hereby notified and published.



  
Edison Aviles Deliz  
Chairman

  
Ángel R. Rivera de la Cruz  
Associate Commissioner

  
Lillian Mateo Santos  
Associate Commissioner

  
Ferdinand A. Ramos Soegaard  
Associate Commissioner

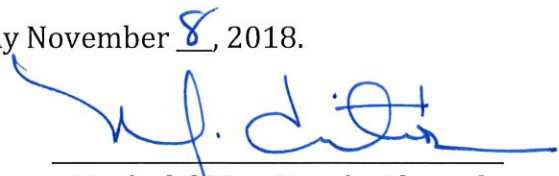
#### CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on November 8, 2018. I also certify that on this date a copy of this Resolution was notified by electronic mail to the following: n-vazquez@prepa.com, astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com. I also certify that today, November 8, 2018, I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau and I have sent a true and exact copy to the following:

#### **Puerto Rico Electric Power Authority**

Attn.: Nitza D. Vázquez Rodríguez  
Astrid I. Rodríguez Cruz  
Jorge R. Ruíz Pabón  
PO Box 364267  
Correo General  
San Juan, PR 00936-4267

For the record, I sign this in San Juan, Puerto Rico, today November 8, 2018.

  
María del Mar Cintrón Alvarado  
Clerk