



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

IN RE: REQUEST FOR PROPOSAL FOR
CONVERSION OF SAN JUAN UNITS 5 & 6
TO NATURAL GAS

CASE NO.: CEPR-AI-2018-0001

SUBJECT: Resolution and Order on ICSE-PR
Motion for access to confidential documents

RESOLUTION AND ORDER

On November 9, 2018, the Institute of Competitiveness and Economic Sustainability of Puerto Rico ("ICSE-PR") submitted before the Puerto Rico Energy Bureau ("Energy Bureau") a document titled *Motion for Access to Confidential Documents* ("Motion"). Through its Motion, ICSE-PR requests the Energy Bureau to grant it access to the confidential documents related to the instant case.

This case is an investigative process that is separate from other procedures currently under the consideration of the Energy Bureau. ICSE-PR has not requested, nor the Energy Bureau have granted, intervenor status to ICSE-PR in the instant case. Moreover, the documents ICSE-PR is requesting access to are part of a Request for Proposal ("RFP") process conducted by the Puerto Rico Electric Power Authority. As such, even if ICSE was an intervenor in the instant case, the Energy Bureau would not grant access to the aforementioned documents until the RFP process is concluded and the documents are made available to the public.

For these reasons, the Energy Bureau **REAFFIRMS** its decision for confidentiality as stated on the November 2, 2018 Resolution and Order in the instant case.

Any party affected by this determination may move for reconsideration of this Resolution and Order before the Energy Bureau under Section 11.01 of Regulation 8543¹ and 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 filing this Resolution and Order. Such request must be presented to the Energy Bureau Clerk's Office.


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 notice of such denial, or from the expiration of the fifteen (15)-day term. 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. Such

¹ Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Procedures, Regulation Num. 8543, Puerto Rico Energy Bureau, December 18, 2014.

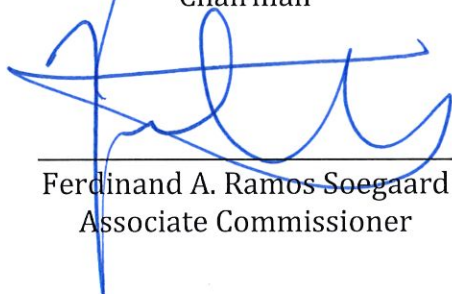
resolution shall be issued and filed in the record within ninety (90) days after the motion to reconsider has been filed. If the Energy Bureau accepts the motion to reconsider but takes no action regarding the motion within ninety (90) days of its filing, it shall lose jurisdiction on the motion and the term to file judicial review shall commence upon the expiration of the 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.

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 and Order was filed in the record of the Energy Bureau. Under Section 11.03 of Regulation 8543, and the dispositions of the UAPA and the Court of Appeals Regulation.

Be it notified and published.




Edison Avilés Deliz
Chairman



Ferdinand A. Ramos Soegaard
Associate Commissioner



Ángel R. Rivera de la Cruz
Associate Commissioner



José J. Palou Morales
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on November 28, 2018. The Associate Commissioner Lillian Mateo Santos recused herself from the consideration and decision of this case. I also certify that on this date a copy of this Resolution regarding the Case No. CEPR-AI-2018-0001 was notified by electronic mail to the following: n-vazquez@aeep.com, astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com, and agraitfe@agraitlawpr.com. I also certify that today, November 28, 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, P.R. 00936-4267

**Instituto de Competitividad y
Sostenibilidad Económica de
Puerto Rico**

Lcdo. Fernando E. Agrait

701 Ave. Ponce de León

Oficina 414

San Juan, PR. 00907



For the record, I sign this in San Juan, Puerto Rico, today November 28, 2018.

A handwritten signature in blue ink, appearing to read 'M. del Mar Cintrón Alvarado'.

María del Mar Cintrón Alvarado
Clerk