



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

IN RE: REQUEST FOR CERTIFICATION
SUNNOVA ENERGY CORPORATION

CASE NO.: CEPR-CT-2016-0002

SUBJECT: Petition for confidential
treatment of information.

RESOLUTION

On October 29, 2018, **Sunnova Energy Corporation**, ("Sunnova") filed the 2017 Puerto Rico Tax Returns corresponding to Sunnova and its affiliated entities,¹ as requested by the Puerto Rico Energy Bureau ("Energy Bureau"). As part of its filing, Sunnova requested such documents and information be kept confidential, pursuant to Section 6.15 of Act 57-2014² and Section 1.15 of Regulation No. 8701.³

Act 57-2014 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 party submitting understands deserves such protection.⁴ Specifically, Act 57-2014 requires the Energy Bureau to grant confidential protection to the submitted information provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected".⁵ 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."⁶

Furthermore, Section 1.15 of Regulation No. 8543,⁷ establishes:

¹ Sunnova Asset Portfolio 4, LLC; Sunnova AP5 Warehouse, LLC; Sunnova Asset Portfolio 5, LLC; Sunnova Lease Vehicle 3, LLC; Sunnova AP5-A, LLC; Sunnova AP5 Conduit, LLC; Sunnova Asset Portfolio 6, LLC; Sunnova AP 6 Warehouse II, LLC; and Sunnova Asset Portfolio 6 Holdings, LLC. ("Sunnova Affiliates")

² Known as the *Puerto Rico Energy and Transformation and RELIEF Act*, as amended.

³ *Regulation No. 8701, Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans for Electric Service Providers in Puerto Rico*, February 5, 2016.

⁴ Section 6.15 of Act 57-2014, as amended.

⁵ *Id.*

⁶ *Id.*

⁷ *Regulation No. 8543, Regulation of Adjudicative, Notice of Compliance, Rate Review and Investigation Proceedings*, December 18, 2014.



If in compliance with the provisions of this Regulation or any of the Commission's orders, a person has the duty to disclose information to the Commission considered to be privileged, pursuant to the Rules of Evidence, said person shall identify the allegedly privilege information, request the Commission the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The Commission shall evaluate the petition and, if it understands the material merits protection, proceed according to what is set forth in Article 6.15 of Act. 57-2014, as amended.

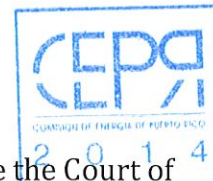
Sunnova argues that the information for which they request protection is of confidential nature and is not publicly available, therefore its public dissemination will place Sunnova at a competitive disadvantage with respect to other market participants and cause Sunnova economic harm⁸.

Upon careful examination of Sunnova's request for confidential treatment, the Energy Bureau **GRANTS** confidential designation to the 2017 Puerto Rico Tax Returns for Sunnova Energy Corporation and those of its affiliated entities. The Energy Bureau also **GRANTS** confidential designation to the letter dated October 29, 2018 and to Sunnova Entities table of Gross Revenues for year 2017, Puerto Rico Operations.

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 Energy Bureau Clerk's Office, located at World Plaza Building, Ave. Muñoz Rivera, Plaza Level Ste. 202, San Juan, P.R. 00918.

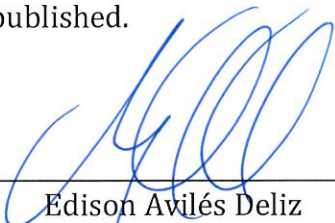
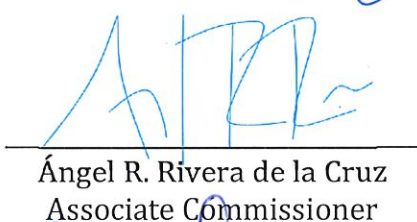
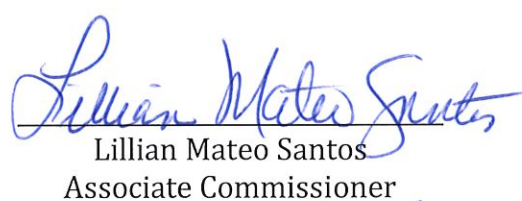
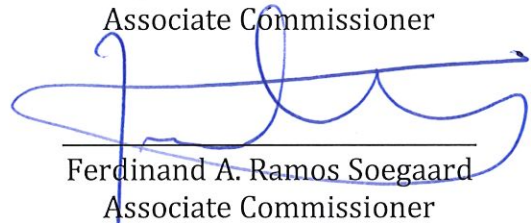
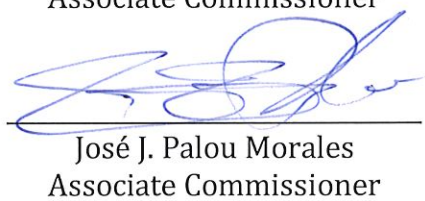
The Energy Bureau shall consider said motion within fifteen (15) days of its filing. Should the Energy Bureau reject it forthright or fail to act upon it within fifteen (15) days, the term to request review shall recommence from the date of notice of such denial, or from the expiration of the fifteen (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.

⁸ Letter to the Puerto Rico Energy Bureau, page 2, October 29, 2018. (Confidential Information)



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
Ángel R. Rivera de la Cruz
Associate Commissioner
Lillian Mateo Santos
Associate Commissioner
Ferdinand A. Ramos Soegaard
Associate Commissioner
José J. Palou Morales
Associate Commissioner

CERTIFICATION

I hereby certify that the Puerto Rico Energy Bureau has so agreed on December 21, 2018. I also certify that on December 21, 2018, I have proceeded with the filing of this Resolution and was notified by electronic mail sent to: viviana.harrington@sunnova.com and ivc@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 sent a copy thereof to:

Sunnova Energy Corporation
Viviana Harrington
P.O Box 56229
Houston, TX 77256-6229

McConnell Valdés, LLC
Lcdo. Ignacio J. Vidal Cerra
PO Box 364225
San Juan, P.R. 00936

For the record, I sign this in San Juan, Puerto Rico, today, December 21, 2018.


María del Mar Cintrón Alvarado
Clerk