

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



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 February 6, 2019, **DG SOLAR LESSEE II, LLC**, ("DG Solar") submitted before the Puerto Rico Energy Bureau ("Energy Bureau") a letter enclosing its 2017 and 2018 Operational Reports and Annexes¹ as requested by the December 17, 2018 Order to Show Cause and the February 1, 2019 Resolution and Order. As part of its submission, DG Solar requested such documents and the information contained therein 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 provide confidential treatment 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

Upon examining DG Solar arguments, the Energy Bureau **GRANTS** confidential designation and treatment for the filed documents⁷ in accordance with the provisions of Article 6.15 of Act 57-2014.

¹ See "Letter to the Puerto Rico Energy Bureau", Case No. CEPR-CT-2016-0017, February 6, 2019.

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 See 2017 and 2018 DG Solar Operational Reports and Annexes.



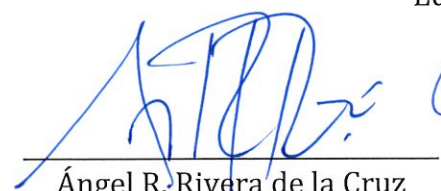
Any person that is dissatisfied with the Bureau's decision may file a duly substantiated motion to reconsider, pursuant to section 1.15 of Regulation 8701, section 11.01 of Regulation 8543⁸ and the applicable provisions of Act 38-2017, known as the Uniform Administrative Procedures Act of the Government 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.

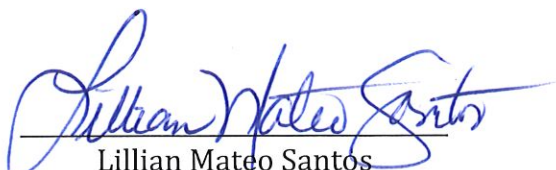
The Energy Bureau shall consider said motion within fifteen (15) days of its filing. Should the Energy Bureau reject it forthright or fail to act upon it within fifteen (15) days, the term to request review shall recommence from the date of notice of such denial, or from the expiration of the fifteen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

Ángel R. Rivera de la Cruz
Associate Commissioner

Lillian Mateo Santos
Associate Commissioner

⁸ Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Proceedings, Regulation 8543, December 18, 2014.



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 March 5, 2019 and on this date a copy of this Resolution was notified by electronic mail sent to: 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 proceeded with the filing of this Resolution and I have sent a copy thereof to:

McConell 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, March 5, 2019.



María del Mar Cintrón Alvarado
Clerk