

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



IN RE: REQUEST FOR CERTIFICATION

SUNE WMT PR2, LLC

CASE NO.: CEPR-CT-2016-0015

SUBJECT: Petition for confidential
treatment of information.

RESOLUTION

On March 11, 2019, SUNE WMT PR2, LLC ("SUNE") filed a Motion Requesting Confidential Treatment of its Financial Statements Report before the Puerto Rico Energy Bureau ("Energy Bureau"). As part of its filing, SUNE requested such documents and information of sensitive nature¹ be kept confidential, pursuant to Section 6.15 of Act 57-2014² and Section 1.15 of Regulation No. 8701.³

Act No. 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

¹ See Financial Statements and Independent Accountant's Compilation Report December 31, 2018 and 2017, attached to SUNE Gross Revenue and Financial Statements Form.

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 17, 2016.

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

⁵ *Id.*

⁶ *Id.*

Upon examining SUNE arguments, the Energy Bureau **GRANTS** confidentiality designation and treatment for the filed documents⁷ 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, 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.

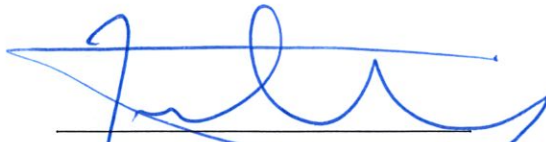

Be it hereby notified and published.

Edison Ayllés Deliz
Chairman

Angel R. Rivera de la Cruz
Associate Commissioner

Lillian Mateo Santos
Associate Commissioner

⁷ See Financial Statements and Independent Accountant's Compilation Report December 31, 2018 and 2017, attached to SUNE Gross Revenue and Financial Statements Form.



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 15, 2019 and on this date a copy of the 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 regarding the Case No. CEPR-CT-2016-0015 issued by the Puerto Rico Energy Commission and I have proceeded with the filling of this Resolution and I have sent a copy thereof to:

McConnel 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 15, 2019.


María del Mar Cintrón Alvarado
Clerk