

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 April 23, 2019, **DG SOLAR LESSEE II, LLC**, ("DG Solar") filed before the Puerto Rico Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") a motion titled "Motion to Request Confidential Treatment of 2019 Operational Report Annexes" ("Motion") enclosing its 2019 Operational Report Annexes.¹ DG Solar also included the information required in the Energy Bureau Order dated February 12, 2019. As part of its submission, DG Solar requested such documents and information be kept confidential, under 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 confidentially treat 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 under Article 6.15 of Act 57-2014.

¹ See DG Solar Lessee II, LLC 2019 Operational Report Annexes.

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 DG Solar Lessee II, LLC 2019 Operational Report Annexes.

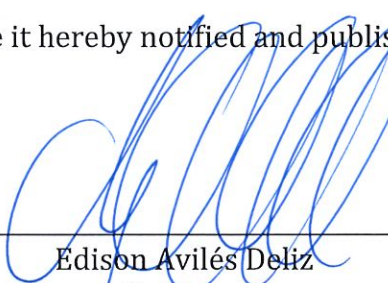


Any party affected by this determination may move for reconsideration of this Resolution before the Puerto Rico Energy Bureau under Section 11.01 of Regulation 8543, and the provisions of Act 38-2017, known as the Uniform Administrative Procedures Act of the Government of Puerto Rico ("UAPA"). The affected party shall file its motion for reconsideration within the term of twenty (20) days from filing this Resolution. Such request must be presented to the Bureau Clerk's Office at World Plaza Building, 268 Ave. Muñoz Rivera, Plaza Level Ste. 202, San Juan, P.R. 00918.

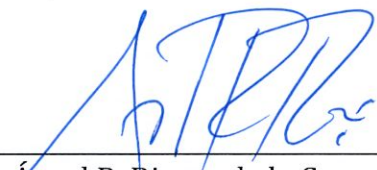
The Energy Bureau shall consider said motion within fifteen (15) days of its filing. Should the Energy Bureau reject it forthright or fail to act upon it within fifteen (15) days, the term to request review shall recommence from notice of such denial, or from the expiration of the fifteen (15)-day term. 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 in the record. Such resolution shall be issued and filed in the record within ninety (90) days after the motion to reconsider has been filed. If the Bureau accepts the motion to reconsider but takes no action regarding said 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 was filed in the record of the Energy Bureau. Under 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.



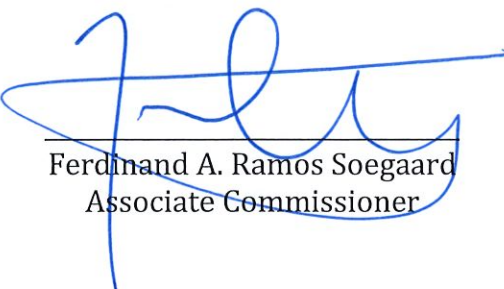
Edison Avilés Deliz
Chairman



Ángel R. Rivera de la Cruz
Associate Commissioner



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner

CERTIFICATION



I hereby certify that the Puerto Rico Energy Bureau has so agreed on May 14, 2019 and on this date a copy of the Resolution and Order was notified by electronic mail sent to jeff.lewis@terraform.com, ivc@mcvpr.com and cfl@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 filling of this Resolution and Order and I have sent a copy thereof to:

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, May 14, 2019

A handwritten signature in blue ink, which appears to read 'Wanda I. Cordero', is written over a horizontal line.

Wanda I. Cordero Morales
Interim Clerk