

**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 29, 2019, **DG SOLAR LESSEE II, LLC**, ("DG Solar") filed a motion titled "Motion in Compliance with Resolution and Order Dated April 12, 2019 and Requesting Confidential Treatment of Financial Information" before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau"). As part of its filing, DG Solar submitted its Gross Revenues and Financial Statements Form<sup>1</sup> and requested such documents and information be kept confidential, pursuant to Section 6.15 of Act 57-2014<sup>2</sup> and Section 1.15 of Regulation No. 8701.<sup>3</sup>

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.<sup>4</sup> 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".<sup>5</sup> 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."<sup>6</sup>

<sup>1</sup> See 2018 Income Statement attached to the Gross Revenues and Financial Statements Form.

<sup>2</sup> Known as the *Puerto Rico Energy and Transformation and RELIEF Act*, as amended.

<sup>3</sup> *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.

<sup>4</sup> Section 6.15 of Act 57-2014, as amended.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

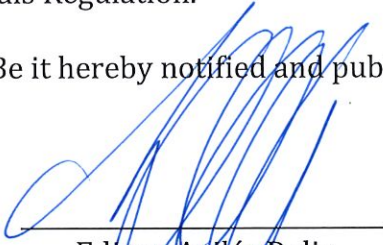
Upon examining DG Solar arguments, the Energy Bureau **GRANTS** confidential designation and treatment for the filed documents<sup>7</sup> in accordance with the provisions of Article 6.15 of Act 57-2014.

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, 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.



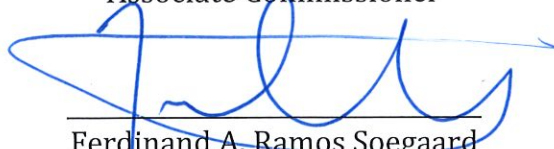
Edison Arlés Deliz  
Chairman



Lillian Mateo Santos  
Associate Commissioner



Ángel R. Rivera de la Cruz  
Associate Commissioner



Ferdinand A. Ramos Soegaard  
Associate Commissioner

<sup>7</sup> See 2018 Income Statement attached to the Gross Revenues and Financial Statements Form.






## CERTIFICATION

I hereby certify that the Puerto Rico Energy Bureau has so agreed on May 17, 2019 and on this date a copy of this Resolution regarding the Case No. CEPR-CT-2016-0017 was notified by electronic mail sent to jeff.lewis@terraform.com, ivc@mcvpr.com and cfl@mcvpr.com. I also certify that this on May 17, 2019, I have proceeded with the filling of this Resolution and I have sent a true and exact copy thereof to:

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

**Jeff Lewis**  
Terra Form Power  
200 Liberty Street 14<sup>th</sup> Floor  
New York, NY 10281

For the record, I sign this in San Juan, Puerto Rico, today, May 17, 2019.

  
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Wanda I. Cordero Morales  
Clerk