



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

**IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY RATE REVIEW**

CASE NO.: CEPR-AP-2015-0001

**SUBJECT: PREPA's Motion to Make
Confidentiality Designations for June 19 and
21 Filings Supporting Documents.**

RESOLUTION

On June 27, 2019, the Puerto Rico Electric Power Authority ("PREPA") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *PREPA's Motion to Make Confidentiality Designations Nunc Pro Tunc for June 19 and 21 Filings Supporting Documents* ("June 27 Motion"). Through the June 27 Motion, PREPA indicates that the supporting documents filed with the June 19 and June 21 Compliance Filings mistakenly were not designated as confidential when filed. As such, PREPA requests confidential treatment for those documents.¹

PREPA argues the information contained in the related documents should be kept confidential since (i) they include formulas, calculations and procedures deemed proprietary information of PREPA that could be used by third parties, (ii) should not be made public as filed, and (iii) are protected under Puerto Rico Law.

Act 57-2014² establishes that any person having the obligation to submit information to the Energy Bureau, can request privileged or confidential treatment to any information that the submitting party understands deserves such protection.³ 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".⁴ 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."⁵

¹ See *PREPA's Motion to Make Confidentiality Designations Nunc Pro Tunc for June 19 and 21 Filings Supporting Documents*, documents listed in page 2-3.

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

³ Section 6.15 of Act 57-2014, as amended.

⁴ *Id.*

⁵ *Id.*

Upon reviewing PREPA's arguments, the Energy Bureau **GRANTS** confidential designation for the items submitted and listed in the June 27 Motion.⁶ It is important to note that in the June 27 Motion, PREPA included non-confidential files that contain and show the same information as the confidential files. The non-confidential files do not contain formulas or otherwise protected information.

For future filings, the Energy Bureau advises PREPA to be more careful with the information and documents it submits in order to determine whether any of them require confidential designation **before** filing them with the Energy Bureau. This is the most efficient way to adequately protect such information.

Be it notified and published.



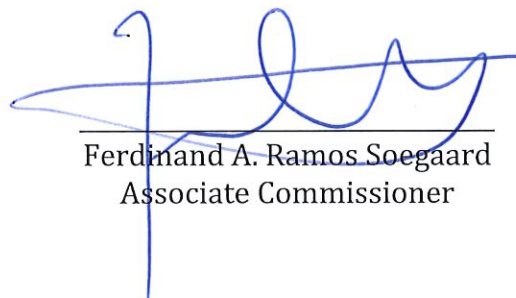
Edison Avilés Deliz
Chairman



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 majority of the members of the Puerto Rico Energy Bureau has so agreed on July 2, 2019. I also certify that on July 2, 2019 a copy of this Resolution was notified by electronic mail to the following: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com, n-vazquez@prepa.com, n-ayala@prepa.com, c-aquino@prepa.com, j-morales@prepa.com, hriviera@oipc.pr.gov, maribel.cruz@acueductospr.com, pga@caribe.net, jfeliciano@constructorespr.net, nydinmarie.watlington@cemex.com, epenergypr@gmail.com, aconer.pr@gmail.com, glenn.rippie@r3law.com, john.ratnaswamy@r3law.com, michael.guerra@r3law.com, pnieves@vnblegal.com, abogados@fuerteslaw.com, jorgehernandez@escopr.net, ecandelaria@camarapr.net, agraitfe@agraitlawpr.com, francisco.rullan@aae.pr.gov, mgrpcorp@gmail.com, manuelgabrielfernandez@gmail.com, mmuntanerlaw@gmail.com, licenciadamasferrer@gmail.com and wilma.lopez@aae.pr.gov. I also certify that today, July 2, 2019, I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau and I have sent a true and exact copy to the following:

⁶ See PREPA's Motion to Make Confidentiality Designations Nunc Pro Tunc for June 19 and 21 Filings Supporting Documents, Documents listed in page 2-3.

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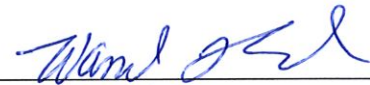
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For the record, I sign this in San Juan, Puerto Rico, today July 2, 2019.



Wanda I. Cordero Morales
Clerk