

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

~~NEPR~~
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IN RE:

**REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN**

CASE NO.:

CEPR-AP-2018-0001

SUBJECT:

Request for Extension of Time to Submit
Responses to Intervenors' Requirements for
Information

**REQUEST FOR EXTENSION OF TIME TO SUBMIT ANSWERS
TO INTERVENORS' REQUIREMENTS FOR INFORMATION**

TO THE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority through the undersigned legal representation and respectfully sets forth and pray:

1. During the ongoing discovery phase of this process, the Puerto Rico Electric Power Authority (PREPA) has responded to several requirements for information submitted by the Puerto Rico Energy Bureau (the "Energy Bureau"). PREPA has recently been served with additional requirements for information submitted by four (4) different intervenors¹. Pursuant to the *Resolution and Order* entered by the Energy Bureau on July 23, 2019, PREPA has ten (10) days "to answer all information requests." *See Resolution and Order*, Sec. II, B., as amended on August 21, 2019. After a careful assessment of the requirements, PREPA moves the Energy Bureau to enlarge the deadline to respond to the requirements and grant an extension of time until September 13, 2019, to respond to the all the current outstanding discovery requests.

2. The following chart illustrates the requirements for information served on PREPA, the dates in which these were served and the default deadline to respond²:

¹ Namely, Wärtsilä North America, Inc., Not for profit intervenors, Arctas Capital Group, LP. and Empire Gas Company, Inc (all together herein referred to as the "Intervenors").

² All requirements of information referred together as the "Requirements".

| <u>Intervenor</u> | <u>Date of Service</u> | <u>Response Due Date</u> |
|------------------------------|------------------------|---------------------------|
| Wärtsilä North America, Inc. | August 20 | August 30 |
| Not for profit intervenors | August 21 | September 03 ³ |
| Arctas Capital Group, LP. | August 23 | September 03 ⁴ |
| Empire Gas Company, Inc. | August 27 | September 06 |

3. PREPA has been carefully assessing the above-listed Intervenor’s Requirements. The Requirements add up to more than thirty-one (31) technical requirements of information, all with several subparts.

4. PREPA’s Planning and Environmental Directorate staff and its consultant Siemens, are the main parties with the responsibility of developing the Integrated Resources Plan (IRP), responding to requirements of information and preparing and submitting the supporting data.

5. Pursuant to the August 9, 2019 Resolution and Order, the Energy Commission will hold the second part of the Initial Technical Hearing on September 4 and 5, 2019 (the “Technical Hearing”). PREPA’s and Siemen’s staff must prepare and concentrate their main efforts in their relevant presentations and the answers the Energy Burau’s and intervenors questions in the second part of the Initial Technical Hearing. This task of paramount importance has complicated the relevant parties’ IRP-related work schedules and has also affected the ability to allocate all the available resources in continue working to meet the deadlines to respond to the Requirements.

6. Also, both PREPA and Siemens have been diligently working in preparing the responses and supporting documents to the Energy Bureau’s requirements of information. Among

³ 10 calendar days after Wednesday, August 21, 2019 is Saturday, August 31, 2019. However, this date falls on a weekend and Labor Day, so the next business day is Tuesday, September 03, 2019.

⁴ 10 calendar days after Friday, August 23, 2019 is Monday, September 02, 2019. However, this date falls on Labor Day, so the next business day is Tuesday, September 03, 2019.

the workstreams that the Energy Bureau's requirements generated is the preparation of the *AES Coal Plant Conversion Assessment* (the "AES Report"). The AES Report was filed with the Energy Bureau on August 23, 2019. Notwithstanding, and as explained yesterday in the *Notice of Intent to Supplement AES Coal Plan Conversion Assessment*, Siemens is currently drafting a supplement to the AES Report. The supplement will be presented to the Energy Commission today, August 29, 2019. The preparation the supplement to the AES Report also takes considerable time from PREPA's IRP main advisors and representatives.

7. In addition, during the assessment of the Intervenor's Requirements, PREPA identified several questions that need additional clarification or qualifications to their premises, for PREPA to be able to correctly address them and respond. PREPA finds it necessary that these requests are clarified and thus, it has already reached out to these intervenors and is expecting a response soon.

8. PREPA is also in the process of contacting certain intervenors to discuss the relevance of their discovery requests. PREPA will invite these intervenors to meet and confer to discuss the relevance and pertinence of some questions that PREPA deems are outside the scope of the discovery that would assist the Energy Bureau and other parties in interests to correctly assess the adequacy of the draft IRP and the determination of its compliance, or lack thereof, with the applicable laws and regulations.

9. PREPA has been diligently working to timely respond to the outstanding Requirements. Even with these efforts, for the reasons stated above, PREPA will not be able to submit the responses within the deadlines that are applicable to each of the Requirements. Therefore, PREPA moves the Energy Bureau to enlarge all the deadlines to respond to the Requirements and grant an extension of time until September 13, 2019, to submit to the responses.

WHEREFORE, PREPA requests an extension of time until September 13, 2019, to respond to all the Intervenor's Requirements.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 30th day of August 2019.

/s/ Katuska Bolaños
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CERTIFICATE OF SERVICE

It is hereby certified that, on this same date I have electronically filed this document with the Puerto Rico Energy Bureau via <https://radicacion.energia.pr.gov/>; and a courtesy copy of the filing was sent via e-mail to: secretaria@energia.pr.gov; wccordero@energia.pr.gov; legal@energia.pr.gov; sugarte@energia.pr.gov; sierra@arctas.com, tonytorres2366@gmail.com, cfl@mcvpr.com; gnr@mcvpr.com, info@liga.coop, amaneser2020@gmail.com, hrivera@oipc.pr.gov, jrivera@cnslpr.com, carlos.reyes@ecoelectrica.com, ccf@tcmrslaw.com, manuelgabrielfernandez@gmail.com, acarbo@edf.org, pedrosaade5@gmail.com, murthy@earthjustice.org, rstgo2@gmail.com, larroyo@earthjustice.org, jluebkemann@earthjustice.org, acasellas@amgprlaw.com, loliver@amgprlaw.com, epo@amgprlaw.com, robert.berezin@weil.com, marcia.goldstein@weil.com, jonathan.polkes@weil.com, gregory.silbert@weil.com, agraitfe@agraitlawpr.com, maortiz@lvprlaw.com, rnegron@dnlawpr.com, castrodiieppalaw@gmail.com, voxpopulix@gmail.com, paul.demoudt@shell.com, javier.ruajovet@sunrun.com, escott@ferraiuoli.com, mgrpcorp@gmail.com, aconer.pr@gmail.com, axel.colon@aes.com, rtorbert@rmi.org.

In San Juan, Puerto Rico, this 30th day of August 2019.

/s Katuska Bolaños
Katuska Bolaños