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

IN RE: REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY INTEGRATED RESOURCE PLAN

CASE NO.: CEPR-AP-2018-0001

SUBJECT: Request to Participate as Amicus Curiae; AES-Puerto Rico.

RESOLUTION

On July 3, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order in the instant case regarding the Integrated Resource Plan ("IRP") Filing presented by the Puerto Rico Electric Power Authority ("PREPA") on June 7, 2019 ("July 3 Resolution and Order").1 Through the July 3 Resolution and Order, the Energy Bureau determined that PREPA complied with the requirements established on Regulation 9021.2 The Energy Bureau also determined it was necessary to commence Phase 2 of the IRP approval process, as established on Regulation 9021, and issued the Procedural Calendar for the instant case.

To ensure transparency in its proceedings, and to promote ample public participation, the Energy Bureau invited any interested person to file a petition to intervene or a petition to appear as Amicus Curiae in the instant proceeding. The term to file such petition began on July 3, 2019 and ends on August 2, 2019, as established on the July 3 Resolution and Order.

On August 1, 2019, AES-Puerto Rico, LP ("AES-PR") filed a document titled Moción en Solicitud de Autorización para Comparecer como Amicus Curiae ("Petition"). Through its Petition, AES-PR stated the grounds for requesting participation as Amicus Curiae in the instant proceeding.

Upon review of AES-PR’s arguments, the Energy Bureau DETERMINES that AES-PR meets the requirements set forth in Regulation No. 85433 and Sections 3.5 and 3.6 of Act 38-

---


3 Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Procedures, December 18, 2014.
2017. Therefore, the Energy Bureau GRANTS AES-PR's Petition to Participate as Amicus Curiae.

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 Act 38-2017. The affected party shall move 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, Level Ste. 202, San Juan, P.R. 00913, or electronically in the Energy Bureau's digital platform at https://radicacion.energia.pr.gov/.

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 Energy Bureau accepts the motion to reconsider but takes no action regarding the 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 Act 38-2017 and the Court of Appeals Regulation.

Be it published and notified.

Edison Avilés Deliz
Chairman

Lillian Mateo Santos
Associate Commissioner

Angel R. Rivera de la Cruz
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 August 1st, 2019. I also certify that on August 1st, 2019 a copy of this Resolution notified by electronic mail to the following: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com, n-vazquez@aepr.com, c-aquino@prepa.com, acarbo@edf.org, javier.ruajovet@sun-un.com, pedrosaade5@gmail.com, rstgo2@gmail.com, rmurthy@earthjustice.org, larroyo@earthjustice.org, jluebkemann@earthjustice.org, carlos.reyes@ecoelectrica.com ccf@cmrslaw.com, victorluisgonzalez@yahoo.com, mgrpcorp@gmail.com, hrivera@oipc.pr.gov, jrivera@cnslpr.com, manuelegabrielfernandez@gmail.com, axel.colon@aes.com. I also certify that today, August 1st, 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:

Puerto Rico Electric Power Authority
Attn.: Nitzia D. Vázquez Rodríguez
Astrid I. Rodríguez Cruz
Jorge R. Ruiz Pabón
PO Box 36928
San Juan, PR 00936-3928

Sunrun, Inc.
Attn: Javier Ruá-Jovet
Centro de Seguros Bld.
Suite 406
701 Ponce de León Ave.
San Juan, PR 00907

Local Environmental Organizations
Attn: Ruth Santiago
Apartado 518
Salinas, PR 00751

Local Environmental Organizations
Attn: Laura Arroyo
4500 Biscayne Blvd. Ste 201
Miami, FL 33137

EcoEléctrica, L.P.
Attn: Carlos A. Reyes, P.E.
Carretera 337 Km. 3.7 Barrio Tallaboa Poniente
Peñuelas, PR 00624

Environmental Defense Fund
Attn: Agustín F. Carbó Lugo
257 Park Avenue South
New York, NY 10010

Local Environmental Organizations
Attn. Pedro Saadé Lloréns
Condado 605 – Office 616
San Juan, PR 00907

Local Environmental Organizations
Attn: Raghu Murthy
48 Wall Street 19th Floor
New York, NY 10005

Local Environmental Organizations
Attn: Jordan Luebkemann
111 S. Marin Luther King Jr. Blvd.
Tallahassee, FL. 32301

Toro, Colón, Mullet, Rivera & Sifre, P.S.C.
Attn: Carlos E. Colón Franceschi
PO Box 195383
San Juan, PR 00919-5383
Rocky Mountain Institute  
Attn: Richenda Wani Leeuwen  
2490 Junction Place, Suite 200  
Boulder, CO 80301

Grupo WindMar  
Attn: Víctor L. González  
#206 Calle San Francisco  
San Juan, PR 00901

Roumain & Associates, P.S.C.  
Attn: Marc G. Roumain Prieto  
#1702 Avenida Ponce de León  
2ndo Piso  
San Juan, PR 00909

Oficina Independiente de Protección al Consumidor  
Attn: Hannia B. Rivera Díaz  
Jessica Rivera Pacheco  
268 Hato Rey Center  
Suite 524  
San Juan, PR 00918

Empire Gas Company, Inc.  
Attn: Manuel Fernández Mejías  
1404 Ave. Paz Grañela  
Suite 2, PMB 246  
San Juan, PR 00921

AES Puerto Rico, LP  
Attn: Axel E. Colón Pérez  
PO Box 1890  
Guayama, PR 00785

I sign this in San Juan, Puerto Rico, today August 13, 2019.

Sonia M. Seda Gaztambide  
Interim Clerk