

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-

¹ See Resolution and Order, Completeness Determination of PREPA's IRP Filing and Procedural Calendar, Case No. CEPR-AP-2018-0001, *In Re: Review of the Puerto Rico Electric Power Authority Integrated Resource Plan*.

² Regulation on Integrated Resource Plan for the Puerto Rico Electric Power Authority, April 24, 2018.

³ Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Procedures, December 18, 2014.



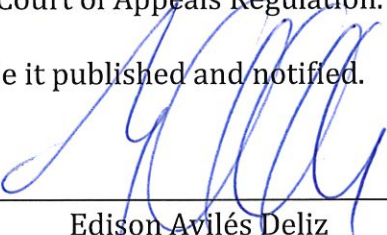
2017.⁴ Therefore, the Energy Bureau **GRANTS** AES-PR's Petition to Participate as *Amicus Curiae*.

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. 00918, 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.

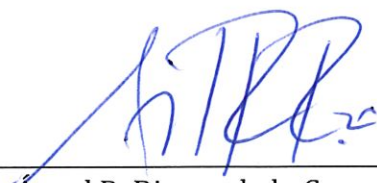
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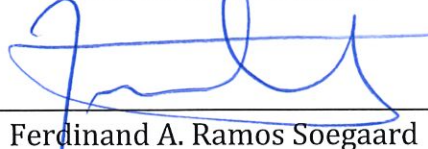
Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Angel R. Rivera de la Cruz
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner

⁴ Uniform Administrative Procedures Act of the Government of Puerto Rico, as amended.



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@aeepr.com, c-aquino@prepa.com, acarbo@edf.org, javier.ruajovet@sunrun.com, pedrosaade5@gmail.com, rstgo2@gmail.com, rmurthy@earthjustice.org, larroyo@earthjustice.org, jluebkmann@earthjustice.org, carlos.reyes@ecoelectrica.com, ccf@tcmrslaw.com, victorluisgonzalez@yahoo.com, mgrpcorp@gmail.com, hriviera@oipc.pr.gov, jriviera@cnslpr.com, manuelgabrielfernandez@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

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Oficina Independiente de Protección al Consumidor

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Jessica Rivera Pacheco
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Empire Gas Company, Inc.

Attn: Manuel Fernández Mejías
1404 Ave. Paz Granela
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 1st, 2019.

Sonia M. Seda Gaztambide
Interim Clerk