

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

NEPR

Received:

Sep 21, 2019

11:50 PM

IN RE:

Review of the Puerto Rico Electric Power
Authority Integrated Resource Plan

CASE NO.:

CEPR-AP-2018-0001

SUBJECT:

Omnibus Request for Extension of Time to
Respond to Several Requirements for
Information

**OMNIBUS MOTION FOR EXTENSION OF TIME TO SUBMIT RESPONSES
TO SEVERAL REQUIREMENTS FOR INFORMATION**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority through its legal representation and respectfully states and prays as follows:

1. Pursuant to the *Resolution and Order* entered by the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“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 (the “Procedural Order”).

2. To this day, PREPA has received over fourteen (14) requirements for information. Out of these fourteen (14) requests, PREPA has submitted complete or partial responses to six (6) of them.

3. The discovery requests that are submitted to PREPA are far from simple and certainly, cannot be adequately addressed with simple answers. Each set of requests for information cannot be considered as one particular requests. Some requests, like the Local Environmental Organizations Second Discovery Request, have over thirty (30) interrogatories or

request for production of documents. There are also times in which an intervenor submits only three requests but each call for a model with new assumptions. The answers to the questions range from questions that can be addressed by the PREPA staff in an hour and there are other in which an expert advisor has to produce and run models responsive to a document request which can take up to two days from the data input to the quality check.

4. During the period of August 26 to this day, PREPA has received six (6) requests for information submitted by intervenors. The following list shows each intervenor that has submitted a request for information since August 26 and the date in which each request was received:

Intervenor	Date Received
1. Local Environmental Organizations	8/26/2019
2. Environmental Defense Fund	8/26/2019
3. Progression Energy	9/09/2019
4. Renew	9/15/2019
5. Not for Profit Intervenors	9/15/2019
6. Environmental Defense Fund	9/19/2019

5. The intervenors requests for information documents have over one hundred and sixty-five (165) interrogatories and request for production of documents.

6. On September 6 and 12, the Energy Bureau submitted its 6th and 7th requirement of information to PREPA, respectively. The requirements together have twelve (12) interrogatories and requests for production of documents.

7. As much as it would want to, PREPA is not able to answer all the intervenors and the Energy Bureau's requests for information within the Procedural Order's deadline established by the Energy Bureau to respond to requirements for information. It is usually very difficult for

PREPA to comply with the short ten (10) day deadline to respond, it's even more difficult when there are eight (8) requirements for information that were submitted almost simultaneously and total over one hundred and seventy-five (175) interrogatories and request for productions of documents, plus their respective subparts.

8. PREPA's technical advisor and consultant Siemens answers most of the interrogatories and requests for information submitted by the intervenors and the Energy Bureau. PREPA has asked Siemens to provide two memorandums explaining the reasons as to why an extension of time to respond to each of the intervenors and the Energy Bureau's requirements for information is warranted. See *Exhibit A*.

9. The time to answer a discovery is directly related to the complexity of the litigation. *Lopez-Cepero, et al. v. Lang-Corea, et al.* 2016 PR App. LEXIS 5124, *9. Due to the complexity of the draft Integrated Resources Plan and the related requirements for information, PREPA submits that an extension of time, as requested in Exhibit A, to respond to each of the pending intervenors and Energy Bureau's requirements for information is warranted. Each of the requested extension of time to respond are included in Exhibit A, columns *Submission date* and *Response Date*.

10. This request is made in good faith and after conducting all reasonable efforts to respond the outstanding requirements of information within the deadline mandated in the Procedural Order.

WHEREFORE, the Puerto Rico Electric Power Authority requests that the Honorable Energy Bureau grant the extensions of time to respond to the intervenors and Energy Bureau's request for information.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 21st day of September 2019.

/s Katuska Bolaños
Katuska Bolaños
kbolanos@diazvaz.law
TSPR 18,888

DÍAZ & VÁZQUEZ LAW FIRM, P.S.C.
290 Jesús T. Piñero Ave.
Scotiabank Tower, Suite 11-E
San Juan, PR 00918
PO Box 11689
San Juan, PR 00922-1689
Cel. (787) 458-8276

CERTIFICATE OF SERVICE

It is hereby certified that, on this same date I have filed the above motion using the Energy Bureau's Electronic Filing System, at the following address: <http://radicacion.energia.pr.gov> and that a courtesy copy of the filing was sent via e-mail to sierra@arctas.com; tonytorres2366@gmail.com; cfl@mcvpr.com; gnr@mcvpr.com; info@liga.coop; amaneser2020@gmail.com; hriviera@oipc.pr.gov; jriviera@cnslpr.com; carlos.reyes@ecoelectrica.com; ccf@tcmrslaw.com; manuelgabrielfernandez@gmail.com; acarbo@edf.org; pedrosaade5@gmail.com; rmurthy@earthjustice.org; rstgo2@gmail.com; larroyo@earthjustice.org; jluebke@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; castrodiéppalaw@gmail.com; voxpopulix@gmail.com; paul.demoudt@shell.com; javier.ruajovet@sunrun.com; escott@ferraiuoli.com; SProctor@huntonak.com; GiaCribbs@huntonak.com; mgrpcorp@gmail.com; aconer.pr@gmail.com; axel.colon@aes.com; rtorbert@rmi.org; apagan@mpmlawpr.com; mpietrantoni@mpmlawpr.com.

In San Juan, Puerto Rico, this 21st day of September 2019.

s/ Katuska Bolaños
Katuska Bolaños

MEMO TO: PREPA CEO and IRP Team

FROM: Siemens PTI/EBA

DATE: September 20, 2019

SUBJECT: Intervenor Responses

This memo indicates the expected timeline for providing answers to a number of questions from different intervenors in the IRP, including the Local Environmental Organizations, Environmental Defense Fund, Progression Energy, Renew (Robust Power), and Not for Profit Intervenor.

The Siemens team will be working with the PREPA team to answer these questions or requests for information totaling 165 items, as received through September 19, 2019.

Unfortunately, some of these requests have been received by PREPA Planning personnel and the Siemens team late and we could not address them by the due dates, in particular for the Local Environmental Organizations and the Environmental Defense Fund, which were already past due when received. In addition, the Siemens team is working in parallel to respond to ROIs 6 and 7 from the Energy Bureau, which require running 21 new sensitivities in Aurora. In addition to the long-term assessment of Ecoelectrica under the Amended & Restated PPOA.

The Siemens team will work diligently along with PREPA to complete the responses based on the target schedule provided below. The submission dates shown below are the minimum it would take to complete the responses along with the other assignments indicated above.

Exhibit 1: Timeline for Responding to Recent Intervenor Questions and Requests for Data and Information

Intervenor	ROI No.	Date Received	Due Date	Submission Date	# of Requests	Requests to be answered by:		
						Siemens	PREPA	Others
Local Environmental Organizations	2	8/26/2019	9/5/2019	10/4/2019	36	6,8,9,12,13,16-19,22-30,32,34,35	1-5, 7,10,11,14,15,20,21,23, 24b,27a&b,31,33,36	
Environmental Defense Fund	1	8/26/2019	9/5/2019	10/4/2019	42	1-8,13,14,21-31,33-35,38-42	9-12,15-20,32,36,37,40-42	
Progression Energy	1	9/9/2019	9/19/2019	10/11/2019	21	1-5,8-12,14-20	6,7,13,21	
Renew (Robust Power)	1	9/15/2019	9/26/2019	10/11/2019	9	1 to 9		
Not for Profit Intervenor	2	9/15/2019*	9/25/2019*	10/4/2019	2	1,2		
Environmental Defense Fund	2	9/19/2019	9/29/2019	10/16/2019	55	TBD	TBD	
Total					165			

TBD = To be defined

*The Not for Profit Intervenor questions (2) are their response to PREPA's/Siemens request for clarification of two questions in their ROI 1. No due date specified. Assumed a 10 day term for response.

MEMO TO: PREPA CEO and IRP Team
FROM: Siemens PTI/EBA
DATE: September 19, 2019
SUBJECT: PREB ROI 6 and 7 Timeline for Responses

This memo explains the reasons for requesting an extension of time to fulfil the Requirements of Information #6 and # 7 from the Puerto Rico Energy Bureau, dated September 6 and September 12, 2019.

Both ROIs combined include 10 requests which require performing simulations using Aurora, plus two additional questions. There is a total of 21 cases that need to be run. Unfortunately, due to a problem with emails, the PREPA Planning team and Siemens learned about these ROIs late last week. The Siemens team cannot complete all 21 cases in the timelines requested by the PREB for September 16 (ROI 6) and September 23 (ROI 7). As notified before, doing LTCE simulations require a significant amount of time, including running times (10-16 hours per case), review time, and potential reruns to fine tune results.

The Siemens team proposes the following timeline for each of the requested scenarios with all questions and results provided not later than October 11:

- Responses for ROI 6 will be provided in steps, with questions PREB-PREPA 06-02 and PREB-PREPA 06-04 to be filed on September 27, and questions PREB-PREPA 06-01, PREB-PREPA 06-05 and PREB-PREPA 06-06 on October 4. Response to question PREB-PREPA 06-03 will be provided on October 11, as these three scenarios require more time to simulate.
- Responses for ROI 7, will also be provided in steps, with PREB-PREPA 07-01 and PREB-PREPA 07-04 to be provided on September 27; PREB-PREPA 07-02 and PREB-PREPA 07-05 on October 4, and PREB-PREPA 07-03 and PREB-PREPA 07-06 on October 11.

The Siemens team will work diligently to complete the scenarios and provide the results on the deadlines suggested. However, these deadlines are the minimum it would take to complete the scenarios.

Exhibit 1: Timeline for Aurora Simulations Related Requests

Request	Description	Cases to be Run	Response Date
PREB-PREPA-06-02	High and Low Load, High and base renewable cost sensitivities.	a) Case S3S2S8H (A sensitivity to case S3S2H with renewable and storage costs equal to the base cost). b) Case S3S2S8L (A sensitivity to case S3S2L with renewable and storage costs equal to the base cost). c) Case S3S2S6B (A sensitivity to case S3S2B with high renewable and storage costs). d) Case S3S2S6H (A sensitivity to case S3S2H with high renewable and storage costs). e) Case S3S2S6L (A sensitivity to case S3S2L with high renewable and storage costs).	27-Sep
PREB-PREPA-06-03	Carbon Adder sensitivity (sensitivity 10).	a) Case S4S2S10B –carbon adder. LTCE. b) Case S3S2S10B –carbon adder. LTCE. c) Case ESM (base load) – carbon adder. LTCE.	11-Oct
PREB-PREPA-06-04	Delayed solar PV installation (S3S2S8B) sensitivity.	a) Case S3S2S11B. LTCE	27-Sep
PREB-PREPA-06-05	High Infrastructure cost sensitivities (sensitivity 12).	a) Case S4S2S12B – high gas infrastructure cost. LTCE. b) Case ESMS12 (base load) – high gas infrastructure cost. LTCE.	4-Oct
PREB-PREPA-06-06	Low Infrastructure cost sensitivities (sensitivity 13).	a) Case S4S2S13B – low gas infrastructure cost. No LTCE. b) Case ESMS13 (base load) – low gas infrastructure cost. No LTCE.	4-Oct
PREB-PREPA-07-01	(New Fortress Energy contracting provisions)	a) Run an updated ESM (base load). No LTCE	27-Sep
PREB-PREPA-07-02	Concerning BESS / PV limitations in model. No Solar or Storage limits post 2021.	a) S4S2B. LTCE b) S3S2B. LTCE	4-Oct
PREB-PREPA-07-03	S4S1 high and low load	a) Case S4S1H (Scenario 4, Strategy 1, with high load). LTCE b) Case S4S1L (Scenario 4, Strategy 1, with low load). LTCE	11-Oct
PREB-PREPA-07-06	Peaker builds - Fixed decisions vs economic builds Run 3 scenarios with LTCE plan fixed except for peakers to be determined economically	a) ESM (base) - 421 MW b) S4S2B - 371 MW c) S3S2B - 348 MW	11-Oct