

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

NEPR Received: Sep 16, 2019 9:56 AM
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IN RE:

INTEGRATED RESOURCE PLAN
FOR THE PUERTO RICO
ELECTRIC POWER AUTHORITY

NO. CEPR-AP-2018-0001

**SUBJECT: MOTION TO COMPEL
RESPONSES TO DISCOVERY
REQUEST**

MOTION TO COMPEL PREPA TO RESPOND TO DISCOVERY REQUESTS

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW Environmental Defense Fund (EDF) and respectfully moves for an ORDER compelling the Puerto Rico Electric Power Authority (PREPA) to promptly produce all outstanding discovery, and as grounds states as follows:

- 1) That discovery in the form of “First Set of Interrogatories and Request for Production of Documents and Information.” were served in this case on August 26, 2019.
- 2) That on September 6, 2019, in a good faith attempt to resolve the discovery dispute, EDF granted five (5) additional days to PREPA to respond to our Discovery Request.
- 3) That to this date, PREPA has not yet responded to any of our requests to respond to our discovery petition, nor has requested to the Puerto Rico Energy Bureau (PREB) an extension of time to respond to the mentioned requests.
- 4) The fact that PREPA has not responded to our discovery request jeopardizes the purpose of intervening in this process, and shuts down the possibility of an informed participation in the process.
- 5) Considering the above, and as a matter of due process, EDF respectfully requests the PREB to consider extending the discovery process, which ends in October 1, 2019, to allow

intervenors reasonable time to request follow-up interrogatories and/or production of documents based on the responses we are expected to receive.

- 6) Similarly, as we cannot have the discovery information in time to prepare our written testimony, EDF respectfully requests the PREB to consider extending the written testimony deadline to a reasonable later time.

WHEREFORE, EDF moves for an Order compelling PREPA to produce complete and executed Answers to Interrogatories and the required Production of Documents within a reasonable timeframe, and respectfully requests the PREB to consider extending the discovery and written testimony deadlines as a reasonable remedy to PREPA's discovery delays.

RESPECTFULLY SUBMITTED,

IN SAN JUAN, PUERTO RICO, THIS 16th DAY OF SEPTEMBER, 2019.

ENVIRONMENTAL DEFENSE FUND

/s/Agustín F. Carbó Lugo
Agustín F. Carbó Lugo
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CERTIFICATION OF FILING AND SERVICE

I hereby certify that on September 16, 2019, I have sent the above Motion to Compel to the Puerto Rico Energy Bureau through its electronic filing tool at <https://radicacion.energia.pr.gov>. A copy of this Motion was also notified by electronic e-mail to the Puerto Rico Energy Bureau's Clerk to secretaria@energia.pr.gov and wcordero@energia.pr.gov; the Bureau's Office of Legal Affairs to legal@energia.pr.gov and sugarte@energia.pr.gov and to the Puerto Rico Electric Power Authority to the following: Nitza D. Vázquez Rodríguez (n-vazquez@aepr.com); Astrid I. Rodríguez Cruz (astrid.rodriguez@prepa.com); Jorge R. Ruíz Pabón (jorge.ruiz@prepa.com), Katiuska Bolaños (kbolanos@diazvaz.law), and Maralíz Vázquez (mvazquez@diazvaz.law).

IN SAN JUAN, PUERTO RICO, THIS 16th DAY OF SEPTEMBER, 2019.

ENVIRONMENTAL DEFENSE FUND

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CERTIFICATION OF FILING AND SERVICE

I hereby certify that on September 16, 2019, I have sent the above Motion to Compel to the following intervenors: Javier Rúa-Jovet, Sunrun (javier.ruajovet@sunrun.com); Pedro Saadé-Lloréns, Ruth Santiago and Raghu Murthy, Local Environmental Organizations (pedrosaade5@gmail.com, rstgo2@gmail.com and rmurthy@earthjustice.org); Carlos A. Reyes and Carlos E. Colón-Franceschi, EcoEléctrica (carlos.reyes@ecoelectrica.com and ccf@tcmrslaw.com); Víctor L. González and Marc G. Roumain-Prieto, Grupo Windmar (victorluisgonzalez@yahoo.com, mgrpcorp@gmail.com); Hannia B. Rivera-Díaz and Jessica Rivera-Pacheco, Oficina Independiente de Protección al Consumidor (hrivera@oipc.pr.gov, jrivera@cnslpr.com); Manuel Fernández-Mejías, Empire Gas Company (manuelgabrielfernandez@gmail.com); Alexandra Casellas-Cabrera and Corey Brady, National Public Finance Guarantee (acasellas@amgprlaw.com and corey.brady@weil.com); Mariana Ortíz-Colon and Raúl Negrón-Casnovas, Progression Energy (maortiz@lvprlaw.com and rnegron@dnlawpr.com); Paul De Moudt, Shell (paul.demoudt@shell.com); Eugene Scott-Amy, Wartsila North America (escott@ferraiuoli.com); Fernando E. Agrait, Non Profit Intervenors (agraitfe@agraitlawpr.com); Renew Puerto Rico (castrodieppalaw@gmail.com, voxpopulix@gmail.com); Arctas Capital Group (sierra@arctas.com, tonytorres2366@gmail.com); SESA-PR & Caribe GE (cfl@mcvpr.com); League of Cooperatives of Puerto Rico and AMANESER 2025 (info@liga.coop, amaneser2020@gmail.com).

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