

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

NEPR
Received:
Sep 20, 2019
4:45 PM

IN RE: PUERTO RICO ELECTRIC
POWER AUTHORITY INTEGRATED
RESOURCE PLAN

CASE NO. CEPR-AP-2018-0001

SUBJECT: RESPONSE TO
PREPA'S URGENT OMNIBUS
MOTION FOR
RECONSIDERATION AND/OR
REQUEST FOR EXTENSION OF
TIME TO COMPLY WITH ORDERS

Response By Local Environmental Organizations To PREPA's Urgent Omnibus
Motion for Reconsideration and/or Request for Extension of Time to Comply with
Orders

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW, Local Environmental Organizations¹, by and through their legal counsel, to respectfully set forth and pray:

1. We wish to clarify the facts surrounding our Discovery Request 1.03, addressed in Para. 3 of PREPA's motion. Our Discovery Request 1.03 requested "a copy of the USB drive containing PREPA's work papers delivered to the Energy Bureau on June 6, 2019." On August 8, 2019, PREPA shared a link for a SharePoint site including numerous files, including some workpapers. On August 15th, PREPA provided a response to our Discovery Request, stating that a SharePoint site would be created. PREPA's response created the implication there might have been additional workpapers, not on the first SharePoint site, responsive to our request. We have amended our

¹ Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc. - Enlace Latino de Acción Climática, Comité Yabucoño Pro-Calidad de Vida, Inc., Alianza Comunitaria Ambientalista del Sureste, Inc., Sierra Club and its Puerto Rico chapter, Mayagüezanos por la Salud y el Ambiente, Inc., Coalición de Organizaciones Anti-Incineración, Inc., Amigos del Río Guaynabo, Inc., Campamento Contra las Cenizas en Peñuelas, Inc., and CAMBIO Puerto Rico (collectively, "

- Discovery Request 1.03 to ask whether PREPA has any additional workpapers, not on the SharePoint site, responsive to 1.03. Important to note, PREPA still has not responded at all to our Second Set of Discovery Requests.
2. PREPA correctly notes that Local Environmental Organizations' September 10th Motion to Compel PREPA to Respond to Discovery Requests did not request sanctions. Rather, Local Environmental Organizations requested that the Energy Bureau compel PREPA to answer our discovery requests, extend the time for discovery, and restore the original October 15th date for intervenors to file testimony.
 3. PREPA's motion now seeks an additional twenty days, out to October 9th, to explain to the Energy Bureau of why it has not answered the requests. Presumably, PREPA would need an additional period after that to actually respond to our discovery requests. In keeping with the relief requested in our original motion, Local Environmental Organizations ask that if the Energy Bureau grants PREPA's motion, then the Energy Bureau also include the follow relief:
 - a. An order to toll the end of the discovery period, until PREPA has answered all outstanding discovery requests.
 - b. An extension of the time for intervenors to file testimony until PREPA has answered all outstanding discovery requests.
 4. There are 73 days between today and the scheduled first day of the evidentiary hearing on December 2, 2019: meaning that the time for discovery and the time for intervenors' pre-filed testimony could be liberally extended without affecting the hearing dates. The Energy Bureau's Procedural Calendar, in the August 21st Resolution and Order, allows for 21 days of discovery on Intervenors' Testimony after that testimony is filed. The Calendar then allows 14 days for the parties to file rebuttal testimony to any intervenors' pre-filed testimony.

Respectfully submitted,

/s/ Raghu Murthy

Raghu Murthy
Earthjustice

CERTIFICATION OF SERVICE

I hereby certify that on September 20, 2019, I have caused this Response to be filed via the Energy Bureau's online filing system, and sent to the Energy Bureau, PREPA and the intervenors via email:

- Energy Bureau (secretaria@energia.pr.gov; wordero@energia.pr.gov; legal@energia.pr.gov; sugarte@energia.pr.gov)
- PREPA (mvazquez@diazvaz.law; kbolanos@diazvas.law; astrid.rodriguez@prepa.com; jorge.ruiz@prepa.com; n-vazquez@aeopr.com; c-aquino@prepa.com)
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- League of Cooperatives of Puerto Rico and AMANESER 2025 (info@liga.coop, amaneser2020@gmail.com)

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