

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

NEPR

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IN RE:

**REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN**

CASE NO.:

CEPR-AP-2018-0001

SUBJECT:

Progression Energy Motion to Compel

OPPOSITION TO PROGRESSION ENERGY MOTION TO COMPEL

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority through the undersigned legal representation and respectfully sets forth and pray:

1. On September 9, 2019, Progression Energy (“Progression”) served the Puerto Rico Electric Power Authority (PREPA) with a *First Set of Interrogatories and Request for Production of Documents and Information* (the “Progression Request”).

2. On September 19, 2019, PREPA served Progression with *The Puerto Rico Electric Power Authority Responses to Progression Energy First Set of Requirements for Information* (the “PREPA Response”). The PREPA Response included statements that informed Progression that some of the information requested was not available at the moment and would be provided as soon as it became available.

3. On September 23, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) entered a *Resolution and Order* granting PREPA several extensions of time to respond to the pending requirements for information (the “Order”). By way of the Order, the Energy Bureau granted PREPA until October 11, 2019, to submit responses to the outstanding Progression interrogatories and request for documents included in the Progression Request. See Order, II. ¶ B.

4. On September 30, 2019, Progression filed the Progression Energy’s Motion to Compel Full and Complete Answers to Interrogatory (the “Motion to Compel”)¹. In the Motion to Compel, Progression moves the Energy Bureau “to compel and order PREPA to provide substantive answers to [the Progression Request]”. See Motion to Compel, ¶ 10.

5. Progression’s Motion to Compel ignores the Energy Bureau’s Order in which PREPA was granted until October 11, 2019, to submit the responses to Progression Request.²

WHEREFORE, the Puerto Rico Electric Power Authority requests that the Energy Bureau grant deny Progression’s Motion to Compel.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 4th day of October 2019.

/s/ Katuska Bolaños
Katuska Bolaños
kbolanos@diazvaz.law
TSPR 18888

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

¹ It should be noted that the undersigned became aware of the filing when a colleague forwarded the courtesy copy that she had received. Neither the undersigned, nor sister counsel Maralíz Vazquez, both counsel of record for PREPA, received were served with the Motion to Compel.

² On September 30, 2019, the undersigned contacted Progression’s counsel to seek an amicable resolution to its Motion to Compel since its crystal clear that it lacks merit. The undersigned requested for the Motion to Compel to be voluntarily withdrawn without PREPA having to invest its resources in filing and opposition. At the time we file the instant motion PREPA hasn’t receive a response.

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; jluebkekmann@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; castrodieppalaw@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 4th day of October 2019.

s/ Katuska Bolaños

Katuska Bolaños