



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

**IN RE:** THE PERFORMANCE OF THE PUERTO  
RICO ELECTRIC POWER AUTHORITY

**CASE NO.:** NEPR-MI-2019-0007

**SUBJECT:** PREPA's Motion in Compliance with Resolution and Order, Extension of Time and Reconsideration of Order regarding Administrative Fine.

**RESOLUTION AND ORDER**

On September 25, 2019, the Puerto Rico Electric Power Authority ("PREPA") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion in Compliance with Resolution and Order, Extension of Time and Reconsideration of Order regarding Administrative Fine* ("Motion").<sup>1</sup> In response to the Energy Bureau's September 23, 2019 Resolution and Order,<sup>2</sup> PREPA (i) submitted the Quarterly Report requested in the May 14, 2019 Resolution and Order;<sup>3</sup> (ii) requested a five-day extension to provide remaining documents; and (iii) requested reconsideration of the administrative fine of five thousand dollars (\$5,000) imposed based on PREPA's noncompliance.

PREPA states that its noncompliance with the May 14 Order stems from an involuntary mistake, in which the Energy Bureau's requirement was never referred to the PREPA officials responsible for gathering the required information. Furthermore, PREPA admits that it was not until the Energy Bureau issued the September 23 Order that PREPA became aware of its mistake and took steps to correct it.

The Energy Bureau, through the May 14 Order, established clear and specific instructions regarding PREPA's reporting requirements on its performance within different aspects of its operation. Furthermore, the Energy Bureau provided ample and sufficient time for PREPA to gather and organize the required information in the manner specified in the May 14 Order.

Instead of providing a suitable calendar for complying with the May 14 Order after its omission and subsequent noncompliance, PREPA provided certain information that (i) does not comply with the format and requirements of Attachment 1 of the May 14 Order; and (ii) lacks a thorough explanation of the data provided. It seems that PREPA requires the Energy

<sup>1</sup> PREPA's Motion included Attachment 1 and Annexes A through H.

<sup>2</sup> Resolution and Order, Noncompliance and Administrative Fine, Case No. NEPR-MI-2019-0007, September 23, 2019 ("September 23 Order").

<sup>3</sup> Resolution and Order, PREPA Performance Reporting Requirements, Case No. NEPR-MI-2019-0007, May 14, 2019 ("May 14 Order").



Bureau to organize and interpret the information, instead of providing the required indicators/metrics.

Furthermore, on numerous occasions, and multiple proceedings, the Energy Bureau has required PREPA to modify and adjust its internal procedures to ensure timely compliance with applicable requirements. It is inexcusable that it was not until the Energy Bureau notified PREPA of its noncompliance that PREPA became aware of the May 14 Order requirements.

Based on the foregoing, the Energy Bureau **REJECTS** PREPA's Motion and the accompanying documents. PREPA **SHALL FILE** the information required on the May 14 Order within fifteen (15) days of the notification of this Resolution and Order using the format contained therein. PREPA is required to submit all supporting documents in an organized fashion, in native form with formulas intact. PREPA is required to provide all references to such supporting documents, or in the alternative, an explanation on how the supporting documents are related to the main report.

Furthermore, the Energy Bureau **MAINTAINS** the administrative fine in the amount of five thousand dollars (\$5,000) for PREPA's noncompliance. Accordingly, PREPA is **ORDERED** to pay the aforementioned fine with the Energy Bureau's Clerk, within the timeframe established in the September 23 Order.

The Energy Bureau **WARNS** PREPA that noncompliance with the Energy Bureau's Resolutions and Orders will result in additional and more severe administrative fines, at the Energy Bureau's discretion.

Be it notified and published.

Edison Avilés Deliz  
Chairman

Ángel R. Rivera de la Cruz  
Associate Commissioner

Lillian Mateo Santos  
Associate Commissioner

Ferdinand A. Ramos Soegaard  
Associate Commissioner



**CERTIFICATION**

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on September 30, 2019. I also certify that on this date a copy of this Resolution and Order was notified by electronic mail to the following: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com and n-vazquez@prepa.com. I also certify that today, September 30, 2019, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau and I have sent a true and exact copy to the following:

**Puerto Rico Electric Power Authority**

Attn.: Nitza D. Vázquez Rodríguez  
Astrid I. Rodríguez Cruz  
Jorge R. Ruíz Pabón  
PO Box 363928  
San Juan, PR 00936-3928

For the record, I sign this in San Juan, Puerto Rico, today September 30, 2019.

  
\_\_\_\_\_  
Wanda I. Cordero Morales  
Clerk