



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

IN RE: PUERTO RICO ELECTRIC POWER  
AUTHORITY RATE REVIEW

CASE NO.: CEPR-AP-2015-0001; NEPR-AP-  
2018-0003

SUBJECT: Resolution and Order on the  
Puerto Rico Electric Power Authority  
Urgent Motion for Reconsideration of the  
Timeline for the Implementation of the  
Energy Efficiency Rider.

**RESOLUTION AND ORDER**

**I. Introduction**

On September 30, 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 *Urgent Motion for Reconsideration of the Timeline for the Implementation of the Energy Efficiency Rider* ("Motion").<sup>1</sup> Through its Motion, PREPA requested the Energy Bureau to reconsider the October 1, 2019 implementation date of the Energy Efficiency Rider ("EE Rider"), as established in the September 27, 2019 Resolution and Order ("September 27 Resolution and Order") in the instant case.

PREPA argued that, based on the current implementation date of the EE Rider, it will not have time to train its personnel nor to educate the public regarding the new line item that will be included on the customer bills.<sup>2</sup> According to PREPA, the implementation of any change in the customers' bills require strategic planification and coordination from its Customer Service Directorate, specifically in the areas in which it has personal interaction with customers.<sup>3</sup> According to PREPA, its customer service employees must be prepared to

<sup>1</sup> PREPA filed the Motion through the Energy Bureau's electronic filing system at 9:07 p.m. on September 28, 2019.

<sup>2</sup> Motion, pp. 2 - 3, ¶¶ 4 - 9.

<sup>3</sup> *Id.*, p. 2, ¶ 4.

answer customers' questions such as the origin of the new charge and its impact in the customers' bills.<sup>4</sup> PREPA requested for the EE Rider to be implemented in January 2020.<sup>5</sup>

After reviewing PREPA's arguments, the Energy Bureau **DENIES** PREPA's request. As established in the September 27 Resolution and Order, it is necessary to create the Energy Efficiency fund in order to implement the Energy Efficiency programs as soon as practicable, in order to start working towards achieving the Energy Efficiency goals established by Act 17-2019<sup>6</sup> and Act 57-2014.<sup>7</sup> To that effect, the Energy Bureau approved an initial Energy Efficiency fund of \$13,000,000.00 to be collected from customers through the EE Rider during the period of October 1, 2019 to June 30, 2020.<sup>8</sup>

PREPA's request will result in a delay in the implementation of the Energy Efficiency programs mandated by Act 17-2019. However, the Energy Bureau deems necessary to provide for an orientation period in which PREPA and the Energy Bureau can educate the public on the EE Rider and its purpose. Such time will also provide PREPA with the opportunity to train its customer service personnel.

Therefore, the Energy Bureau **ORDERS** PREPA to implement the EE Rider on November 1, 2019, as modified on Part II of this Resolution and Order. The EE Rider will be effective until June 30, 2020.<sup>9</sup> The Energy Bureau **ORDERS** PREPA to submit, **on or before October 15, 2019, 12:00 pm**, a Public Notice draft (in English and Spanish) for the Energy Bureau's approval, in which PREPA explains to its customers the EE Rider and its purpose. Once approved, PREPA shall (i) publish the approved Public Notice in a newspaper of general circulation; (ii) post a copy of the Public Notice in a conspicuous place of its website; (iii) send a copy of the approved Public Notice to all the clients for which PREPA has an email address; and (iv) send a copy of the approved Public Notice via regular mail to any client for which PREPA does not have an email address. Finally, the Energy Bureau **ORDERS** PREPA to implement, **on or before November 1, 2019**, an education campaign to inform its customers through its social media, and appearances of PREPA's customer service management in radio and television programs or shows.

<sup>4</sup> *Id.*, p. 3, ¶ 6.

<sup>5</sup> *Id.*, p. 4, ¶ 12.

<sup>6</sup> *The Puerto Rico Energy Public Policy Act*. One of the initial objectives of the new energy public policy is to attain thirty percent (30%) energy efficiency by 2040. Section 1.6(11), Act 17-2019.

<sup>7</sup> *The Puerto Rico Energy Transformation and RELIEF Act*, as amended.

<sup>8</sup> September 27 Resolution and Order, p. 9.

<sup>9</sup> Per PREPA's Tariff Book, the EE Rider is established on a yearly basis. However, as with the CILTA, SUBA-HH and SUBA-NHH riders, the Energy Bureau determines that it is convenient to align the EE rider reconciliation with PREPA's fiscal year. As such, the EE rider factor established herein will be in effect until June 30, 2020. Subsequent EE riders will be in effect from July 1 of a natural year to June 30 of the following year.



## II. EE Rider Factor

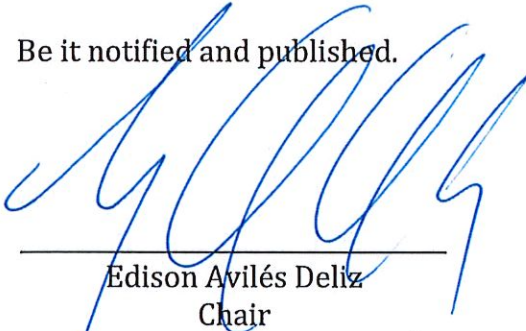
The estimated total sales for the period of November 1, 2019 to June 30, 2019 is 10,159,163,297 kWh.<sup>10</sup> The EE rider factor is calculated by dividing the total estimated amount to be recovered, \$13,000,000, by the total estimated kWh sales, 10,159,163,297. Therefore, the EE rider factor to be in effect during the period of November 1, 2019 to June 30, 2020 is \$0.001280/kWh.

The Energy Bureau **ORDERS** PREPA to implement an EE rider factor equal to \$0.001280/kWh for the period of November 1, 2019 to June 30, 2020. The remaining provisions of the September 27 Resolution and Order remain unaltered.

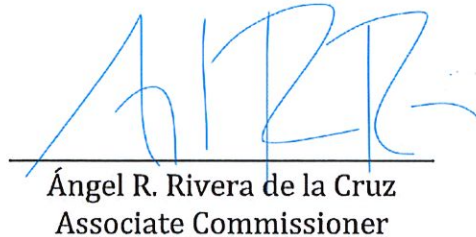
## III. Conclusion

The Energy Bureau **ORDERS** PREPA to implement the EE Rider as detailed in Parts I and II of this Resolution and Order. The remaining provisions of the September 27 Resolution and Order remain unaltered.

Be it notified and published.



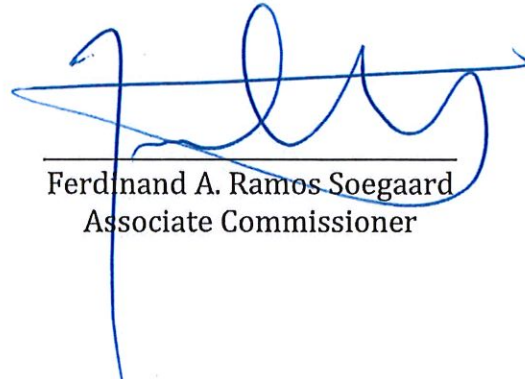
Edison Avilés Deliz  
Chair



Ángel R. Rivera de la Cruz  
Associate Commissioner



Lillian Mateo Santos  
Associate Commissioner



Ferdinand A. Ramos Soegaard  
Associate Commissioner

<sup>10</sup> September 20 Filing, Ingresos mensuales 2020 (21062019).xlsx, "nov", "dic", "ene", "feb", "mar", "apr", "may" and "jun" Tabs, Cell E101. The estimated total sales are the sum of the estimated sales for each month of the November 2019 to June 2020 period. *See also* Attachment 3 (Modified) to this Resolution and Order.

## 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 September 30, 2019 a copy of this Resolution and Order was notified by electronic mail to the following: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com, n-vazquez@prepa.com, n-ayala@prepa.com, c-aquino@prepa.com, j-morales@prepa.com, hriviera@oipc.pr.gov, maribel.cruz@acueductospr.com, pga@caribe.net, jfeliciano@constructorespr.net, nydinmarie.watlington@cemex.com, epenergypr@gmail.com, aconer.pr@gmail.com, glenn.rippie@r3law.com, john.ratnaswamy@r3law.com, michael.guerra@r3law.com, pnieves@vnblegal.com, abogados@fuerteslaw.com, jorgehernandez@escopr.net, ecandelaria@camarapr.net, agraitfe@agraitlawpr.com, francisco.rullan@aae.pr.gov, mgrpcorp@gmail.com, manuelgabrielfernandez@gmail.com, mmuntanerlaw@gmail.com, licenciadamasferrer@gmail.com, kbolanos@diazvaz.law and wilma.lopez@aae.pr.gov. 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  
Carlos M. Aquino Ramos  
PO Box 363928  
San Juan, PR 00936-3928

### **Sunnova Energy Corporation**

p/c Vidal, Nieves & Bauzá, LLC  
Lcdo. Pedro J. Nieves Miranda  
P.O. Box 366219  
San Juan, PR 00936-6219

### **Autoridad de Acueductos y Alcantarillados de Puerto Rico**

p/c Lcda. Maribel Cruz De León  
PO Box 7066  
San Juan, Puerto Rico 00916

### **Energy & Environmental Consulting Services Corp.**

Jorge Hernández, PE, CEM, BEP  
560 C/ Aldebarán, Urb. Altamira  
San Juan, Puerto Rico 00920

### **Rooney Rippie & Ratnaswamy LLP**

E. Glenn Rippie  
John P. Ratnaswamy  
Michael Guerra  
350 W. Hubbard St., Suite 600  
Chicago Illinois 60654

### **Asociación de Industriales de Puerto Rico**

p/c Manuel Fernández Mejías  
1404 Ave Paz Granela  
Suite 2 PMB 246  
San Juan PR 00921

### **Asociación de Hospitales de Puerto Rico**

p/c Lcda. Marie Carmen Muntaner  
Rodríguez  
470 Ave. Cesar González  
San Juan, Puerto Rico 00918-2627

### **Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico**

p/c Lcdo. Fernando E. Agrait  
701 Ave. Ponce de León  
Edif. Centro de Seguros, Suite 401  
San Juan, Puerto Rico 00907





**Asociación de Constructores de  
Puerto Rico**

p/c Lcdo. José Alberto Feliciano  
PO Box 192396  
San Juan, Puerto Rico 00919-2396

**Centro Unido de Detallistas, Inc.**

Lcdo. Héctor Fuertes Romeu  
PMB 191 – PO Box 194000  
San Juan, Puerto Rico 00919-4000

**Asociación de Consultores y Contratistas  
de Energía Renovable de Puerto Rico**

p/c Edward Previdi  
PO Box 16714  
San Juan, Puerto Rico 00908-6714

**Cámara de Comercio de Puerto Rico**

p/c Eunice S. Candelaria De Jesús  
PO Box 9024033  
San Juan, Puerto Rico 00902-4033

**Oficina Independiente de Protección al  
Consumidor**

p/c Lcda. Hannia Rivera Díaz  
268 Ave. Ponce de León  
Hato Rey Center, Suite 524  
San Juan, Puerto Rico 00918

**Asociación de Constructores de  
Puerto Rico**

p/c Lcda. Marta Masferrer  
2000 Carr. 8177, Ste. 26-246  
Guaynabo, P.R. 00966

**CEMEX de Puerto Rico, Inc.**

Lcda. Nydin M. Watlington  
PO Box 364487  
San Juan, Puerto Rico 00936-4487


**Oficina Estatal de Política Pública  
Energética**

p/c Ing. Francisco Rullán Caparrós  
Lcda. Wilma I. López Mora  
P.O. Box 413314  
San Juan, Puerto Rico 00940

**Grupo Windmar**

p/c Lcdo. Marc. G. Roumain Prieto  
1702 Ave. Ponce de León, 2do Piso  
San Juan, Puerto Rico 00909

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

  
Wanda I. Cordero Morales  
Clerk

**Attachment 3 (Modified)**  
**Puerto Rico Energy Bureau**  
**Fuel Charge Adjustment Factor**  
**For the Months of October 2019 to June 2020**



Line No.	Item	Amount	Reference
1	Calculation of Fuel Charge Adjustment Factor for October 2019 to December 2019		
2			
3	Estimated Total Cost of Energy Efficiency for October 2019 to June 2020	\$ 13,000,000.00	September 27, 2019 Resolution and Order, Part IV
4			
5			
6	Estimated Retail kWh sales for November 2019	1,293,587,008.07	Ingresos mensuales 2020 (21062019).xlsx TAB nov E101
7	Estimated Retail kWh sales for December 2019	1,300,936,563.49	Ingresos mensuales 2020 (21062019).xlsx TAB dic E101
8	Estimated Retail kWh sales for January 2020	1,202,961,197.64	Ingresos mensuales 2020 (21062019).xlsx Tab ene E101
9	Estimated Retail kWh sales for February 2020	1,108,949,748.16	Ingresos mensuales 2020 (21062019).xlsx Tab feb E101
10	Estimated Retail kWh sales for March 2020	1,252,949,720.21	Ingresos mensuales 2020 (21062019).xlsx Tab mar E101
11	Estimated Retail kWh sales for April 2020	1,259,500,315.10	Ingresos mensuales 2020 (21062019).xlsx Tab apr E101
12	Estimated Retail kWh sales for May 2020	1,364,123,173.14	Ingresos mensuales 2020 (21062019).xlsx Tab may E101
13	Estimated Retail kWh sales for June 2020	1,376,155,571.57	Ingresos mensuales 2020 (21062019).xlsx Tab jun E101
14			
15	Estimated Applicable Retail kWh Sales	10,159,163,297.37	L6+L7+L8+L9+L10+L11+L12+L13
16			
17	Energy Efficiency Adjustment for October 2019 to June 2020 (\$/kWh)	0.001280	L3/L16