



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

IN RE: REQUEST FOR CERTIFICATION
SUNNOVA ENERGY CORPORATION

CASE NO.: CEPR-CT-2016-0002

SUBJECT: Petition for confidential treatment of information of Financial and Tax Information.

RESOLUTION AND ORDER

On October 24, 2019, Sunnova Energy Corporation, ("Sunnova") filed a motion titled "Motion In Compliance with Section 4.02 of Regulation No. 8701, With Resolution and Order dated August 7, 2019, and to Request Confidential Treatment of Financial and Tax Information" before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau"). As part of its filing, Sunnova submitted its 2018 Compiled Financial Statement, for the period in question showing only revenues generated by the operations or services in Puerto Rico¹ and its 2018 Puerto Rico Tax Return² and requested that such documents and information of sensitive nature be kept confidential, under Section 6.15 of Act 57-2014³ and Section 1.15 of Regulation No. 8701.⁴

Act No. 57-2014 establishes that any person having the obligation to submit information to the Energy Bureau, can request privilege or confidential treatment to any information that the party submitting understands deserves such protection.⁵ Specifically, Act 57-2014 requires the Energy Bureau to confidentially treat the submitted information provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected".⁶ In such case the Energy Bureau "shall grant such protection in a manner that least affects the public interest, transparency, and the rights of

¹ See 2018 Compile Financial Statements Sunnova Energy.

² See 2018 Puerto Tax Return, for the following entities: Sunnova Energy Corporation; Sunnova Asset Portfolio 4, LLC; Sunnova AP5-A, LLC; Sunnova Asset Portfolio 6 Holdings, LLC; Sunnova Asset Portfolio 6, LLC; Sunnova AP 6 Warehouse II, LLC; Helios Issuer, LLC and Sunnova Energy Puerto Rico, LLC.

³ Known as the *Puerto Rico Energy and Transformation and RELIEF Act*, as amended.

⁴ *Regulation No. 8701, Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans for Electric Service Providers in Puerto Rico*, February 5, 2016.

⁵ Section 6.15 of Act 57-2014, as amended.

⁶ *Id.*

the parties involved in the administrative procedure in which the allegedly confidential document is submitted.”⁷

Upon examining Sunnova arguments, the Energy Bureau **GRANTS** the petition of confidentiality designation and treatment for the filed documents^{8,9} under Article 6.15 of Act 57-2014.

Any party affected by this determination may move for reconsideration of this Resolution and Order before the Puerto Rico Energy Bureau under Section 11.01 of Regulation 8543, and Act 38-2017, known as the Uniform Administrative Procedures Act of the Government of Puerto Rico (“UAPA”). The affected party shall move for reconsideration within the term of twenty (20) days from filing this Resolution and Order. Such request must be presented to the Bureau Clerk’s Office at World Plaza Building, 268 Ave. Muñoz Rivera, Plaza Level Ste. 202, San Juan, P.R. 00918 or electronically in the Energy Bureau’s digital platform at <https://radicacion.energia.pr.gov/>.

The Energy Bureau shall consider said motion within fifteen (15) days of its filing. Should the Energy Bureau reject it forthright or fail to act upon it within fifteen (15) days, the term to request review shall recommence from notice of such denial, or from the expiration of the fifteen (15)-day term. If a determination is made in its consideration, the term to petition for review shall commence from the date when a copy of the notice of the Energy Bureau’s resolution definitively resolving the motion to reconsider is filed in the record. Such resolution shall be issued and filed in the record within ninety (90) days after the motion to reconsider has been filed. If the Bureau accepts the motion to reconsider but takes no action regarding the motion within ninety (90) days of its filing, it shall lose jurisdiction on the motion and the term to file judicial review shall commence upon the expiration of the ninety (90)-day term, unless the Energy Bureau, for just cause and within those ninety (90) days, extends the term to resolve for a period that shall not exceed thirty (30) days.

Any affected party may file a petition for review before the Court of Appeals within a term of thirty (30) days from the date the copy of the notice of this Resolution was filed in the record of the Energy Bureau. Under Section 11.03 of Regulation 8543, and the dispositions of the UAPA and the Court of Appeals Regulation.

Be it notified and published.

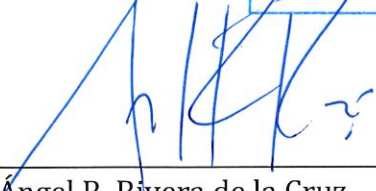
⁷ *Id.*

⁸ See 2018 Compile Financial Statements and the 2018 Puerto Tax Return.

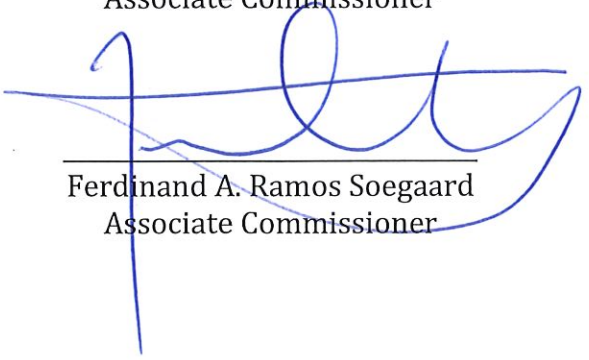
⁹ See 2018 Puerto Tax Return, for the following entities: Sunnova Energy Corporation; Sunnova Asset Portfolio 4, LLC; Sunnova AP5-A, LLC; Sunnova Asset Portfolio 6 Holdings, LLC; Sunnova Asset Portfolio 6, LLC; Sunnova AP 6 Warehouse II, LLC; Helios Issuer, LLC and Sunnova Energy Puerto Rico, LLC.




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 Puerto Rico Energy Bureau has so agreed on October 31, 2019. I also certify that on October 31, 2019, I have proceeded with the filing of this Resolution and was notified by electronic mail sent to: viviana.harrington@sunnova.com and ivc@mcvpr.com. I also certify that this is a true and exact copy of the Resolution issued by the Puerto Rico Energy Bureau and I have sent a copy thereof to:

Sunnova Energy Corporation
Viviana Harrington
P.O Box 56229
Houston, TX 77256-6229

McConnell Valdés, LLC
Lcdo. Ignacio J. Vidal Cerra
PO Box 364225
San Juan, P.R. 00936

For the record, I sign this in San Juan, Puerto Rico, today, October 31, 2019.


Wanda I. Cordero Morales
Clerk