

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

NEPR
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IN RE: PUERTO RICO ELECTRIC
POWER AUTHORITY INTEGRATED
RESOURCE PLAN

CASE NO. CEPR-AP-2018-0001

SUBJECT: MOTION TO COMPEL
RESPONSES TO DISCOVERY
REQUESTS

Motion From Local Environmental Organizations To Compel AES Puerto Rico L.P.
to Respond to Discovery Requests

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. Local Environmental Organizations request that the Energy Bureau issue an Order compelling AES Puerto Rico L.P. to answer Local Environmental Organizations' First Request of Information.
2. Local Environmental Organizations filed their First Request of Information with AES Puerto Rico L.P. on November 4, 2019.
3. This Request of Information was filed in accordance with Paragraph II(D) of the Energy Bureau's August 21, 2019 Resolution and Order, stating that "The parties will have the opportunity to conduct discovery with regards to the Intervenor's Pre-Filed Testimony, pursuant to the provisions of Regulation No. 8543."
4. Under that Order, AES Puerto Rico L.P. had ten days to provide responses, or objections, to Local Environmental Organizations' discovery questions.

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, "

Therefore, their responses were due on November 14, 2019. To date, AES Puerto Rico L.P. has not responded.

5. When AES requested a change of status to intervenor, the company promised "to serve as a more useful source of information for the Energy Bureau", and to "contribute its expertise, specialized knowledge and technical advice".² Certainly this promise includes a requirement to provide timely responses to discovery requests.
6. AES's refusal to provide timely discovery responses conflicts with the objectives in this proceeding, that "there are proper opportunities for discovery by the Energy Bureau, its staff and consultants, intervenors, and PREPA... for the proper "testing" of [the parties'] ... positions through discovery and opposing testimony, all in order to achieve the best possible outcome for the people of Puerto Rico."³

WHEREFORE, Local Environmental Organizations request that the Energy Bureau:

- a. Issue an Order compelling AES Puerto Rico L.P. to provide complete responses to Local Environmental Organizations' First Request of Information within five days.

Respectfully submitted on December 13, 2019,

/s/ Raghu Murthy

Raghu Murthy

Earthjustice

² AES September 18th Motion for Change of Status to Intervenor, Para. 10.

³ PREPA's August 1st Motion Regarding Initial Technical Hearing and Procedural Calendar, para. 2.

CERTIFICATION OF SERVICE

We hereby certify that, on December 13, 2019, we have filed this Motion via the Energy Bureau's online filing system, and sent to the Puerto Rico Energy Bureau Clerk and legal counsel to: secretaria@energia.pr.gov; astrid.rodriguez@prepa.com; jorge.ruiz@prepa.com; nvazquez@acepr.com; c-aquino@prepa.com and to the following persons:

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- Sunrun (javier.ruajovet@sunrun.com);
- EcoElectrica (carlos.reyes@ecoelectrica.com and ccf@tcmrslaw.com);
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- Non Profit Intervenors (agraitfe@agraitlawpr.com);
- EDF (acarbo@edf.org);
- Arctas Capital Group (sierra@arctas.com, tonvtorres2366@gmail.com);
- SESA PR & Caribe GE (cfl@mcvpr.com);
- League of Cooperatives of Puerto Rico and AMANESER 2025 (info@liga.coop, amaneser2020@gmail.com)

Respectfully submitted on this day December 13, 2019

s/Pedro Saadé

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