

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



IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN

CASE NO.: CEPR-AP-2018-0001

SUBJECT: Motion from Local
Environmental Organizations to Compel
AES Puerto Rico L.P. to Respond to
Discovery Requests.

RESOLUTION AND ORDER

On August 21, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("August 21 Resolution and Order") through which, among other things, established the instructions for discovery on Intervenor's Written Testimony.¹ In the August 21 Resolution and Order, the Energy Bureau clearly expressed that "[t]he Intervenor will have no more than ten (10) days to answer each Request of Information."²

On December 13, 2019, the Local Environmental Organizations filed before the Energy Bureau a document titled *Motion from Local Environmental Organizations to Compel AES Puerto Rico L.P. to Respond to Discovery Requests* ("Motion"). Through its Motion, the Local Environmental Organizations state that on November 4, 2019, they issued a First Request of Information ("ROI #1") to AES Puerto Rico, L.P. ("AES-PR").³ The Local Environmental Organizations argue that, pursuant to the August 21 Resolution and Order, AES-PR had until November 14, 2019 to provide its responses. The Local Environmental Organizations also stated that to the date they filed the Motion, no responses were received. Therefore, the Local Environmental Organizations requested the Energy Bureau to issue an Order compelling AES-PR to provide responses to its ROI #1.

Through the September 23, 2019 Resolution⁴, the Energy Bureau granted AES-PR intervenor status in the instant case. The Energy Bureau forewarned AES-PR that the

¹ See Resolution and Order, August 21, 2019, In Re: Review of the Puerto Rico Electric Power Authority Integrated Resource Plan, Case No.: CEPR-AP-2018-0001 ("August 21 Resolution and Order").

² *Id.* at p. 5.

³ Notwithstanding the Local Environmental Organizations' argument, the administrative file in the instant case shows that on October 31, 2019 the Local Environmental Organizations sent an electronic mail regarding its First Requirement of Information to AES-PR. Upon review of the recipients of the electronic mail, the Energy Bureau noted that the legal counsel of AES-PR was not included.

⁴ See Resolution, September 23, 2019, In Re: Review of the Puerto Rico Electric Power Authority Integrated Resource Plan, Case No.: CEPR-AP-2018-0001.

procedural calendar in the instant case will not be altered or modified due to AES' late intervention. Furthermore, as an intervenor, AES-PR must comply with Energy Bureau Regulations and Orders issued in the instant case, including providing answers to all discovery addressed to AES-PR, in accordance with the established deadlines.

Upon review of the Local Environmental Organizations' Motion, the Energy Bureau **ORDERS** AES-PR to serve its responses to the Local Environmental Organizations ROI #1 **on or before December 20, 2019, at 5:00 p.m.**

The Energy Bureau **WARNS** AES-PR that noncompliance with the provisions of this Resolution and Order may result in the imposition of administrative fines up to twenty-five thousand dollars (\$25,000) per day, per violation, as well as any other administrative sanctions the Energy Bureau deems necessary, in accordance with the applicable statutes and regulations.


Be it published and notified.



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 December 17, 2019. I also certify that on December 17, 2019 a copy of this Resolution was notified by electronic mail to: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com, n-vazquez@aeep.com, c-aquino@prepa.com, mvazquez@diazvaz.law, kbolanos@diazvaz.law, acarbo@edf.org, javier.ruajovet@sunrun.com, pedrosaade5@gmail.com, rmurthy@earthjustice.org, carlos.reyes@ecoelectrica.com, ccf@tcmslaw.com, victorluisgonzalez@yahoo.com, mgrpcorp@gmail.com, hriviera@oipc.pr.gov, jriviera@cnspr.com, manuelgabrielfernandez@gmail.com, acasellas@amgprlaw.com, corey.brady@weil.com, maortiz@lvprlaw.com, rnegron@dnlawpr.com, paul.demoudt@shell.com, escott@ferraiuoli.com, sproctor@huntonak.com, agraitfe@agraitlawpr.com, castrodieppalaw@gmail.com, voxpopolix@gmail.com, cfl@mcvpr.com, sierra@arctas.com, tonytorres2366@gmail.com, info@liga.coop, amaneser2020@gmail.com, mpietrantoni@mpmlawpr.com, apagan@mpmlawpr.com.

I sign this in San Juan, Puerto Rico, today December 17, 2019.


Wanda I. Cordero Morales
Clerk

