

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

JRSP - SECRETARIA
NEGOCIADO DE ENERGIA
DE PUERTO RICO

2020 JAN 29 PM 1:43

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

CASE NO.: CEPR-AP-2018-0001

SUBJECT: Not for Profit Intervenors'
Motion Submitting Supplemental
Testimony

MOTION FOR RECONSIDERATION

TO THE ENERGY BUREAU:

NOW COME, EL INSTITUTO DE COMPETITIVIDAD Y SOSTENIBILIDAD ECONOMICA DE PUERTO RICO (ICSE-PR) and the following not profit entities, CENTRO UNIDO DE DETALLISTAS (CUD); CAMARA DE MERCADEO, INDUSTRIA Y DISTRIBUCION DE ALIMENTOS (MIDA); PUERTO RICO MANUFACTURES ASSOCIATION (PRMA); UNIDOS POR UTUADO (UPU), represented by appearing counsel and respectfully allege and pray:

1. On Monday January 27, 2020 the Bureau issued an Order which stated:

"On January 15, 2020, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ["Energy Bureau"] issued an Order granting the Not for Profit Intervenors a term of five (5) days to show cause as to why the motions filed on December 23, 2019 shall not be stricken from the record.¹ Such term expired on January 21, 2020.

The Not for Profit Intervenors did not comply with the January 15, 2020 Order nor have they shown cause as to why the motions filed on December 23, 2019 should not be stricken from the record. Therefore, the Energy Bureau STRIKES FROM THE RECORD the Motion Submitting Supplemental Testimony and the Motion Submitting Response of Dr. Eric C. Woychik.

2. On January 21, 2020 the appearing parties had prepared for filling the

¹ See Order of the Energy Bureau, p. 1., issued on January 15, 2020. CEPR-AP-2018-0001, Not for Profit Intervenors, Motion Submitting Supplemental Testimony.

motion which accompanies this Motion for Reconsideration, and were under the impression that it had been duly filed.

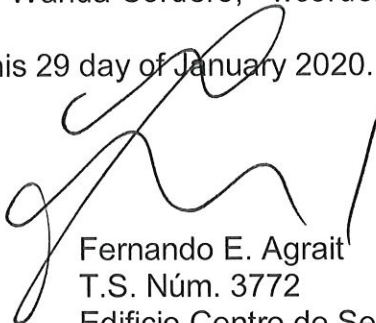
3. A verification has shown that, although it was final on January 21, 2020, it was not filed.

WHEREFORE, the appearing parties requests that the motion included with the motion for reconsideration be accepted as reply to the original order.

CERTIFICATION: I hereby certify a copy of this motion was notified by electronic mail to: astrid.rodriguez@prepa.com; jorge.ruiz@prepa.com; n-vazquez@aepr.com; c-aquino@prepa.com; mvazquez@diazvaz.law; kbolanos@diazvaz.law; Agustin Carbo, <acarbo@edf.org>; Javier Rúa-Jovet, <javier.ruajovet@sunrun.com>; pedrosaade5@gmail.com; rmurthy@earthjustice.org; carlos.reyes@ecoelectrica.com; ccf@tcmrslaw.com; victorluisgonzalez@yahoo.com; Marc Roumain, <mgrpcorp@gmail.com>; Hannia Rivera Diaz, <hrivera@oipc.pr.gov>; jrivera@cnspr.com; Manuel Fernandez, <manuelgabrielfernandez@gmail.com>; acasellas@amgprlaw.com; corey.brady@weil.com; maortiz@lvprlaw.com; rnegron@dnlawpr.com; paul.demoudt@shell.com; escott@ferraiuoli.com; castrodieppalaw@gmail.com; voxpopulix@gmail.com; Carlos Fernandez Lugo <cfl@mcvpr.com>; sierra@arctas.com; tonytorres2366@gmail.com; info@liga.coop; amaneser2020@gmail.com; mpietranтони@mpmlawpr.com; Alana Pagan, <apagan@mpmlawpr.com>; sproctor@huntonak.com; Vanessa I. Acarón Toro, <viacaron@energia.pr.gov>; Cecilia Sánchez Negrón, <csanchez@energia.pr.gov>; Sylvia Ugarte, <sugarte@energia.pr.gov>; Gladys A. Maldonado Rodriguez, <gmaldonado@energia.pr.gov>; Ileana Reyes, <ireyes@energia.pr.gov>; Brenda Liz

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Nuñez, <nnunez@energia.pr.gov>; Wanda Cordero, <wcordero@energia.pr.gov>

In San Juan, Puerto Rico, this 29 day of January 2020.

A handwritten signature in black ink, appearing to read 'F. Agrait', written over the printed name.

Fernando E. Agrait
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IN RE: REVIEW OF THE PUERTO
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INTEGRATED RESOURCE PLAN

CASE NO.: CEPR-AP-2018-0001

SUBJECT: Not for Profit Intervenors'
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REPLY ORDER

TO THE ENERGY BUREAU:

NOW COME, CENTRO UNIDO DE DETALLISTAS (CUD); CAMARA DE MERCADEO, INDUSTRIA Y DISTRIBUCION DE ALIMENTOS (MIDA); PUERTO RICO MANUFACTURES ASSOCIATION (PRMA); UNIDOS POR UTUADO (UPU), Y EL INSTITUTO DE COMPETITIVIDAD Y SOSTENIBILIDAD ECONOMICA DE PUERTO RICO (ICSE-PR) (hereinafter the not profit intervenors) represented by appearing counsel and respectfully allege and pray:

On January 15, 2020 the PREB stated:

"On December 26, 2019, the Puerto Rico Electric Power Authority ("PREPA") filed before the Energy Bureau a document titled Motion to Strike Written Testimonies ("Motion to Strike"). In its Motion to Strike, PREPA argues that the Not Profit Intervenors "challenge several responses that PREPA has provided in response to requests for information and thus, should be considered as intervenor's supplemental written testimony".¹ Furthermore, PREPA argues that the deadline for intervenors to submit supplemental written testimonies was December 11, 2019. Therefore, PREPA requested the Energy Bureau to strike the Not for Profit Intervenors' Motions from the record.

Based on the above, the Energy Bureau ORDERS the Not for Profit Intervenors to, within five (5) days of the notification of this Order, show cause as to why its Motions shall not be stricken from the record."

First, Dr. Woychik submittal on December 26, 2019 was his answer to PREPA's own ROI concerning Dr. Woychik testimony.

¹ Motion to Strike, p 2.

All it does is to provide PREPA information, requested by PREPA, very much within the original testimony.

We see no reason why PREPA does not want to receive information requested by PREPA.

Second: Dr. Ackerman has filed three documents. First, Expert Witness Testimony filed on October 22, 2019. Second, a supplemental testimony filed on December 10, 2019, before the December 11, 2019 deadline, and a third document on December 23, 2019.

The third document is the same December 11, 2019 Supplemental Testimony presented in the PREB required format.

There is no "substantive" third testimony.

Also, as PREPA knows, the timeline for the IRP process has been postponed by the Bureau. There is no reason for PREPA not to accept that as a practical matter filling dates could be also considered altered by the Bureau, especially since PREPA is now requesting the postponement of the hearings.

WHEREFORE, It is respectfully requested from the Energy Bureau accepts the filed documents and not to strike the same from the record.

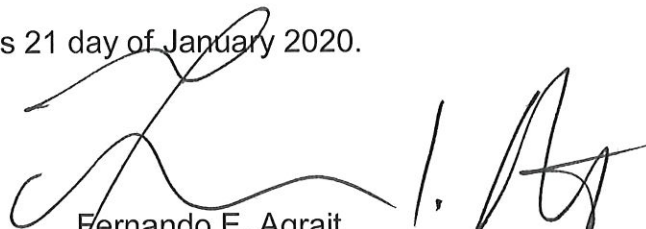
CERTIFY: We hereby certify that, a copy of the filing was sent via e-mail to the Energy Bureau Clerk and internal legal counsel to: secretaria@energia.pr.gov; wcordero@energia.pr.gov; legal@energia.pr.gov; and sugarte@energia.pr.gov. A hard copy of the foregoing will be filed with the Clerk of the Energy Bureau tomorrow.

In addition, the foregoing filing was sent via e-mail to the approved or pending intervenors (Arctas, Caribe GE, League of Cooperatives and AMANESER 2025, OIPC, EcoEléctrica, Empire Gas, Environmental Defense Fund, Local Environmental Organizations, National, "Non Profits", Progression, SESA-PR, Renew, Shell, Sunrun, Wartsila, Windmar Group) and amicus (ACONER, AES-PR, RMI) at the following e-mail addresses: sierra@arctas.com, tonytorres2366@gmail.com,

cfl@mcvpr.com; gnr@mcvpr.com, info@liga.coop, amaneser2020@gmail.com,
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Nitza D. Vázquez Rodríguez
Senior Attorney
Puerto Rico Electric Power Authority
PO Box 363928
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In San Juan, Puerto Rico, this 21 day of January 2020.



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