

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

NEPR

Received:

Jan 31, 2020

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IN RE:

**REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN**

CASE NO.:

CEPR-AP-2018-0001

SUBJECT:

LEO's Response Identifying Documents as
Confidential by PREPA.

MOTION IN COMPLIANCE WITH ORDER DATED JANUARY 29, 2020

TO THE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority through the undersigned legal representation and respectfully sets forth and pray:

1. On January 23, 2020, Local Environmental Organizations (LEO) filed a motion titled *Local Environmental Organizations' Response Identifying Documents Designated as Confidential by PREPA* in compliance with the Energy Bureau of the Puerto Rico Service Regulatory Board (the "Energy Bureau") January 13 2020 Order identifying information to which they have not been granted access due to confidentiality designations by PREPA.
2. On January 29, 2020 the Energy Bureau notified a Resolution and Order (the January 29 Order) which denied the access of most of the documents identified by LEO due to the fact that they had been deemed classified as confidential by the Energy Bureau previously, due to Trade Secret/ Proprietary Information or CEII- Customer Identifying Information and intervenors are only allowed to access to the documents, after signing the required Non-Disclosure Agreement (NDA). Which was sent to LEO's legal representatives by PREPA on August 2, 2019, and as of today they have yet to execute the NDA agreement.

3. However, the January 29 Order granted some of LEO's requests for discovery and ordered PREPA to produce by 3:00pm on January 31 2020, the following documents:
 - a. Enclosures (1) and (2) of the September 26,2018 United States Coast Guard letter.
 - b. Weekly status reports on the conversion of San Juan 5&6 and the micro fuel handling facility for the period corresponding from October 1, 2019 to the present.
 - c. A legal brief regarding the confidentiality claim for the e-mails between Siemens and the Fiscal Oversight Management Board (FOMB) in PREPA's response to question 23 of LEO's second requirement for information.
4. PREPA is not in possession of Enclosures (1) and (2) of the September 26,2018 United States Coast Guard letter. For this reason, it is unable to produce said document.
5. PREPA's response to Question 23 of LEO's second requirement of information has been amended as to clarify the previous response. There are no confidential e-mails between Siemens Industry Inc. and the Fiscal Oversight Management Board.
6. Weekly status reports on the conversion of San Juan 5&6 and the micro fuel handling facility for the period corresponding from October 1, 2019 to the present have been sent to all intervenors.

WHEREFORE, the Puerto Rico Electric Power Authority requests the Energy Bureau to note the above-mentioned and find PREPA in compliance with the January 29, 2020 Resolution and Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 31st day of January, 2020.

/s Katuska Bolaños
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CERTIFICATE OF SERVICE

It is hereby certified that, on this same date I have filed the above motion using the Energy Bureau's Electronic Filing System, at the following address: <http://radicacion.energia.pr.gov> and that a courtesy copy of the filing was sent via e-mail to: sierra@arctas.com; tonytorres2366@gmail.com; cfl@mcvpr.com; gnr@mcvpr.com; info@liga.coop; amaneser2020@gmail.com; hriviera@oipc.pr.gov; jrivera@cnslpr.com; carlos.reyes@ecoelectrica.com; ccf@tcmrslaw.com; manuelgabrielfernandez@gmail.com; acarbo@edf.org; pedrosaade5@gmail.com; rmurthy@earthjustice.org; rstgo2@gmail.com; larroyo@earthjustice.org; jluebke@earthjustice.org; acasellas@amgprlaw.com; loliver@amgprlaw.com; epo@amgprlaw.com; robert.berezin@weil.com; marcia.goldstein@weil.com; jonathan.polkes@weil.com; gregory.silbert@weil.com; agraitfe@agraitlawpr.com; maortiz@lvprlaw.com; rnegron@dnlawpr.com; castrodiéppalaw@gmail.com; voxpopulix@gmail.com; paul.demoudt@shell.com; javier.ruajovet@sunrun.com; escott@ferraiuoli.com; SProctor@huntonak.com; GiaCribbs@huntonak.com; mgrpcorp@gmail.com; aconer.pr@gmail.com; axel.colon@aes.com; rtorbert@rmi.org; apagan@mpmlawpr.com; mpietrantoni@mpmlawpr.com; sboxerman@sidley; bmundel@sidley.com

In San Juan, Puerto Rico, this 31st day of January, 2020.

s/ Katuska Bolaños
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