

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: Not for Profit Intervenors'  
Motion of January 15, 2020.

RESOLUTION

On January 14, 2020 the *Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico* ("ICSE-PR") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Solicitud de Determinación sobre Calendario de Vistas del PIR* ("January 14 Motion"). On January 15, 2020, the Not for Profit Intervenors filed a document titled *Solicitud Enmendada de Determinación sobre Calendario de Vistas del PIR* ("January 15 Motion"). The difference between the January 14 Motion and the January 15 Motion is the appearing parties. ICSE-PR was the appearing party on the January 14 Motion, whereas the Not for Profit Intervenors were the appearing party on the January 15 Motion. Since ICSE-PR is not an intervenor in the instant case, the Energy Bureau **DETERMINES** to strike from the record the January 14 Motion.

On its January 15 Motion, the Not for Profit Intervenors expressed that, due to the earthquakes that have affected Puerto Rico since December 28, 2019, the Costa Sur generation plant has been shut down.<sup>1</sup> According to the Not for Profit Intervenors, the Costa Sur shut down, as well as the resources needed to bring it back to service, have a direct impact on the Integrated Resources Plan ("IRP").<sup>2</sup> The Not for Profit Intervenors argue that the administrative record of the instant case lacks information regarding the earthquake impacts on Costa Sur that could allow for its thorough evaluation.<sup>3</sup> For this reason, the Not for Profit Intervenors request the Energy Bureau to postpone the IRP hearings and to provide a mechanism to obtain information regarding the impact of the Costa Sur shut down on the IRP.<sup>4</sup>

Regarding the information pertaining to the status of the Costa Sur generation complex and the rest of the generation fleet in the aftermath of the earthquakes, it is important to note that the first panel at the Evidentiary Hearing (*i.e.* Panel A), scheduled for

<sup>1</sup> January 15 Motion, p. 1, ¶ 1.

<sup>2</sup> *Id.*, p. 2, ¶ 2.

<sup>3</sup> *Id.*, p. 2, ¶ 3.

<sup>4</sup> *Id.*, p. 2.

8:00 a.m. – 11:00 a.m. on February 3, 2020, is designed to obtain such information.<sup>5</sup> Moreover, as the Energy Bureau stated in the December 13, 2019 Order issued in the instant case, it may, at its discretion, modify the duration of the Evidentiary Hearing.<sup>6</sup> Therefore, if after the Energy Bureau and the intervenors examine the Panel A witnesses, the Energy Bureau determines that additional information, documentation and/or model runs are required, the Energy Bureau may schedule, in coordination with the intervenors and PREPA, additional days as part of the continuation of the Evidentiary Hearing. The Energy Bureau may also issue additional resolutions in order to accomplish this.

Moreover, the Not for Profit Intervenors argued that the institutions, entities and persons that have been affected by the earthquakes have a legitimate claim to participate in the discussion and evaluation of the IRP.<sup>7</sup> According to the Not for Profit Intervenors, these entities will not be able to participate in this process if the Evidentiary Hearing schedule is maintained.<sup>8</sup>

The Energy Bureau is aware of the hardships the people of Puerto Rico endured, or are still enduring, specially the residents of the municipalities most affected by the earthquakes. It is for this reason that today, more than ever, the Energy Bureau will continue to promote all actions that are within its power that could help alleviate the affliction of our people in the South and Southwest of the island, placing special emphasis on those actions that promote a stable, efficient, sustainable and resilient electric grid.

The participation of the general public in the IRP process is of great importance to the Energy Bureau. For this reason, the Energy Bureau decided to enhance the public participation by increasing the number of public hearings from one (1), originally scheduled, to five (5) public hearings. Such hearings will take place in San Juan (at the Energy Bureau's Hearing Room, located at the World Plaza Building, 268 Muñoz Rivera Ave., 8<sup>th</sup> Floor), Mayagüez, Ponce, Arecibo and Humacao. Today, the Energy Bureau issued a Resolution in the instant case through which it established the dates for these public hearings.<sup>9</sup> We must emphasize that the Energy Bureau is committed to guaranteeing the widest participation possible from the general public.

Notwithstanding the above, due to its nature, only PREPA and the approved intervenors will have an active participation during the Evidentiary Hearing scheduled for February 3 – 7, 2020. Although the general public is invited to attend the Evidentiary

<sup>5</sup> See Resolution and Order, In Re: Review of the Puerto Rico Electric Power Authority's Integrated Resources Plan, Exhibit A, *Panel Description for Evidentiary Hearing*, p. 1, Case No. CEPR-AP-2018-0001, January 17, 2020.

<sup>6</sup> See Resolution and Order, In Re: Review of the Puerto Rico Electric Power Authority's Integrated Resources Plan, Case No. CEPR-AP-2018-0001, December 13, 2019, p. 5.

<sup>7</sup> January 15 Motion, p. 2, ¶ 4.

<sup>8</sup> *Id.*

<sup>9</sup> See Resolution, In Re: Review of the Puerto Rico Electric Power Authority's Integrated Resources Plan, Case No. CEPR-AP-2018-0001, January 17, 2020.





Hearing, their participation is limited to listening to the proceedings. In addition, the Energy Bureau will broadcast the proceedings in real time through its YouTube Channel. Such broadcast will be streamed simultaneously in English and Spanish, ensuring access to the general public. It will also be available for review at the Energy Bureau's web page shortly after each daily hearing adjourns. Furthermore, the interests of all PREPA client classes, as well as the interests of society at large, have representation in the instant case through the multiple intervenors, including the Independent Consumer Protection Office, the Local Environmental Organizations, the Environmental Defense Fund and the Not for Profit Intervenors.

Finally, completing the IRP evaluation process is paramount for the transformation of the Puerto Rico energy sector and the Puerto Rico economic development. It also represents a crucial action that promotes a stable, efficient, sustainable and resilient electric grid. As such, the recent seismic events make the timely approval of the IRP even more important today.

For all of the above, the Energy Bureau **DETERMINES** to maintain the current procedural calendar since the concern expressed by the Not for Profit Intervenors will be addressed at the Evidentiary Hearing. As such, the Energy Bureau **DISMISSES** the January 15 Motion.

Be it notified and published.

  
\_\_\_\_\_  
Edison Avilés Deliz  
Chairman  
\_\_\_\_\_  
Lillian Mateo Santos  
Associate Commission  
\_\_\_\_\_  
Angel R. Rivera de la Cruz  
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 January 17, 2020. I also certify that on January 17, 2020 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@tcmrslaw.com, victorluisgonzalez@yahoo.com, mgrpcorp@gmail.com, hriviera@oipc.pr.gov, jrivera@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, voxpulix@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 January 17, 2020.

  
Wanda I. Cordero Morales  
Clerk

