

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: Resolution to admit into the administrative record the corrected rebuttal testimony of Nelson Bacalao, filed by the Puerto Rico Electric Power Authority.

RESOLUTION

On December 24, 2019, Windmar filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board a document titled *Windmar's Motion to Request Clarification and File Surrebuttal Testimony of Victor Gonzalez in Refutation of the Rebuttal Testimony of Nelson Bacalao* ("Request for Clarification"). In its Request for Clarification, Windmar requested the Puerto Rico Electric Power Authority ("PREPA") to clarify Dr. Nelson Bacalao's Rebuttal Testimony filed on December 20, 2019. On January 15, 2020, the Energy Bureau issued a Resolution and Order ("January 15 Order") in the instant case through which it directed PREPA to express its position with regards to Windmar's Request for Clarification.

On January 20, 2020, PREPA filed a document titled *Corrected Rebuttal Testimony of Nelson Bacalao, Ph.D. in Support of PREPA's Draft Integrated Resource Plan* ("January 20 Motion"). In the January 20 Motion, PREPA stated that it was submitting Dr. Bacalao's corrected rebuttal testimony. PREPA did not reference Windmar's Request for Clarification nor the Energy Bureau's January 15 Order. As an attachment to the January 20 Motion, PREPA filed a document titled *Corrected Rebuttal Testimony of Nelson Bacalao, Ph.D.* However, PREPA did not indicate the corrections made to the original testimony nor they indicated if major changes were made.

On January 24, 2020, the Energy Bureau issued a Resolution and Order ("January 24 Resolution"). In the January 24 Resolution, the Energy Bureau ordered PREPA to explain the nature and purpose of Dr. Bacalao's corrected testimony and detail any changes made between the December 20, 2019 and the January 20, 2020 versions.

On January 28, 2020, PREPA filed a document titled *Motion in Compliance with Order Dated January 24, 2020* ("January 28 Motion"). In the January 20 Motion, PREPA expressed that it submitted the corrected version of Dr. Bacalao's rebuttal testimony in compliance with the January 15 Order.¹ According to PREPA, based on Windmar's observations, Dr.

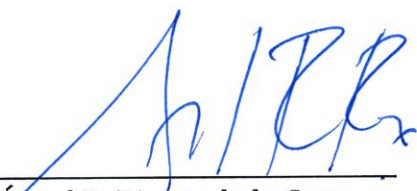
¹ January 28 Motion, pp. 1 - 2, ¶ 3.

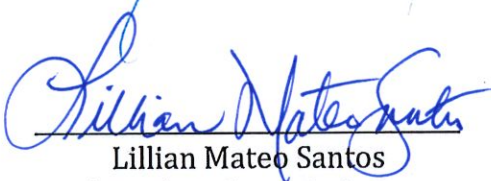
Bacalao determined that a correction and revision to his rebuttal testimony was warranted.² PREPA also stated that Dr. Bacalao's corrected rebuttal testimony do not change the substance of its testimony, but it rather addresses Windmar's concerns and provide clarity to the statements contained in his rebuttal testimony.³ As an attachment to the January 28 Motion, PREPA included a redline version of the December 20, 2019 rebuttal testimony in which it details the differences between the January 20, 2020 and the December 20, 2019 versions.⁴

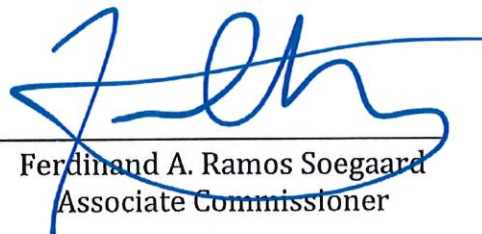
After reviewing the January 20 and January 28 Motions, the Energy Bureau **DETERMINES** that PREPA is in compliance with the January 15 Order and the January 24 Resolution. The Energy Bureau **ADMITS into the administrative record of the instant case** Dr. Bacalao's Corrected Rebuttal Testimony of January 20, 2020 and the redline version of the December 20, 2019 Rebuttal Testimony, as presented in the January 28 Motion.

Be it notified and published.


Edison Avilés Deliz
Chairman


Ángel R. Rivera de la Cruz
Associate Commissioner


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner



² *Id.*

³ *Id.*, p. 2, ¶ 5.

⁴ *Id.*, Exhibit I.

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on January 31, 2020. I also certify that on January 31, 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, jrivers@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, voxpopulix@gmail.com, cfl@mcvpr.com, sierra@arctas.com, tonytorres2366@gmail.com, info@liga.coop, amaneser2020@gmail.com, apagan@mpmlawpr.com, sboxerman@sidley.com, bmundel@sidley.com.

I sign this in San Juan, Puerto Rico, today January 31, 2020.


Wanda I. Cordero Morales
Clerk

