

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

<b>NEPR</b>  <b>Received:</b>  Jan 31, 2020  3:03 PM
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**IN RE:**

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

**CASE NO.:**

CEPR-AP-2018-0001

**SUBJECT:**

Evidentiary Hearing Witnesses

**URGENT MOTION TO EXCUSE WITNESS**

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. The Energy Bureau of the Puerto Rico Service Regulatory Board (the “Energy Bureau”) will hold an Evidentiary Hearing during the week of February 3 to February 7, 2020, to further evaluate the draft Integrated Resource Plan (IRP).
2. On January 17, 2020, the Energy Bureau issued a Resolution outlining the Evidentiary Hearing format and guidelines (the “Hearing Guidelines”).
3. That same day, January 17, 2020, the Energy Bureau opened an investigation regarding the impact of the seismic events on PREPA’s assets and other related topics. NEPR-MI-2020-003, *In Re: Impacto de los Recientes Eventos Sísmicos en el Sistema Eléctrico de Puerto Rico* (the “Seismic Events Case”). On January 24, 2020, PREPA answered in writing to all the issues listed in the *Resolution and Order* for the Seismic Events Case. Also, several PREPA officers and department heads attended a Technical Conference held yesterday to further discuss the issues listed. During the Technical Conference, PREPA’s officers and department heads discussed all the issues listed in the *Resolution and Order* and also, other related and relevant and technical

questions. Last night, in compliance with the Energy Bureau's Bench Order, PREPA submitted several presentations that were discussed during the Technical Hearing. The directors and department heads showed to be knowledgeable of all the topics related to the recent seismic events and their impact on PREPA's operations and assets.<sup>1</sup> PREPA's Chief Executive Director, Eng. Jose F. Ortiz ("Mr. Ortiz"), was summoned to appear at the Technical Conference but, the Energy Bureau's Seismic Events Case's *Resolution and Order* dated January 17, 2020, provided that Mr. Ortiz could designate authorized representatives to appear on his behalf, as long as these representatives had authority-making power. As such, Mr. Ortiz designated several departments' heads and director to represent him during the Technical Conference. The Energy Bureau was satisfied with the responses provided by these professionals who thoroughly responded to every inquiry made.

4. A few minutes ago, the Energy Bureau issued a *Resolution and Order* granting PREPA's request to include additional witnesses to Panel A. Therefore, Panel A now has all the departments' heads and directors to provide comprehensive responses to the issues listed for discussion.

5. Mr. Ortiz was named as witness for PREPA to discuss the issues listed for the Panel A. *Hearing Guidelines*, Exhibit A, Panel A, Witnesses. It is respectfully requested that the Energy Bureau excuses Mr. Ortiz from appearing to testify in Panel A. Mr. Ortiz has not provided any prior testimony or has answered to any discovery request related to the issues listed for discussion in panel A. Also, as the Energy Bureau recognizes, Panel A is "the only panel that allows for new

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<sup>1</sup> See first part of the Technical Conference <https://www.youtube.com/watch?v=67HrzLheTJs>; see also the second part of the Technical Conference <https://www.youtube.com/watch?v=eV0f8XhAsqQ>

witnesses and testimony.”<sup>2</sup> Moreover, Mr. Ortiz would like the Energy Bureau to allow him to be represented by the directors and heads of departments that will testify in Panel A while he continues to attend to the ongoing emergency. As the Energy Bureau was able to confirm yesterday, these professionals are more than prepared to answer questions related to the recent seismic events and their effect to existing resources.

**WHEREFORE**, the Puerto Rico Electric Power Authority requests the Energy Bureau to excuse Mr. Ortiz from appearing as witness in Panel A.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 31<sup>st</sup> day of January 2020.

*/s Katuska Bolaños*  
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<sup>2</sup> Resolution dated January 31, 2020.

## 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; jriviera@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; jluebkemann@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@agrailawpr.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](mailto:apagan@mpmlawpr.com); [bmundel@sidley.com](mailto:bmundel@sidley.com) and sboxerman@disley.com.

In San Juan, Puerto Rico, this 31<sup>st</sup> day of January 2020.

s/ Katuska Bolaños  
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