

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



IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY PERMANENT RATE

CASE NO.: NEPR-MI-2020-0001

SUBJECT: PREPA's Request for Confidential
Designation of Attachments to Motion in
Compliance with Bench Order and to
Submit Revised Proposed Factors and
Presentation

RESOLUTION AND ORDER

On March 20, 2020, the Puerto Rico Electric Power Authority ("PREPA") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Request for Confidential Designation of Attachments to Motion in Compliance with Bench Order and to Submit Revised Proposed Factors and Presentation*. As part of its filing, PREPA requested confidential treatment of the attachments to the *Motion in compliance with Bench Order and to Submit Revised Proposed Factors and Presentation* ("March 20 Motion"). PREPA alleges that the attachments to the March 20 Motion contain excel spreadsheet in its native form, including formulas, calculations and procedures that are proprietary information of PREPA. For this reason, PREPA alleges that such files should not be made public in their native form since are protected under Puerto Rico Law. PREPA also requests confidential designation to a presentation that explains the financial situation of PREPA after the seismic events alleging it is part of its current deliberative process. According to PREPA, such information is not final.

Act No. 57-2014¹ establishes that any person having the obligation to submit information to the Energy Bureau, can request privileged or confidential treatment to any information that the party submitting understands deserves such protection.² Specifically, Act 57-2014 requires the Energy Bureau to treat as confidential the submitted information, provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected".³ In such case, the Energy Bureau "shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted."⁴

¹ Known as the *Puerto Rico Energy and Transformation and RELIEF Act*, as amended.

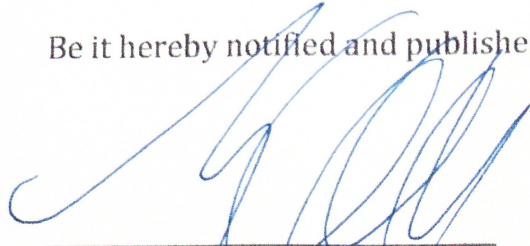
² Section 6.15 of Act 57-2014, as amended.

³ *Id.*

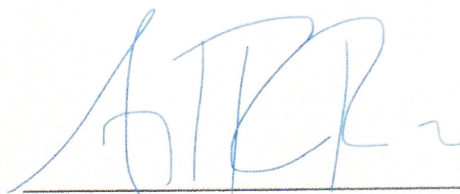
⁴ *Id.*

Upon review of PREPA's arguments and applicable law, the Energy Bureau **GRANTS** confidential designation to the documents attached to the March 20 Motion. The Energy Bureau **ORDERS** PREPA to, within ten (10) days from the notification date of this Resolution and Order, file redacted versions of the documents hereby declared confidential. In the case of the excel spreadsheets, files showing input data (i.e. formulae removed) shall suffice. If the data is proprietary information subject to confidential protection, PREPA may elect to blacken the cell containing such information.

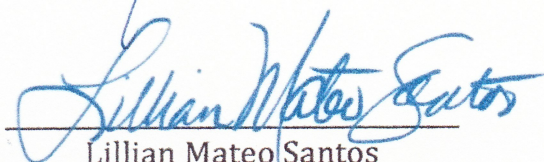
Be it hereby notified and published.



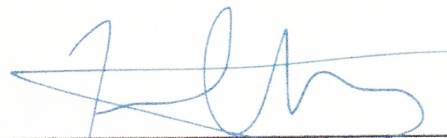
Edison Aviles Deliz
Chairman



Ángel R. Rivera de la Cruz
Associate Commissioner



Lillian Mateo Santos
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 April 3, 2020. I also certify that on April 3, 2020 a copy of this Resolution and Order was notified by electronic mail to: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com, n-vazquez@aeep.com, c-aquino@prepa.com, kbolanos@diazvaz.law. I also certify that today, April 3, 2020, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today April 3, 2020.


Wanda I. Cordero Morales
Clerk
