

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

NEPR Received: Jun 3, 2020 4:22 PM

IN RE:
INFORMES DE PROGRESO DE
INTERCONEXIÓN DE LA AUTORIDAD
DE ENERGÍA ELÉCTRICA DE PUERTO
RICO

Case no. NEPR-MI-2019-0016

Subject: Submittal of Interconnection
Progress Reports and Technical
Conference

MOTION FOR LEAVE TO SUBMIT COMMENTS

TO THE HONORABLE ENERGY BUREAU:

COMES NOW the Puerto Rico Solar Energy Industries Association Corp. dba Solar and Energy Storage Association of Puerto Rico (“SESA”), represented by the undersigned legal counsel, and very respectfully prays and requests:

1. SESA is an association that represents Puerto Rico’s solar and energy storage industries. It advocates solar and storage technologies as a central solution to the energy needs of Puerto Rico and promotes public policy that benefits the growth of these industries. It brings awareness and understanding of these technologies to both government policymakers and the public and facilitates collectively beneficial collaboration and good business practices within the industry.
2. Through its Resolution and Order dated September 5, 2019, the Puerto Rico Energy Bureau (“PREB”) initiated this proceeding with the purpose of overseeing the submittal by the Puerto Rico Electric Power Authority (“PREPA”) of progress reports relating to the interconnection of renewable system to the electric grid pursuant to Section 8 of Act 114-2007, as amended. Because the proceeding addresses one of the

central issues of interest to SESA's membership, SESA hereby requests leave from PREB to submit the instant comments.

3. During the technical conference held on November 26, 2019, PREPA provided information indicating that it was not in compliance with Act 114-2007, as amended, regarding the interconnection of renewable energy systems. For example, in its Progress Report filed before the PREB on November 15, 2019, PREPA informed that, as of November 14, 2019, 372 systems with capacities of 10kW or less processed between April 11, 2019 and November 14, 2019 took an average of 98 days. However, such systems are required to be interconnected automatically per Act 114-2007, as amended by Act 17-2019. The latter provides for the automatic interconnection of systems of up to 25 kW of capacity.

4. In addition, pursuant to Act 114-2007, as amended, owners of distributed generation systems with a capacity of 25kW or less are required to receive the benefit of net metering in their bills within 30 days of the notification by a professional engineer or licensed electrician to PREPA of the systems' interconnection. To SESA's knowledge, PREPA is not in full compliance with this requirement either.

5. We acknowledge efforts made by PREPA to address these matters, including the issuance of Comunicado 19-02 and multiple meetings with industry to listen to concerns and take measures to address them directly.

6. Nevertheless, it is our view that the Puerto Rico Energy Bureau has a central role to play in ensuring full compliance with Act 17-2019. Therefore, SESA respectfully recommends that the PREB issue an order requiring PREPA to provide an updated

Progress Report that includes the most recent interconnection and net metering data, which report should be submitted within 30 days of such order, or within such other timeframe as the PREB may deem appropriate.

7. SESA further recommends the Bureau to require that PREPA's upcoming Progress Report include the number of days elapsed between notification of system interconnection and net metering being reflected on customers' bills; the number of customers which have taken longer than 30 days for this process to occur; and the number of customers currently with the status of having transpired over 30 days since the original date of notification of interconnection. We would suggest that this data be reported at the Island-wide as well as the regional level, to demonstrate whether, and to what degree, compliance discrepancies are happening between regions. Furthermore, we would suggest that this data be reported across customer classes as well, so that it is clear to what extent compliance is occurring for all customer classes, including residential, commercial, and industrial.

8. In the case that the Progress Report demonstrates continued lack of compliance, we would suggest that the order require PREPA to include the reasons for the slow processing of cases; steps PREPA is taking or planning to take in order to come into compliance; a forecasted timeframe for compliance; and a system of transparent and regular monitoring of the degree to which compliance is occurring.

9. SESA also respectfully suggests that, should the Bureau conclude that PREPA is in continued violation of the requirements of Puerto Rico's energy public policy, as provided under Act 17-2019, that the Bureau issue appropriate orders to cause

compliance to occur. Some examples of actions to consider could include requiring centralization of the entire net metering and interconnection process within one single office within PREPA; outsourcing the process to an independent third party; or simply assessing a per-day, per-customer fine for each day over 30 days that transpires between notification of interconnection and when net metering appears on a customer's bill.

10. SESA respectfully recommends the PREB to consider issuing an order requiring regular transparent reporting of the data included in the report filed in November 2019, together with the additional information SESA recommends be included per the above, in a public docket, on a bi-weekly or monthly basis, so that the degree to which compliance is occurring, or not, is evident to PREPA, the Bureau SESA, all other stakeholders, and the public.

11. Finally, SESA wants to emphasize and express appreciation for the due diligence and time invested by many individuals at PREPA to help bring the organization in compliance with the new Interconnection and Net Metering requirements of Act 17-2019. Our request to PREB is to help and require PREPA to change and overcome structural issues which have prevented compliance to happen to-date, over a year after the law required such compliance. As we enter the 2020 hurricane season, addressing these issues is of utmost important to ensure interested customers are able to move forward with interconnecting new solar and storage systems, with confidence that they will have net metering within 30 days, as clearly required by law.

WHEREFORE, the Solar and Energy Storage Association respectfully requests that the Puerto Rico Energy Bureau grant it the leave requested to submit comments in the present proceeding; and to accept its recommendation to require the Puerto Rico Electric Power Authority to file its next Progress Report pursuant to Section 8 of Act 114-2007, as amended, within 30 days of the Bureau's order or within such other timeframe as the PREB may deem appropriate, which Progress Report should include the information outlined in this motion.

Respectfully submitted, on June 3, 2020, in San Juan, Puerto Rico.

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