



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

IN RE: CERTIFICATE OF ENERGY  
COMPLIANCE

CASE NO.: NEPR-AP-2020-0002

SUBJECT: Puerto Rico Public-Private  
Authority's Motion Submitting Documents  
and Requesting Confidential Treatment

**RESOLUTION**

On June 17, 2020, the Puerto Rico Public-Private Partnerships Authority ("P3 Authority") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Puerto Rico Public-Private Partnerships Authority's Motion Submitting Documents and Requesting Confidential Treatment* ("June 17 Motion"). Through the June 17 Motion, the P3 Authority requests confidential treatment of Exhibit 1<sup>1</sup> since such Exhibit contains information and documents that are part of an ongoing procurement process and, therefore, the information should not be disclosed by virtue of Act 29-2009<sup>2</sup> and Act 120-2018<sup>3</sup>.

Act 57-2014<sup>4</sup> establishes that any person having the obligation to submit information to the Energy Bureau, can request privilege or confidential treatment to any information that the party submitting understands deserves such protection.<sup>5</sup> 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".<sup>6</sup> 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."<sup>7</sup>

<sup>1</sup> Memorandum that discusses several provisions of the Preliminary Contract and includes pages of the Preliminary Contract with Amendments.

<sup>2</sup> See, Article 9(i) of Act 29-2009, known as *Public-Private Partnership Act*, as amended.

<sup>3</sup> See, Article 5.1(a)(ii)(6) and Article 11.2 of Act 120-2018, known as *Puerto Rico Electric Power System Transformation Act*, as amended.

<sup>4</sup> Known as *The Puerto Rico Energy and Transformation and RELIEF Act*, as amended.


<sup>5</sup> Section 6.15 of Act 57-2014.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

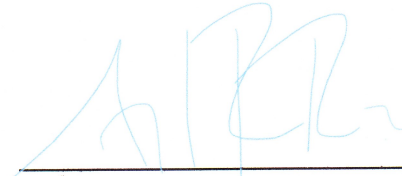
Upon review of P3 Authority's arguments and applicable law, the Energy Bureau **GRANTS** confidential designation and treatment to Exhibit 1 of the June 17 Motion.

Be it hereby notified and published.



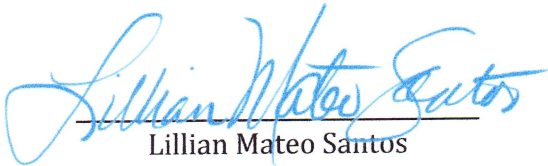
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Edison Avilés Deliz  
Chairman



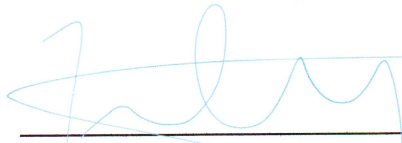
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Ángel R. Rivera de la Cruz  
Associate Commissioner



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Lillian Mateo Santos  
Associate Commissioner



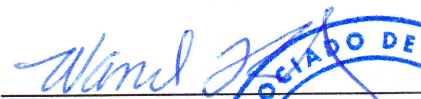
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Ferdinand A. Ramos Soegaard  
Associate Commissioner

#### CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on June 17, 2020. I also certify that on June 17, 2020 a copy of this Resolution was notified by electronic mail to the following: [fermin.fontanes@p3.pr.gov](mailto:fermin.fontanes@p3.pr.gov). I also certify that today, June 17, 2020, I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today June 17, 2020.



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Wanda I. Cordero Morales  
Clerk

