

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



IN RE: THE PERFORMANCE OF THE PUERTO RICO ELECTRIC POWER AUTHORITY

CASE NO.: NEPR-MI-2019-0007

SUBJECT: Noncompliance with Performance Metrics Reporting Requirements.

RESOLUTION AND ORDER

On May 14, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order requiring the Puerto Rico Electric Power Authority ("PREPA") to track, on a monthly basis, certain indicators/metrics and to file a report with the Energy Bureau on a quarterly basis, beginning September 15, 2019.¹ The May 14 Resolution and Order included, as Attachment I, a list of the key performance metrics/indicators that were previously published by the Energy Bureau in April 27, 2017². The Energy Bureau required PREPA to use Attachment 1 to prepare its reports.³

In the May 14 Resolution and Order, the Energy Bureau specified the following: (i) each report on PREPA's progress under these metrics shall cover the entirety of the previous quarter; (ii) for the first report due on September 15, 2019, the report shall provide monthly data and shall cover the period of June 1, 2019 through August 31, 2019; and (iii) should any of these filing dates fall on a weekend or holiday, the report shall be due on the following business day.

Pursuant to the foregoing, during 2019 and 2020, PREPA has to file its reports in accordance with the following schedule:

Filing Date	Covered Period
September 15, 2019	June 1, 2019 to August 31, 2019
December 15, 2019	September 1, 2019 to November 30, 2019
March 15, 2020	December 1, 2019 to February 29, 2020

¹ See, In Re: The Performance of the Puerto Rico Electric Power Authority, Case No. CEPR-MI-2019-0007, May 14, 2019.

² In Re: The Performance of the Puerto Rico Electric Power Authority, Case No. CEPR-IN-2016-0002, "Notice of Investigation to Identify Opportunities to Improve Performance of the Puerto Rico Electric Power Authority," April 27, 2017.

³ Note that the reports shall be submitted using the file *Template_PREPA_PIMS.xlsm* included as Attachment A of the Resolution and Order issued by the Energy Bureau on December 19, 2019. See, In Re: The Performance of the Puerto Rico Electric Power Authority, Case No. CEPR-MI-2019-0007, December 19, 2019.

[Handwritten signatures and initials in blue ink, including a large 'A' and 'Jm']

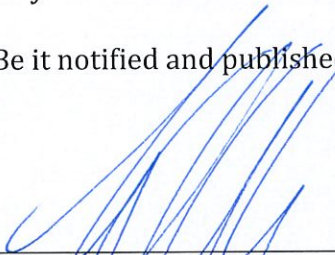
Filing Date	Covered Period
June 15, 2020	March 1, 2020 to May 31, 2020
September 15, 2020	June 1, 2020 to August 31, 2020
December 15, 2020	September 1, 2020 to November 30, 2020

There is no evidence in the administrative record of the instant case that PREPA filed the reports due on March 15, 2020 and June 15, 2020. It is important to note that both filing dates were extended **until July 6, 2020**⁴, pursuant to the Resolution and Order issued by the Energy Bureau in accordance with the Emergency Declaration issued by the Governor due to the Covid-19 pandemic.⁵ Nevertheless, as of today, PREPA has not filed before the Energy Bureau the May 15, 2020 and June 15, 2020 reports.

Therefore, the Energy Bureau **ORDERS** PREPA to: (i) file before the Energy Bureau, on or before July 10, 2020, at 12:00 pm, the reports due on March 15, 2020 and June 15, 2020; and (ii) show cause as to why the Energy Bureau should not impose a five thousand dollars (\$5,000.00) fine due to PREPA's noncompliance with the reporting requirements established in the May 14 Resolution and Order.

The Energy Bureau **WARNS** PREPA that noncompliance with the provisions of Act 57-2014, applicable regulations and Energy Bureau orders is sufficient cause for the imposition of fines of up to twenty-five thousand dollars (\$25,000.00) per violation per day and/or any other administrative sanctions the Energy Bureau seems fit.

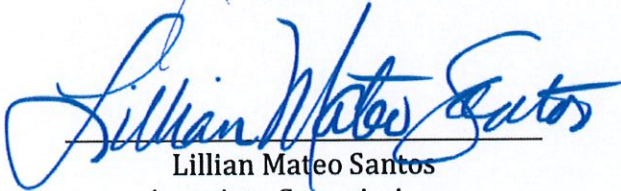
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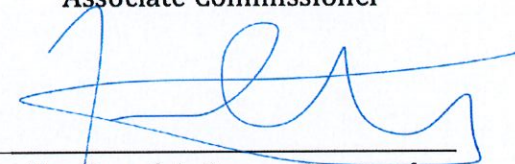
 Edison Avilés Deliz
 Chairman



 Ángel R. Rivera de la Cruz
 Associate Commissioner



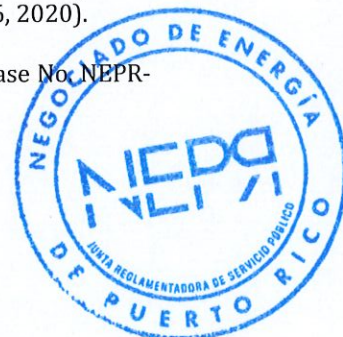
 Lillian Mateo Santos
 Associate Commissioner



 Ferdinand A. Ramos Soegaard
 Associate Commissioner

⁴ Note that March 15, was a Sunday. As per the May 14 Resolution and Order, should any of these filing dates fall on a weekend or holiday, the report shall be due on the following business day (*i.e.*, March 16, 2020).

⁵ See, In Re Temporary Instructions on Administrative Proceedings and Filing of Documents, Case No. NEPR-MI-2020-0005, June 30, 2020.



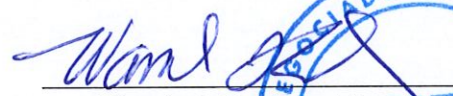
CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on July 9, 2020. I also certify that on this date a copy of this Resolution and Order was notified by electronic mail to the following: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com and n-vazquez@prepa.com. I also certify that today, July 9, 2020, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau and I have sent a true and exact copy to the following:

Puerto Rico Electric Power Authority

Nitza D. Vázquez Rodríguez
Astrid I. Rodríguez Cruz
Jorge R. Ruíz Pabón
PO Box 363938
Correo General
San Juan, PR 00936-3928

For the record, I sign this in San Juan, Puerto Rico, today July, 9, 2020.



Wanda I. Cordero Morales
Clerk

