

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

NEPR Received: Oct 9, 2020 7:10 PM

IN RE: IMPLEMENTATION OF THE
PUERTO RICO ELECTRIC POWER
AUTHORITY INTEGRATED RESOURCE
PLAN AND MODIFIED ACTION PLAN

CASE NO.: NEPR-MI-2020-0012

SUBJECT:
Procurement Plan

MOTION TO CLARIFY

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority (the “Authority”) through the undersigned counsel and respectfully submits and requests as follows:

On August 24, 2020, the Energy Bureau¹ entered the Final IRP Order.² Pursuant to the same, on September 23, 2020, the Authority submitted the Status Report.³ As informed during the Virtual Technical Conference held on this same date, the Authority requested all the counterparties to the sixteen (16) renegotiated contracts to, on or before October 2, 2020, submit responses to the questions listed by the Fiscal Oversight and Management Board for Puerto Rico (FOMB) in the Letter forwarded by the FOMB to the Authority on August 17, 2020.⁴ The majority of the counterparties to the renegotiated contracts responded to the Authority’s requests. The Authority is currently conducting a process to review the counterparties’ responses and to proceed ranking them pursuant to the guidelines listed by the FOMB in the Letter.⁵ Once the review is completed,

¹ Capitalized terms not defined herein shall be ascribed the same meaning provided in the *Presentation of Status Report on Draft Procurement Plan* filed by the Authority on September 23, 2020 (the “Status Report Motion”) in the matter of *In Re The Review of the Puerto Rico Electric Power Integrated Resource Plan*, case no. CEPR-AP-2018-0001.

² IRP Order at pags. 266-269, ¶¶ 860-867.

³ See Status Report Motion at Exhibit A.

⁴ See letter sent by FOMB to the Puerto Rico Electric Power Authority Governing Board (the “Governing Board”) on August 17, 2020, https://drive.google.com/file/d/1d1a8fSQcCCvDaUiebMOrPw0JB_ukABIY/view (the “Letter”).

⁵ It should be noted that the Governing Board and the FOMB agreed on how to proceed with this matter.

the evaluation and ranking of the projects will be submitted to the attention of the FOMB for resolution. Therefore, contrary to what the Authority states in the Status Report, and as reflected in the testimony of the Authority's officials today in the Virtual Technical Conference, the Authority hereby confirms that it will not move for reconsideration of the FOMB's decision.⁶

WHEREFORE, the Authority requests the Energy Bureau to note the above mentioned.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 9th day of October 2020.

/s Katuska Bolaños
Katuska Bolaños
kbolanos@diazvaz.law
TSPR 18,888

DÍAZ & VÁZQUEZ LAW FIRM, P.S.C.
290 Jesús T. Piñero Ave.
Oriental Tower, Suite 1105
San Juan, PR 00918
Tel.: (787) 395-7133
Fax. (787) 497-9664

⁶ See Status Report at pag. 8 (“... PREPA is working to submit a request for reconsideration to the FOMB.”).