

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: Request for Confidential Designation and Treatment of Attachment to the Request for Approval of (i) the July and August 2020 Reconciliation and (ii) the FCA and PPCA Riders for the Period of October to December 2020.

RESOLUTION

On September 18, 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 and Treatment of Attachment to the Request for Approval of (i) the July and August 2020 Reconciliation and (ii) the FCA and PPCA Riders for the Period of October to December 2020* ("Request"). As part of its filing, PREPA requested confidential designation and treatment for Exhibit B¹ and Exhibit D² attached to the Request for Approval of (i) the July and August 2020 Reconciliation and (ii) the FCA and PPCA Riders for the Period of October to December 2020. PREPA alleges that the Exhibits B and Exhibit D contain information that qualifies as proprietary and includes trades secrets, which is protected under Puerto Rico law.¹ Additionally, PREPA also states that both exhibits contain confidential formulas, calculations and procedures that are proprietary information of PREPA. For these reasons, PREPA requests the Energy Bureau to grant confidential designation and treatment to the referred Exhibit B and Exhibit D.

Act 57-2014³ 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.⁴ Specifically, Act 57-2014 requires the Energy Bureau to confidentially treat the submitted information provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected".⁵ In such case, the Energy Bureau "shall grant such protection in a manner that

¹ Exhibit B- Quarter Reconciliation File Jun-Jul-Aug 2020. (in its native version submitted under seal).

² Exhibit D- Fuel Charge Adjustments Factors for the Months of October to December 2020. (in its native version submitted under seal).

³ Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended.

⁴ Section 6.15 of Act 57-2014, as amended.

⁵ *Id.*

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.”⁶

Upon review of PREPA’s arguments and the law, the Energy Bureau **GRANTS** confidential designation and treatment for Exhibit B and Exhibit D under Article 6.15 of Act 57-2014.

Be it notified and published.



Edison Avilés Deliz
Chairman



Ángel R. Rivera de la Cruz
Associate Commissioner



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



⁶ *Id.*

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on October 9, 2020. I also certify that on October 9, 2020 a copy of this Resolution and Order was notified by electronic mail to the following: astrid.rodriguez@prepa.com, jorge.ruiz@prepa.com, n-vazquez@aeep.com, c-aquino@prepa.com and kbolanos@diazvaz.law. I also certify that today, October 9, 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 October 9, 2020.



Wanda I. Cordero Morales

