

**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 the *Reconciliation from September to November 2020, and the FCA, PPCA and FOS Rider Factors from January to March 2021.*

RESOLUTION

On December 14, 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 Approval of (i) Reconciliation for Period from September to November 2020, (ii) FCA, PPCA and FOS Factors from January to March 2021 and (iii) Confidential Designation* ("December 14 Request"). As part of its filing, PREPA requested confidential designation and treatment to Exhibit A¹, B² and C³ attached to the December 14, Request. A public version of Exhibit A, B and C were included in the December 14 Request.

PREPA alleges that Exhibits A, B and C of the December 14 Request contains information that qualifies as proprietary information and includes trades secrets, which is protected under Puerto Rico law. For these reasons, PREPA requests the Energy Bureau to grant confidential designation and treatment to the referenced Exhibit A, B and C.

Act 57-2014⁴ 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.⁵ Specifically, Act 57-2014 requires the Energy Bureau to treat as confidential the information submitted provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected".⁶ In such case, the Energy Bureau "shall grant such protection in a manner that

¹ Exhibit A, Reconciliation, submitted under seal.

² Exhibit B, Factors, submitted under seal. The document identified as Attachment 1 represent the FCA factor and the one identified as Attachment 2 represent the PPCA factor.

³ Exhibit C, Projections, submitted under seal.

⁴ Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended.

⁵ Section 6.15 of Act 57-2014, as amended.

⁶ *Id.*



[Handwritten signatures and initials in blue ink, including 'A', 'Jm', 'JAS', and 'SBR']

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.”⁷

Upon review of PREPA’s arguments and the applicable law, the Energy Bureau **GRANTS** confidential designation and treatment to Exhibit A, B and C of the December 14 Request, pursuant to the provisions of Article 6.15 of Act 57-2014.

Be it notified and published.



Edison Avilés Deliz
President



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

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on January 12, 2021. I also certify that on January 13, 2021 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@aepr.com, c-aquino@prepa.com and kbolanos@diazvaz.law. I also certify that today, January 13, 2021, 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, January 13, 2021.



Sonia Seda Gaztambide
Clerk



⁷ Id.