

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

NEPR

Received:

Feb 2, 2021

9:18 AM

IN RE:

THE PERFORMANCE OF THE PUERTO
RICO ELECTRIC POWER
AUTHORITY

CASE NO.: NEPR-MI-2019-0007

SUBJECT:

URGENT Request to Remove from the Public Docket LUMA's Comments filed on January 29, 2021, in compliance with Resolution and Order of December 23, 2020, on data published by the Energy Bureau and presentation made in technical conference on January 19th, 2020, regarding PREPA's baseline performance and submitting LUMA's proposed baselines and performance metrics.

**URGENT REQUEST TO REMOVE FROM THE PUBLIC DOCKET LUMA'S
COMMENTS AND SUBMISSIONS FILED ON JANUARY 29, 2021 IN LIGHT OF
AMENDED PROCEDURAL CALENDAR**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW, LUMA ENERGY, LLC as Management Co., and **LUMA ENERGY SERVCO, LLC** (collectively, **LUMA**), through the undersigned legal counsel and respectfully state and request the following:

1. In a Resolution and Order dated December 23, 2020, the Puerto Rico Energy Bureau (Energy Bureau) set for Friday, January 29, 2021, the deadline for stakeholders to file comments on the data it has collected on Puerto Rico Electric Power Authority's (PREPA) current performance and on the presentation that the Energy Bureau's consultants offered on January 19, 2021, to stakeholders on said performance data, and performance metrics and baselines ("deadline to file comments").
2. Within the deadline to file comments, LUMA submitted before the Energy Bureau several documents that include comments on the data published by the Energy Bureau, proposed

performance metrics and performance baselines, as well as an initial assessment and proposal of benchmarks on reliability performance, customer satisfaction and employee safety (LUMA's submissions of January 29, 2021). *See* LUMA's January 29th motion and Exhibits 1 through 3 to the same.

3. PREPA also filed a motion with comments on January 29, 2021, and later tendered an amended motion and comments on January 30, 2021.
4. On February 1, 2021, the Energy Bureau issued a Resolution and Order that amends the procedural calendar in this proceeding. Among others, the Energy Bureau extended the period to file comments up to and including Friday, February 5, 2021.
5. Given the extension of the deadline to file comments and to honor the Energy Bureau's intent in the initial and amended calendars to set a uniform deadline for all of the stakeholders to file initial comments, simultaneously, LUMA respectfully requests that the Energy Bureau remove from the public docket LUMA's submissions of January 29, 2021 and/or that the Energy Bureau does not publish the same in the public docket.
6. It is respectfully submitted that removing LUMA's submissions of January 29, 2021, from the public docket better comports with the new calendar of the proceeding and operates in favor of fairness to all of the stakeholders who will file comments as requested by the Energy Bureau.
7. Within the new deadline, LUMA will review and re-file its comments and submissions in compliance with the Energy Bureau's Resolution and Order of December 23, 2020, as amended by the Resolution and order of February 1, 2021. LUMA is confident that its submissions will aid the Energy Bureau in this proceeding.

WHEREFORE, LUMA respectfully requests that the Energy Bureau issue an order directing that LUMA's submissions of January 29, 2021, shall be removed from the public docket and/or sealed, that the Comments filed by LUMA on January 29, 2021, will not be made public in the Energy Bureau's public docket, and that LUMA may re-file its submissions within the extended deadline of February 5, 2021.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 2nd day of February 2021.

I hereby certify that I filed this motion using the electronic filing system of the Puerto Rico Energy Bureau and that on this date, I will send an electronic copy of this motion to via electronic mail to the attorneys of record for the Puerto Rico Electric Power Authority, Joannely Marrero-Cruz, jmarrero@diazvaz.law; and Katuska Bolaños-Lugo, kbolanos@diazvaz.law.

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