

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

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-YEAR
INFRASTRUCTURE PLAN – DECEMBER 2020

CASE NO.: NEPR-MI-2021-0002

SUBJECT: Evaluation of PREPA's Motion in
Compliance with the Resolution and Order
Entered on March 26, 2021

RESOLUTION AND ORDER

I. Introduction

On March 26, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("March 26 Resolution") in the instant case through which it ordered the Puerto Rico Electric Power Authority ("PREPA") to, among other things, provide certain information related to the different projects under the categories of Transmission Lines Projects, Transmission Substations Projects, and Distribution Substations Projects included in the PREPA 10-Year Infrastructure Plan.¹

Specifically, through the March 26 Resolution, the Energy Bureau ordered PREPA to submit each specific capital investment project for approval. To avoid potential noncompliance with the Approved Integrated Resource Plan ("IRP") and Modified Action Plan.² To streamline the process, the Energy Bureau requested PREPA to submit the **specific projects** to the Energy Bureau at least thirty (30) calendar days before their submittal to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3") and the Federal Emergency Management Agency ("FEMA").³ Furthermore, the Energy Bureau ordered PREPA to submit, within five (5) days from the notification of the March 26 Resolution, any specific transmission line projects, transmission substation projects, and distribution substation projects it had submitted to FEMA for its evaluation and approval.⁴

The Energy Bureau required that the submittal of such information must be accompanied by a detailed description of the capital investment project, its alignment with

¹ PREPA's Revised 10 - Year Plan Evaluation, Case No. NEPR-MI-2021-0002, Resolution and Order, March 26, 2021 ("March 26 Resolution").

² See In Re: Review of the Integrated Resources Plan of the Puerto Rico Electric Power Authority, Case No. CEPR-AP-2018-0001, Final Resolution and Order, August 24, 2020 ("August 24 Resolution").

³ March 26 Resolution, pp. 14-15.

⁴ *Id.*



the IRP and all information available regarding its construction timeline and total costs (e.g., design, development, construction, etc.).⁵

Regarding Distribution System Projects, the Energy Bureau stated that all distribution system spending shall be coordinated with the ongoing efforts in the integrated distribution system planning proceeding.⁶

On April 14, 2021, PREPA filed a document titled *Motion in Compliance with the Resolution and Order Entered on March 26, 2021* ("April 14 Motion"), which included a list of projects under the categories of transmission, distribution, and substations. PREPA states that, in alignment with the March 26 Resolution, they are submitting the list of projects to the Energy Bureau at least thirty (30) calendar days before their submittal to COR3 and/or FEMA.⁷ Furthermore, PREPA states that the list of projects are a subset of near-term projects further prioritized to represent the most critical set of transmission, distribution, and substation projects required to address current asset deficiencies, improve system reliability and resiliency, and lay the foundation for expanded renewable integration.⁸

Through the April 14 Motion, PREPA included as Exhibit A, an Excel file with a list of projects under the categories of Transmission Lines 115 & 230 kV, Transmission Lines 38 kV, Distribution Feeders, and Substations. Each list contains a summary with information related to: Project Name, Line Number, Voltage Level, Total Estimated Cost (Class 5 Estimate), Customers Count, Notes and Critical Loads.⁹

II. Evaluation of PREPA's April 14 Motion

Upon review of the information submitted by PREPA through the April 14 Motion, the Energy Bureau found it lacked in-depth information, data, cost estimates and assessments necessary for the Energy Bureau to make an adequate evaluation.

Moreover, PREPA failed to inform the Energy Bureau the projects that it had already submitted to COR3 and/or FEMA. Therefore, the Energy Bureau **DETERMINES** additional information is required for the Energy Bureau to make a thorough evaluation of the projects submitted as part of the April 14 Motion and to evaluate PREPA's compliance with the March 26 Resolution.

⁵ *Id.*

⁶ *Id.*, p. 16.

⁷ April 14 Motion, pp. 1-2.

⁸ *Id.*, p. 2.

⁹ April 14 Motion, Exhibit A



III. Conclusion

For the reasons discussed, the Energy Bureau **ORDERS** PREPA to:

1. Provide the information listed below, **on or before April 28, 2021**, for **each project PREPA had already submitted to COR3 and/or FEMA**.
2. Provide the information listed below, **on or before May 21, 2021**, for **each project** included in the April 14 Motion that will be submitted to COR3 and/or FEMA under the different project categories, including but not limited to Transmission Line Projects, Transmission and Distribution Substation Projects and Distribution System Projects.
3. As part of the information required, PREPA shall include a list of all the substations to be relocated in order to mitigate against possible future flooding damages.

Required Information

- a. Project Description (*i.e.*, name, location, line number, voltage level, customer count, critical load);
- b. Justification;
- c. Detailed Scope of Work;
- d. Detailed Class 5 Cost Estimate, broken down on the different cost items;
- e. Assessment (include all details of the existing conditions, violations to codes and standards, photos, etc.);
- f. Any Drawing, Schematic, Layout or Design;
- g. Schedule or Timeline of completion; and
- h. Any additional information PREPA may have available that may serve for an adequate evaluation.

The Energy Bureau **WARNS** PREPA that, noncompliance with any provision of this Resolution and Order may result in the imposition of fines pursuant to Act 57-2014¹⁰ and applicable Energy Bureau's regulations and/or any other appropriate administrative sanctions, as deemed appropriate by the Energy Bureau.

Be it notified and published.




¹⁰ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended.


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

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on April 22, 2021. I also certify that on April 22, 2021 a copy of this Resolution and Order was notified by electronic mail to the following: mvazquez@diazvaz.law and kbolanos@diazvaz.law. I also certify that today, April 22, 2021, 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 April 22, 2021.


Sonia Seda Gaztambide
Clerk

