

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

IN RE: THE UNBUNDLING OF THE ASSETS  
OF THE PUERTO RICO ELECTRIC POWER  
AUTHORITY

**CASE NO.:** NEPR-AP-2018-0004

**SUBJECT:** PREPA's Informative Motion;  
Procedural Calendar

**RESOLUTION**

On May 3, 2021, 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 *Informative Motion Regarding Proposed Amendments to Regulation 9138 and the May 10, 2021 Compliance Filing* ("Informative Motion"). As part of the Informative Motion, PREPA noted that on April 23, 2021, the Energy Bureau issued a Resolution in Case No. CEPR-MI-2018-0010 providing notice of proposed amendments to Regulation 9138 ("Proposed Amendment").<sup>1</sup>

Through the Informative Motion, PREPA states that there are several changes included on the Proposed Amendment that could impact the draft rates and agreement currently being worked by PREPA, and to be filed on May 10, 2021 in the instant case.<sup>2</sup> PREPA also enumerated several examples of how the Proposed Amendment may impact the structure of the unbundling tariff and Uniform Services Agreement that PREPA intends to submit on May 10, 2021.<sup>3</sup> PREPA expresses that any regulation change by the Proposed Amendment could impact both the tariff and the agreement, and PREPA would be compelled to refile a proposal to reflect any regulation amendment.<sup>4</sup>

Upon review of PREPA's Informative Motion, the Energy Bureau **CONFIRMS** that, pursuant to the December 23 Resolution<sup>5</sup> and the February 5 Resolution<sup>6</sup> issued in the instant case, PREPA is required to file one or more proposals for an unbundled tariff by May 10, 2021. The Energy Bureau understands that consideration of amendments to Regulation 9138 may add another layer of complexity to this adjudicatory proceeding. However,

<sup>1</sup> Regulation on Electric Energy Wheeling.

<sup>2</sup> Informative Motion, p. 2.

<sup>3</sup> *Id.*, pp. 2-5.

<sup>4</sup> *Id.*, p. 5.

<sup>5</sup> Resolution and Order, *In Re: The Unbundling of the Assets of the Puerto Rico Electric Power Authority*, Case No. NEPR-AP-2018-0004, December 23, 2020.

<sup>6</sup> Resolution and Order, *In Re: The Unbundling of the Assets of the Puerto Rico Electric Power Authority*, Case No. NEPR-AP-2018-0004, February 5, 2021.

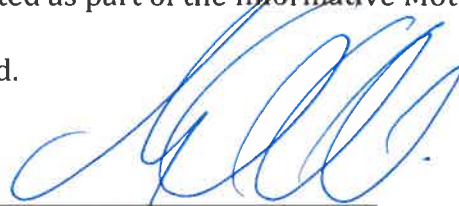


PREPA's required May 10, 2021 filing does not have the force of law, nor any presumption that any particular proposal will be approved in the form it is filed. The projected May 10, 2021 filing, with one or more proposals, is a starting point for this proceeding. Intervenors may propose alternative structures or changes to PREPA's proposals. Briefing should address the arguments made and can include alternative proposals from PREPA and other parties.

In all cases, it will be helpful, but not strictly necessary, to note places where different proposals conflict with either Regulation 9138 or the Proposed Amendment. Moreover, comments on the Proposed Amendment along those lines, to be filed under Case No. CEPR-MI-2018-0010,<sup>7</sup> would be viewed as constructive.

Last, the Energy Bureau **CLARIFIES** that, outside of the process already laid out as part of the instant case, the Energy Bureau does not anticipate the need for additional filings or proposals by PREPA, as suggested as part of the Informative Motion.

Be it notified and published.



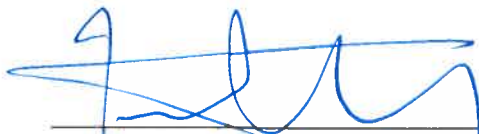
Edison Avilés Deliz  
Chairman



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



<sup>7</sup> In Re: Regulation on Wheeling.

## CERTIFICATION

I certify that the majority of the members of the Energy Bureau of the Puerto Rico Public Service Regulatory Board has so agreed on May 10, 2021. I also certify that on this date a copy of this Resolution was notified by electronic mail to: [kbolanos@diazvaz.law](mailto:kbolanos@diazvaz.law), [jmarrero@diazvaz.law](mailto:jmarrero@diazvaz.law), [contratistas@oipc.pr.gov](mailto:contratistas@oipc.pr.gov), [hrivera@oipc.pr.gov](mailto:hrivera@oipc.pr.gov), [manuelgabrielfernandez@gmail.com](mailto:manuelgabrielfernandez@gmail.com), [ramonluisnieves@rlnlegal.com](mailto:ramonluisnieves@rlnlegal.com); [ccf@tcm.law](mailto:ccf@tcm.law). I also certify that today, May 10, 2021, I have proceeded with filing the Resolution issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today May 10, 2021.

  
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Sonia Seda Gaztambide  
Clerk

