

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

NEPR Received: May 24, 2021 8:52 PM
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IN RE: REVIEW OF LUMA'S
INITIAL BUDGETS

CASE NO. NEPR-MI-2021-0004

**SUBJECT: Compliance with May 21st
Resolution and Order.**

**MOTION IN COMPLIANCE WITH MAY 21st RESOLUTION AND ORDER
AND SUBMITTING REVISED PUBLIC VERSION OF LUMA'S RESPONSE TO
REQUEST FOR ADDITIONAL INFORMATION NO. 10.**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”), and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly referred to as “LUMA”), and respectfully state and request the following:

1. On April 20, 2021, this honorable Puerto Rico Energy Bureau ("Bureau") issued a Resolution and Order that set a procedural calendar in this proceeding ("April 20th Order"). The procedural calendar included a technical conference scheduled for May 3rd, 4th and 5th, 2021.
2. The April 20th Order also directed that LUMA would have until May 7, 2021, to file additional information that the Bureau could require during the Technical Conference.
3. The Technical Conference was held on May 3rd, 4th and 5th, 2021. Throughout the three days of the Technical Conference, the Bureau issued bench orders granting LUMA leave to provide additional information or supplemental written responses to certain questions and/or to submit clarifications, on or before May 7, 2021 (“Requests for Additional Information”).
4. On May 7, 2021, LUMA filed before this Bureau a “Motion for Submission of Additional Information Requested in Technical Conference, Supplemental Responses to Questions and Clarifications” (“Motion Submitting Additional Information”). The Motion Submitting

Additional Information included two partially confidential responses to the additional requests for information, to wit, TC-RFI-LUMA-MI-21-0004-210503-PREB-010 and TC-RFI-LUMA-MI-21-0004-210503-PREB-013. Attachment 1 to TC-RFI-LUMA-MI-21-0004-210503-PREB-013 was also submitted to the Bureau under seal of confidentiality.

5. On May 14, 2021, LUMA submitted a “Memorandum of Law in Support of Request to Submit Portions of LUMA’s Submission of Additional Information Related to Initial Budgets Confidentially.”

6. On Friday, May 21, 2021, this honorable Bureau issued a Resolution and Order granting LUMA’s request for confidential treatment of TC-RFI-LUMA-MI-21-0004-210503-PREB-013 and Attachment 1 to TC-RFI-LUMA-MI-21-0004-210503-PREB-013.

7. The Bureau determined, however, that the full text of the Response to Request for Additional Information Number 10, TC-RFI-LUMA-MI-21-0004-210503-PREB-010, should be filed for the public record in unredacted form (“May 21st Order”). The Bureau granted LUMA two days to comply with the May 21st Order and file an unredacted public version of TC-RFI-LUMA-MI-21-0004-210503-PREB-010.

8. As ordered by this honorable Bureau, with this motion, LUMA is submitting an unredacted version of its Response to Request for Additional Information Number 10, TC-RFI-LUMA-MI-21-0004-210503-PREB-010. *See* Exhibit 1.

WHEREFORE, LUMA respectfully requests that this Honorable Bureau **accept** the submission of a revised public version of Response to Request for Additional Information Number 10, TC-RFI-LUMA-MI-21-0004-210503-PREB-010, and **deem** that LUMA complied with the May 21st Resolution and Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 24th day of May 2021.

I hereby certify that I filed this motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this motion to the attorneys for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law; and Katuska Bolaños-Lugo, kbolanos@diazvaz.law.



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Exhibit 1

Initial Budgets – 2021-05-03 Technical Conference Docket ID: NEPR-MI-2021-0004

TC-RFI-LUMA-MI-21-0004-210503-PREB-010

Subject: IEM/LUMA Contract

Request:

Check the language in the contract between IEM & LUMA to see if it describes playing a role in procurement to avoid conflicts of interests.

Response:

The language of the contract between IEM & LUMA states the following “Assist on any matters requested pertaining to federal funds management including allowability, allocability, necessity, and reasonability of costs claimed and incurred as well as OCI analysis, avoidance and mitigation.”