

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

IN RE: REVIEW OF LUMA’S MODEL BILL

CASE NO. NEPR-MI-2021-0008

SUBJECT: Request to Re-Schedule Procedures
for Approval of LUMA’s Model Customer Bill.

**REQUEST TO RE-SCHEDULE PROCEDURES FOR APPROVAL OF LUMA’S
MODEL BILL**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”)¹, and **LUMA Energy ServCo, LLC** (“ServCo”)², (jointly referred to as “LUMA”), and respectfully submit and request the following:

1. On March 30, 2021, LUMA filed before this honorable Puerto Rico Energy Bureau (“Bureau”), a “Petition for Approval of LUMA’s Model Bill” (Model Bill Petition). The Petition was accompanied by Model Bills in the English and Spanish languages, *Exhibit 1*; an Excel spreadsheet that details the charges that will be included in the customer bills per class based on the different rates as approved by the Bureau and following PREPA’s Book of Tariffs, *Exhibit 2*; and a document that illustrates the design changes made to PREPA’s current bill. *Exhibit 3*.

2. On May 5, 2021, this Bureau issued a Resolution and Order initiating the captioned proceeding and setting a procedural calendar. Per the procedural calendar, LUMA would have two working days, until May 10, 2021, to file the presentation to be offered in a technical conference scheduled for May 12, 2021.

¹ Register No. 439372.

² Register No. 439373.

3. LUMA appreciates the Bureau's diligences in setting a procedural calendar in this case. Consideration and approval by the Bureau of LUMA's Model Bill is an important step in LUMA's path towards transforming Puerto Rico's electricity system and providing excellent services to customers, including equipping customers with easy to understand information in their electricity bills and empowering them with knowledge on energy consumption patterns. LUMA is committed to providing industry-leading customer experience and is ready to begin on June 1st, 2021.

4. As this Bureau is aware, LUMA is also committed with complying with the orders issued by this Bureau in the four pending cases on regulatory deliverables that per the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement dated as of June 22, 2020 (the "OMA"), are conditions precedents to Service Commencement. *See* NEPR MI-2021-0004 (Initial Budgets); NEPR-MI-2021-0001 (System Operation Principles); NEPR-MI-2020-0019 (System Remediation Plan); and NEPR-MI-2021-0007 (Terms of Service).

5. LUMA recognizes the importance of this Bureau's approval of a Model Bill that complies with the transparent bill requirements of Act 83 of May 2, 1941, as amended, known as the Puerto Rico Electric Power Authority Act ("Act 83"), Act 57-2014 and Act 17-2019. It is respectfully submitted that, at this juncture, with the Service Commencement date of June 1st fast-approaching, it will not be possible for LUMA to revise the Model Bill in accordance with the directives that the Bureau may issue in this proceeding and print or issue the approved bills on or near the first billing cycle after Service Commencement.

6. As discussed in the Model Bill Petition, per Section 13.1 (g) of the OMA, there is a period of one hundred and eighty (180) days after Service Commencement, to replace PREPA's marks, including the marks used in the customer bills. ("no later than the Service Commencement

Date, the Operator and its management shall become publicly associated with the T&D System for the Term^[3]. To that end, the Operator Marks^[4] shall within one hundred and eighty (180) days of the Service Commencement Date, and for the duration of the Term, replace the Owner Marks^[5], including on . . . customer bills . . .”).

7. Although LUMA looks forward to using its proposed Model Bill as approved by the Bureau, LUMA may provisionally use PREPA’s bill and/or a revised version of the PREPA bill. Thus, it is respectfully submitted that the Bureau may re-schedule proceedings in this case to provide LUMA, interested stakeholders, and the public, additional time to participate in discussions and analysis of the proposed Model Bill.

8. LUMA also informs that several of the LUMA representatives who would provide testimonies in the Technical Conference in this case, are participating in previously scheduled trainings during the week starting on May 10th.

9. Given the aforementioned circumstances, it is respectfully requested that the Bureau re-schedule proceedings in this case to consider LUMA’s Model Bill Petition during the first weeks of June 2021. LUMA proposes that the date to file the presentation of the technical conference be re-scheduled for June 7, 2021 and that the Bureau set the Technical Conference in its discretion for the week starting June 14, 2021.

³ Section 2.3 of the OMA defines the “Term” as an Initial Term in which the OMA will be in effect “from the Effective Date through the fifteenth (15th) anniversary of the Service Commencement Date (such period of time, the “Initial Term”), unless extended or earlier terminated in accordance with the terms hereof.”

⁴ This term refers to LUMA’s trademarks listed in Annex XIV of the OMA, as may be revised by LUMA from time to time. *Id.*, Section 1.1 at page 22.

⁵ This term refers to PREPA’s trademarks listed in Annex XV of the OMA, as may be revised by PREPA from time to time. *Id.*, Section 1.1 at page 23.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **issue** an order to re-schedule proceedings for June, 2021, as proposed in this Motion and within the Bureau's discretion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 7th day of May 2021.

I hereby certify that I filed this Petition 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 Katiuska Bolaños-Lugo, kbolanos@diazvaz.law. Notice will also be sent to the **Office of the Independent Consumer Protection Office**, Lcda. Hannia Rivera Diaz, hrivera@jrsp.pr.gov.



DLA Piper (Puerto Rico) LLC
500 Calle de la Tanca, Suite 401
San Juan, PR 00901-1969
Tel. 787-945-9107
Fax 939-697-6147

/s/ Margarita Mercado Echegaray
Margarita Mercado Echegaray
RUA NÚM. 16,266
margarita.mercado@us.dlapiper.com