

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

NEPR
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IN RE: REVIEW OF LUMA'S
TERMS OF SERVICE (LIABILITY
WAIVER)

CASE NO. NEPR-MI-2021-0007

**SUBJECT: Urgent Request for Brief
Extension of Time to File Responses to
Attachment A of May 4, 2021 Resolution and
Order.**

**URGENT REQUEST FOR BRIEF EXTENSION OF TIME TO FILE LUMA'S
RESPONSES TO ATTACHMENT A OF MAY 4TH RESOLUTION AND ORDER**

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 May 4, 2021, this honorable Puerto Rico Energy Bureau ("Bureau") issued a Resolution and Order ("May 4 Order") that sets a procedural calendar in this proceeding and requires LUMA to provide a summary of the Terms of Service Petition in Spanish and responses to the requests for information included in Attachment A of the May 4 Order ("Attachment A") on or before May 10, 2021, at 12:00 p.m.

2. Today, LUMA will file the Spanish-language translation of the Terms of Service Petition. However, LUMA will need a brief extension of time to complete and file the responses to Attachment A.

3. Attachment A requires LUMA to produce data that has been requested to the Puerto Rico Electric Power Authority ("PREPA") but has not yet been fully provided to LUMA. LUMA expects to receive the remaining information from PREPA in the upcoming days. Therefore, it will not be possible for LUMA to review, analyze, and prepare the information for production by

Monday at noon. It bears noting that on Monday May 10, 2021, LUMA personnel and the undersigned will be participating in the Technical Conference on System Operation Principles, Case No. 2021-0001.

4. Furthermore, the requests in Attachment A require LUMA to prepare responses in order to provide the information requested by this honorable Bureau, which is not readily available to produce through documents previously created.

5. In this regard, it should be noted that LUMA has been working on several regulatory filings in proceedings before this Bureau and is currently tasked with other filings and the preparation for upcoming conferences or hearings.

6. The filings that LUMA has prepared during the past weeks include:

- a. Two motions in compliance with this Bureau's resolutions and orders on LUMA's requests for confidential designations of the Initial Budgets and the responses to requests for information issued by the Bureau on Initial Budgets in Case No. NEPR-MI-2021-0004 ("Initial Budgets Proceeding") (both filed on April 23, 2021);
- b. Motion in compliance with this Bureau's resolution and order on LUMA's requests for confidential designations of the System Remediation Plan ("SRP"), submitted in Case No. NEPR-MI-2020-0019 ("SRP Proceeding") (filed on April 27, 2021);
- c. Memorandum of Law in Support of Request for Confidential Designations of Responses to Requests for Information issued by the Bureau on the SRP, SRP Proceeding (filed on April 26, 2021);

- d. Submission of the Puerto Rico Electric Power Authority’s Generation Budget, Initial Budgets Proceeding (filed on April 22, 2021);
- e. Motion for clarification on LUMA’s Initial Budgets submitted in Initial Budgets Proceeding (filed on April 26, 2021);
- f. Responses to Questions of Stakeholders in the optimization proceeding, Case No. NEPR-MI-2020-0016 (filed on April 21, 2021);
- g. Submission of Summary of Initial Budgets in Spanish, Initial Budgets Proceeding (filed on April 28, 2021);
- h. Submission of Summary of SRP in Spanish, SRP Proceeding (filed on April 28, 2021);
- i. Motion for partial reconsideration of Bureau Resolution and Order issued on April 8, 2021 on PREPA’s performance baselines, submitting information on the results of J.D. Power Surveys and requesting clarifications, Case No. NEPR-MI-2019-0007 (filed on April 28, 2021);
- j. Presentation for the Technical Conferences on Initial Budgets, Initial Budgets Proceeding (filed on April 30, 2021);
- k. Motion submitting PREPA’s presentation on Generation Budget, Initial Budgets Proceeding (filed on April 30, 2021);
- l. Submission of Summary of System Operation Principles (“SOP”) in Spanish, Case No. NEPR-MI-2021-0001 (“SOP Proceeding”) (filed on April 30, 2021);
- m. Joint Submission with PREPA with answers to questions issued by this Bureau in the Demand Response proceeding, Case No. NEPR-MI-2021-0006 (filed on April 30, 2021);

- n. Motion in Compliance with Order and Submitting Revised Public Version on LUMA's Response to Request for Information Number 2, Initial Budgets Proceeding (filed on May 3, 2021); and
- o. Motion in Compliance with Order and Submitting Public Version of Response and to Request for Information on System Operation Principles, SOP Proceeding (filed on May 5, 2021).

7. In addition, LUMA will be filing tomorrow, May 7th, detailed answers and supporting documents in response to the requests made by the Bureau during the Technical Conference on Initial Budgets, held on May 3rd, 4th, and 5th, 2021 and the presentation to be offered at the Technical Conference scheduled in the SOP Proceeding.

8. It should be considered that several of the eighteen (18) LUMA representatives who have appeared for the Technical Conference on Initial Budgets to provide testimonies and answer questions from Commissioners and Bureau consultants are simultaneously working on the drafting and reviewing of presentations, responses, and filings before the Bureau and other forums, as well as on their regular tasks within LUMA. Thus, even though they are doing their best efforts, they face time constraints.

9. LUMA representatives are also preparing for the Technical Conferences for the analysis and approval of the SOP, on May 10 and 11, 2021 and for the conferences on the SRP, which will be held on May 14th and 17th, 2021.

10. Given the overlying of deadlines and proceedings and considering that LUMA has been diligently complying with the Bureau's orders, a brief extension is warranted.

11. Therefore, LUMA respectfully requests a 27-hour extension of time until Tuesday, **May 11, 2021 at 3:00 p.m.**, to file the responses to Attachment A.

12. This extension is sought in good faith without intent to delay proceedings.

13. Moreover, the extension will allow LUMA to deliver comprehensive responses in order to provide sufficient information for this honorable Bureau's analysis for the determination on the completeness of the Terms of Service Petition, set for May 12, 2021.

14. LUMA remains committed to comply with the orders issued by this honorable Bureau and to commence operations by June 1, 2021, to deliver safe, reliable, resilient, cost-efficient and customer-centric electric power services in Puerto Rico to benefit public interests and in compliance with energy public policy.

WHEREFORE, LUMA respectfully requests that this Bureau **take notice** of the aforementioned and **grant** LUMA the requested brief extension of time until **May 11, 2021, at 3:00 pm**, to file the responses to Attachment A of the May 4th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 7th 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.



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

/s/ Mariana Muñiz Lara
Mariana Muñiz Lara
RUA Núm. 18,262
mariana.muniz@dlapiper.com