

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

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S SYSTEM
REMEDATION PLAN

CASE NO.: NEPR-MI-2020-0019

SUBJECT: Request for Information.

RESOLUTION AND ORDER

On June 22, 2020, the Puerto Rico Electric Power of Puerto Rico ("PREPA"), the Puerto Rico Public-Private Partnerships Authority ("P3 Authority"), LUMA ENERGY, LLC¹ as ManagementCo, and LUMA ENERGY SERVCO, LLC² as ServCo (collectively, "LUMA") entered into an Operation and Maintenance Agreement ("OMA") under which LUMA will manage PREPA's transmission and distribution system ("T&D System").

On February 24, 2021, LUMA filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *LUMA's Submittal and Request for Approval of System Remediation Plan* ("SRP Petition") in compliance with Section 4.1(d) of the OMA.

On April 23, 2021, the Energy Bureau issued a Resolution and Order ("April 23 Order") through which it determined that the SRP Petition, as clarified by the *Motion in Compliance with Resolution and Order of April 6, 2021 and Submitting Responses to Request for Information*, filed by LUMA on April 16, 2021, was complete. Based on this, the Energy Bureau commenced its evaluation of the SRP Petition. The Energy Bureau also established the preliminary Procedural Calendar for the instant case, which included a deadline of May 26, 2021, for the public to file their comments.³

The SRP Petition is pending a final determination from the Energy Bureau. According to the provisions of the OMA, the Energy Bureau's approval of the SRP Petition by the Energy Bureau is a condition precedent to the commencement of operations, unless otherwise mutually agreed in writing by PREPA, the P3 Authority and LUMA, either satisfied as determined, or waived in writing.⁴

¹ See In re: Request for Certification LUMA ENERGY, LLC, Case No. NEPR-CT-2020-0008.

² See In re: Request for Certification LUMA ENERGY SERVCO, LLC, Case No. NEPR-CT-2020-0007.

³ See Resolution and Order, In re: Review of the Puerto Rico Electric Power Authority's System Remediation Plan, Case No. NEPR-MI-2020-0019, April 23, 2021.

⁴ See Sections 4.1(d) and 4.5 of the OMA.



Handwritten blue ink signatures and initials on the left margin, including what appears to be "Jm", "AA", and a large stylized signature.

The Energy Bureau **ORDERS** LUMA to, **on or before June 4, 2021, at 12:00 pm**, file a copy of the waiver signed by the parties to the OMA regarding the SRP.

Be it notified and published.



Edison Aviles 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 June 2, 2021. I also certify that on June 2, 2021 a copy of this Resolution was notified by electronic mail to the following: kbolanos@diazvaz.law, jmarrero@diazvaz.law and margarita.mercado@us.dlapiper.com. I also certify that today, June 2, 2021, I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today June 2, 2021.



Sonia Seda Gaztambide
Clerk

