

**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: Order for Appearance.

RESOLUTION AND ORDER

On February 5, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("February 5 Order") through which it established the Procedural Calendar for the instant case. Said Procedural Calendar monitors closely the work being performed by the Puerto Rico Electric Power Authority ("PREPA"), and its consultant, to file its proposal for an unbundled rate for wheeling.

On May 10, 2021, PREPA filed before the Energy Bureau a document titled *Motion in Compliance with Resolution and Order Entered on February 5th 2021* ("Motion in Compliance"). Through the Motion in Compliance, PREPA filed several documents related to the proposal for an unbundled tariff, cost of service study and working papers.

On May 13, 2021, the Energy Bureau issued a Resolution and Order through which it determined that the Motion in Compliance was insufficient. The Energy Bureau ordered PREPA to provide additional information on or before May 17, 2021.

On May 18, 2021, the Energy Bureau held the Initial Technical Hearing, as scheduled in the February 5 Order. During the Initial Technical Hearing, PREPA, and its consultant presented its proposal for an unbundled rate and answered questions from the Energy Bureau and intervenors.

On June 1, 2021, LUMA¹ commenced its operations pursuant to the *Puerto Rico Transmission and Distribution Operation and Maintenance Agreement* ("OMA") and the *Puerto Rico Transmission and Distribution Supplemental Terms Agreement* ("Supplemental Agreement").² Under the responsibilities assigned to LUMA under the OMA and the

¹ LUMA Energy, LLC as ManagementCo, and LUMA Energy ServCo, LLC as ServCo (together, "LUMA").

² On June 22, 2020, PREPA, the Puerto Rico Public-Private Partnerships Authority ("P3A"), and LUMA entered into an Operation and Maintenance Agreement ("OMA") and a Transmission and Distribution System Supplemental Terms Agreement ("Supplemental Agreement") under which PREPA transferred operational control of its transmission and distribution system ("T&D System") to LUMA. OMA retrieved from <https://www.p3.pr.gov/wp-content/uploads/2020/06/executed-consolidated-om-agreement-1.pdf>. (Accessed June 10, 2021).




[Handwritten blue ink marks and signatures on the left margin, including a large 'A', 'JMS', and other illegible signatures.]

Supplemental Agreement, LUMA is responsible to comply with regulatory matters before the Energy Bureau, such as matters related to rates.³

Based on the fact that this proceeding is related to the development of an unbundled rate to implement the wheeling mechanism, the Energy Bureau **ORDERS** LUMA to appear as part of the instant case. LUMA **SHALL** be responsible for attending any matter related to the instant case in a timely fashion, and to comply with the procedural schedule set forth in the February 5 Order. Further, LUMA **SHALL** coordinate with PREPA any efforts required in order to comply with the Energy Bureau's requirements.

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 Sogaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



³ See, in general, Section 5.6 and Annex I(G) of the OMA.

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 June 10, 2021. I also certify that on this date a copy of this Resolution was notified by electronic mail to: mario.hurtado@lumamc.com; wayne.stensby@lumamc.com; Ashley.engbloom@lumamc.com; Legal@lumamc.com; kbolanos@diazvaz.law, jmarrero@diazvaz.law, contratistas@jrsp.pr.gov, hrivera@jrsp.pr.gov, manuelgabrielfernandez@gmail.com, ramonluisnieves@rlnlegal.com; ccf@tcm.law. I also certify that today, June 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 June 10, 2021.



Sonia Seda Gaztambide
Clerk

