

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

<b>NEPR</b>  <b>Received:</b>  <b>Jun 14, 2021</b>  <b>12:05 PM</b>
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IN RE:

REVIEW OF THE PUERTO RICO  
ELECTRIC POWER AUTHORITY  
SYSTEM REMEDIATION PLAN

CASE NO. NEPR-MI-2020-0019

**SUBJECT: Urgent Request for Extension of  
Time to File Response to June 11, 2021  
Resolution and Order regarding LUMA's  
June 1<sup>st</sup> Request for Confidential  
Designation and Treatment**

**URGENT REQUEST FOR EXTENSION OF TIME TO FILE RESPONSE TO JUNE 11,  
2021 RESOLUTION AND ORDER REGARDING LUMA'S JUNE 1<sup>st</sup>, 2021 REQUEST  
FOR CONFIDENTIAL DESIGNATION AND TREATMENT**

**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 Friday, June 11, 2021, this honorable Puerto Rico Energy Bureau (“Bureau”) issued a Resolution and Order (“June 11<sup>th</sup> Order”) that determines that certain portions and attachments of LUMA’s May 20, 2021 “Motion in Compliance with Order Submitting Additional Information Requested in Technical Conference, Supplemental Responses to Questions and Clarifications of System Remediation Plan (SRP)” will not be treated as confidential information. The June 11<sup>th</sup> Order requires LUMA to provide public versions and revised redacted, along with justifications of the revised redactions, within three days from the notification of the June 11<sup>th</sup> Order, that is, by Monday, June 14, 2021.

2. Given that LUMA will have to carefully review again the production of documents, which includes voluminous documents, in order to identify the sensitive commercial information and trade secrets that LUMA understands shall remain redacted and as to which reconsideration

shall be requested as allowed by the Energy Bureau's Policy on Management of Confidential Information<sup>1</sup>; enumerate and justify each redaction following the specifications provided in the June 11<sup>th</sup> Order; and prepare the documents for production, it will not be possible to complete these tasks within the three-day timeframe set by the Energy Bureau.

3. In addition to the aforementioned tasks that require detailed attention and are time consuming, LUMA is working at the same time on several regulatory filings in proceedings before this Bureau that have upcoming deadlines, including:

- a. Motion in Compliance with Order in Case In Re: Interrupción de Servicio Eléctrico del 20 de junio de 2021, Caso Núm. NEPR-IN-2021-0002, due June 14, 2021 at noon;
- b. Preparing for and participating Technical Conferences scheduled for June 15, 2021 on Demand Response, Case No. NEPR-MI-2021-0006;
- c. Quarterly reconciliations and proposed factors for FCA, PPCA and FOS riders, due June 15, 2021 at noon in case NEPR-MI-2020-0001;
- d. Memorandums of Law in Support of Request to File portions of Attachment C to Limited Waiver, filed in Cases NEPR-MI-2020-00019 and NEPR-AP-2020-0025, due June 14, 2021;
- e. Memorandum of Law in Support of Confidentiality of Annexes to Emergency Response Plan, Case No. NEPR-MI-2019-0016, due June 14, 2021;

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<sup>1</sup> The Energy Bureau's Resolution entitled *In Re: Policy on Management of Confidential Information in Procedures before the Commission*, CEPR-MI-2016-0009, issued August 31, 2016 ("Confidential Management Policy"), as amended, states in Section C(5), that "[i]f the Commission denies a confidentiality claim, the Commission will disclose such information within thirty (30) days from the date its determination is notified, unless the Producing Party requests **reconsideration**, judicial review, or any other remedy it deems appropriate, which will interrupt the thirty (30) day term to disclose such information." (emphasis added).

- f. Motion for Clarifications or Reconsideration of May 21<sup>st</sup> Resolution and Order on baselines and benchmarks for the Puerto Rico Electric Power Authority, Case No. NEPR-MI-2019-0007, to be filed on June 15, 2021;
    - g. Motion in Compliance with order issued on June 8, 2021, on list of projects to be submitted to FEMA and/or COR3, Case No. NEPR-MI-2021-002, due June 15, 2021;
    - h. Submission of presentation on LUMA's Model Bill, Case No. NEPR-MI-2021-0008 due June 21, 2021; and
    - i. Responses to Requests for Information issued by the Energy Bureau and the Independent Consumer Protection Office, due June 18, 2021 and June 21, 2021, Case No. NEPR-AP-2018-0004.
4. Additionally, on the same day when the Bureau issued the June 11<sup>th</sup> Order, LUMA completed several filings:
  - a. Amended annual reconciliations and proposed factors on the CILTA, SUBA-NHH and SUB-HH riders, Case No. NEPR-MI-2020-0001;
  - b. Submission of Report on Luminaries, Case No. NEPR-MI-2020-0001; and
  - c. Motion Submitting Presentation for the June 15<sup>th</sup> Technical Conference on Demand Response, Case No. NEPR-MI-2021-0006.
5. Considering the aforementioned concurrent and successive deadlines, an extension of the deadline to comply with the June 11<sup>th</sup> Order, is reasonable and warranted.
6. Therefore, LUMA respectfully requests an extension of twelve days until, **June 23, 2021**, to respond to the June 11<sup>th</sup> Order. It bears noting that this requested extension is less than the ordinary period of twenty days to apply for reconsideration under Section 11.01 of Bureau

Regulation 8543, Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Proceedings.

7. This extension is sought in good faith without intent to delay proceedings. LUMA remains committed to comply with the Bureau's orders.

**WHEREFORE**, LUMA respectfully requests that this Bureau **take notice** of the aforementioned, and **grant** LUMA the requested extension of time until **June 23, 2021**, to respond to the June 11<sup>th</sup> Order.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, on June 14, 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](mailto:jmarrero@diazvaz.law); and Katuska Bolaños-Lugo, [kbolanos@diazvaz.law](mailto:kbolanos@diazvaz.law).



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