

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

**IN RE: IMPLEMENTATION OF THE PUERTO
RICO ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN AND
MODIFIED ACTION PLAN**

CASE NO.: NEPR-MI-2020-0012

**SUBJECT: Request for Extension of Time for
filing of Presentation and Rescheduling of
Technical Conference.**

RESOLUTION AND ORDER

On June 24, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("June 24 Resolution"), in which the Energy Bureau rescheduled the target date for the issuance of the Tranche 2 RFP to August 30, 2021. Additionally, the Energy Bureau ordered the Puerto Rico Electric Power Authority ("PREPA") to: (i) file, **on or before June 28, 2021 at 5:00 p.m.**, a redline of the Updated Procurement Plan reflecting the changes proposed; (ii) file, **on or before July 1, 2021**, a presentation discussing the changes incorporated in the Updated Procurement Plan and related documents and the reasons for such changes, as well as PREPA's proactive, effective and opportune solutions to overcome any challenges identified by PREPA that could affect PREPA's timely compliance with the Renewable Energy Portfolio Standards requirements ("Presentation"); and (iii) attend a Technical Conference¹ **on July 6, 2021 at 1:30 pm**. Since the implementation of the procurement contemplated in the Approved IRP and Modified Action Plan may influence the operation of the Transmission and Distribution System, which is operated and maintained by Luma Energy ServCo, LLC ("LUMA"), the Energy Bureau also ordered LUMA representatives to attend the mentioned Technical Conference.

On June 29, 2021, PREPA filed a document titled *Request of the Puerto Rico Electric Power Authority for Extension of Time to File Presentation on Changes Incorporated in Updated Procurement Plan and for a Continuance of the Technical Conference Currently Scheduled for July 6, 2021* ("June 29 Request"). Basically, PREPA alleges that filing the required presentation and attending the mentioned Technical Conference would distract them from evaluating the 70 proposals received. PREPA requests that the filing date for the Presentation be moved from July 1, 2021 to July 22, 2021 and that the Technical Conference be moved from July 6, 2021 to July 27, 2020.

On June 30, 2021, the Energy Bureau issued Resolution and Order ("June 30 Resolution") denying PREPA's June 29 Request for extension of time to file the Presentation and the continuance of the Technical Conference.

¹ The Energy Bureau ordered that all PREPA representatives in charge of the preparation of the Updated Procurement Plan and related documents shall attend the Technical Conference, have available all relevant documents and to be ready to answer, under oath, any questions that the Energy Bureau staff and/or Commissioners may have.

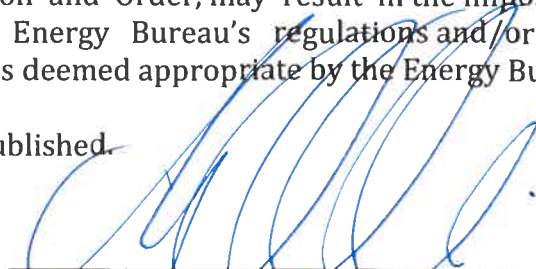


On July 1, 2021, PREPA filed a document titled *Urgent Motion for Reconsideration of the June 30, 2021 Order* ("July 1 Motion"). In the Motion PREPA states that the statements made in the June 29 Request are still true today and therefore, the constraints to comply with the June 24 Resolution have not changed.² Also, PREPA states that the preparation of the Presentation can only be done by PREPA personnel and members of the Sargent & Lundy team advising them who are currently performing the Phase 1 evaluations.³ Additionally, PREPA alleges that the efforts to complete the presentation and attend the Technical Conference are now more substantially altered because the King and Spalding and Sargent & Lundy firms professional services agreements with PREPA expired June 30, 2021 and such service agreements must be approved by the Federal Oversight and Management Board for Puerto Rico and the Puerto Rico Public-Private partnerships Authority before they can be executed by the parties.⁴

Upon evaluating PREPA's July 1 Motion, the Energy Bureau **ELIMINATES** PREPA's requirement of the Presentation but **REAFFIRMS** PREPA's and LUMA's obligation to attend the Technical Conference to address the Energy Bureau's as stated in the June 24 Resolution.

The Energy Bureau **WARNS** PREPA and LUMA that, noncompliance with any provision of this Resolution and Order, may result in the imposition fines under Act 57-2014 and the applicable Energy Bureau's regulations and/or any other appropriate administrative sanctions, as deemed appropriate by the Energy Bureau.

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 Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner

² See Motion, ¶ 4.

³ See Motion, ¶ 5.

⁴ See Motion, ¶¶ 8, 9.



CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on June 30, 2021. I also certify that on July 1st, 2021 a copy of this Resolution was notified by electronic mail to the following: mvazquez@diazvaz.law, kbolanos@diazvaz.law, mario.hurtado@lumamc.com; wayne.stensby@lumamc.com; Ashley.engbloom@lumamc.com; Legal@lumamc.com. I also certify that today, July 1st, 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 July 1st, 2021.



Sonia Seda Gaztambide
Clerk

