

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

**IN RE:** PROJECT FOR HEWLETT-PACKARD  
INDUSTRIAL FACILITY

**CASE NO.:** NEPR-CT-2021-0004

**SUBJECT:** CHP Project for Hewlett-Packard  
Industrial Facility.

**RESOLUTION**

On May 11, 2021, Hewlett Packard Puerto Rico BV, LLC (“HP Puerto Rico”) filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) a letter regarding a *CHP Project for Hewlett-Packard Industrial Facility* (“Letter”). Through the Letter, HP Puerto Rico states it is in the preliminary stages of developing a cogeneration plant (“CHP Plant”) to supply electric power to one of its affiliates, Hewlett Packard Caribe BV, LLC (“HP Caribe”), in Aguadilla Puerto Rico. HP Puerto Rico states it issued a Request for Proposals to select a third-party contractor for the design and construction of the CHP Plant and is in the process of requesting all approvals and authorizations from governmental bodies to ensure compliance of the CHP Plant.

Through its Letter, HP Puerto Rico argues that it is not an “electric service company”, as defined in Regulation 8701<sup>1</sup>. Further, HP Puerto Rico requests confirmation that neither HP Puerto Rico nor the CHP Plant constitute a “microgrid” under Regulation 9028.<sup>2</sup> HP Puerto Rico states it has entered into an Energy Services and Power Purchase Agreement with HP Caribe, after an arms-length negotiation between the parties. Although HP Puerto Rico sustains that it shall not be required to comply with Regulation 8701 to obtain a certification as an “electric service company”, HP Puerto Rico submitted several documents and forms, in Schedules 1 through 12 of the Letter, related to a request for certification pursuant to Regulation 8701.

Upon an initial review of the Letter and Schedules, the Energy Bureau **DETERMINES** that additional information is necessary in order to evaluate the information contained therein. Therefore, HP Puerto Rico **SHALL** submit to the Energy Bureau, within fifteen (15) days from the notification of this Resolution, the following:

1. Copy of the Electric Services and Power Purchase Agreement between HP Puerto Rico and HP Caribe, as described in the Letter.

<sup>1</sup> Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico, as amended.

<sup>2</sup> Regulation for Microgrid Development, May 16, 2018.

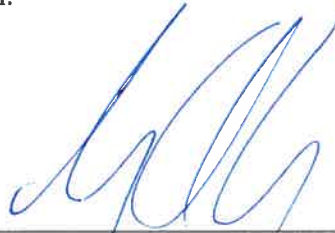


Handwritten signatures in blue ink on the left margin, including a large 'A' and several illegible signatures.

2. A projection of the profit, if any, to be generated by HP Puerto Rico for the sale of electric power to HP Caribe during the term of the Electric Services and Power Purchase Agreement.
3. Payment of the corresponding fees for the presentation of the Personal Information and Request for Certification, pursuant to Section 2.03 and Section 3.07 of Regulation 8701. If HP Puerto Rico fails to submit such payment, the Energy Bureau will consider the Letter as a request for interpretation instead of a request for certification. In which case, the Energy Bureau will close the instant case and, if the Energy Bureau determines that Regulation 8701 applies to HP Puerto Rico, HP Puerto Rico will be required to re-file all required information and documents.

The Energy Bureau may require additional information and/or documents, if deemed necessary, to complete its evaluation.

Be it notified and published.



Edison Avilés Deliz  
Chairman



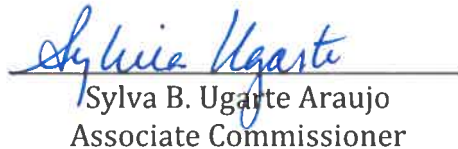
Ángel R. Rivera de la Cruz  
Associate Commissioner



Lillian Mated Santos  
Associate Commissioner



Ferdinand A. Ramos Soegaard  
Associate Commissioner



Sylva 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 July 2, 2021. I also certify that on July 9, 2021 a copy of this Resolution was notified by electronic mail to: willie.feliciano@hpe.com, William.cintron@hpe.com, and ecruz@pmaalaw.com. I also certify that today, July 9, 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 9, 2021.

  
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Sonia Seda Gaztambide  
Clerk

