

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

<b>NEPR</b>  <b>Received:</b>  <b>Jul 6, 2021</b>  <b>5:10 PM</b>
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**IN RE:**

THE PERFORMANCE OF THE PUERTO  
RICO ELECTRIC POWER  
AUTHORITY

**CASE NO.:** NEPR-MI-2019-0007

**SUBJECT:** Informative Motion and Reservation of Rights.

**INFORMATIVE MOTION AND RESERVATION OF RIGHTS**

**TO THE PUERTO RICO ENERGY BUREAU:**

**COME NOW, LUMA ENERGY, LLC** as Management Co., and **LUMA ENERGY SERVCO, LLC** (collectively, **LUMA**), through the undersigned legal counsel and respectfully state and request the following:

1. On June 29, 2021, LUMA requested reconsideration of the Resolution and Order issued on June 15, 2021, whereby this Puerto Rico Energy Bureau (“Energy Bureau”) denied LUMA’s request filed on June 11, 2021, entitled “Urgent Request for Brief Extension of Time until June 16, 2021, To File Motion for Clarifications and/or Partial Reconsideration of Resolution and Order of May 21, 2021,” and imposed a fine of \$500.00 per day starting on June 12, 2021, for every day or part thereof, until LUMA filed a submission authorized by the Energy Bureau in this proceeding (“LUMA’s Motion for Reconsideration of Imposition of Fine”).
2. At 6:11 pm of Friday, July 2, 2021, LUMA received a Resolution and Order issued by this honorable Energy Bureau whereby, among others, the Energy Bureau directed LUMA to pay a fine of \$2,500.00 only one business day later, on or before July 6, 2021 at 5:00 p.m., (“July

2<sup>nd</sup> Resolution and Order”). The Energy Bureau also warned LUMA that additional fines could be imposed. *See* July 2<sup>nd</sup> Resolution and Order at page 10.

3. In the July 2<sup>nd</sup> Resolution and Order, the Energy Bureau took notice of LUMA’s Motion for Reconsideration of Imposition of Fine but did not expressly address the arguments raised by LUMA in such Motion. *See* July 2<sup>nd</sup> Resolution and Order at pages 3 and 10.
4. In the July 2<sup>nd</sup> Resolution and Order, the Energy Bureau did not apprise of the procedural due process rights attaching to a determination of imposition of a fine to LUMA. *See id.*
5. LUMA respectfully understands that the Motion for Reconsideration of Imposition of Fine is still pending final adjudication by the Energy Bureau.
6. It is respectfully submitted that to avoid imposition of additional fines and given the short-time frame afforded to pay the fine of less than one business day, LUMA has paid today the fine of \$2,500 as assessed in the July 2<sup>nd</sup> Resolution and Order, by electronic payment. A screenshot of the confirmation of this payment is included in the attached Exhibit 1. LUMA reserves any and all rights to request additional remedies in connection with the imposition of the \$2,500.00 fine, including requesting relief from the Energy Bureau and/or judicial review.

**WHEREFORE,** LUMA respectfully requests this Honorable Bureau **take notice** of the aforementioned.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 6<sup>th</sup> day of July 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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**Exhibit 1**  
**Evidence of Payment**

Outgoing Payments Report								
Transaction Number	Beneficiary Name	Beneficiary Account	Beneficiary Bank ID	Credit Amount	Credit Currency	Value Date	Status	Confirmation #
2176D2726PD83Y07	Comision de Energia de Puerto Rico	030053064	021502011	2,500.00	USD	6-Jul-21	Confirmed By Bank	:20210706B6B7HU3R015529