

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

**IN RE: THE PERFORMANCE OF THE
PUERTO RICO ELECTRIC POWER
AUTHORITY**

CASE NO.: NEPR-MI-2019-0007

SUBJECT: Supplemental Submission of Quarterly Performance Metrics and Request for Leave to Defer Reporting on Specified Metrics.

RESOLUTION AND ORDER

On May 21, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order establishing baselines and/or benchmarks for certain performance metrics.¹ The Energy Bureau included several Attachments in the May 21 Resolution through which it specified (i) metrics with baselines and benchmarks;² (ii) metrics with baselines;³ (iii) metrics not required for quarterly reporting;⁴ and (iv) new metrics to be reported.⁵ The Energy Bureau ordered the Puerto Rico Electric Power Authority ("PREPA") and LUMA Energy, LLC as Management Co., and LUMA Energy ServCo, LLC (collectively, "LUMA") to submit the required quarterly reports using the Excel template included as part of the May 21 Resolution.⁶

On June 22, 2021, LUMA filed before the Energy Bureau a document titled *Motion Submitting Quarterly Performance Metrics and Request for Additional Time to Submit Data on Several of the Metrics* ("June 22 Motion"). Through the June 22 Motion, LUMA submitted the quarterly report for the months of March, April, and May 2021. LUMA indicated that it used the template provided by the Energy Bureau in the May 21 Resolution.⁷ Also, LUMA

¹ See Resolution and Order, In Re: The Performance of the Puerto Rico Electric Power Authority, Case No. NEPR-MI-2019-0007, May 21, 2021 ("May 21 Resolution").

² *Id.*, Attachment A.

³ *Id.*, Attachment B.

⁴ *Id.*, Attachment C.

⁵ *Id.*, Attachment D. The Energy Bureau noted that the metrics contained in Attachment D were additional to the metrics required in Part V.B of the April 8, 2021 Resolution and Order issued in the instant case.

⁶ *Id.*, p. 15.

⁷ June 22 Motion, p. 2.



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requested a term of ten business days to gather the necessary data to complete the quarterly report for several categories of performance metrics.⁸

On July 6, 2021, LUMA filed before the Energy Bureau a document titled *Motion Supplementing Quarterly Performance Metrics Report and Requesting Leave to Defer Reporting on Specified Metrics* ("July 6 Motion"). Through the July 6 Motion, LUMA submitted quarterly data on the following metrics: customer service; financial; planning and environmental; operation-purchasing; and operations-warehousing. LUMA informed that it does not currently have access to certain systems where relevant data for Information Technology ("IT") metrics is maintained.⁹ LUMA also informed that it would not be able to produce the quarterly report on the following metrics: on-time IT projects; system uptime; average time to resolve a ticket; and unresolved tickets after 30 days.¹⁰ LUMA requested leave from the Energy Bureau to file the data on the IT metrics in the next quarterly filing, due September 2021.

The quarterly reports filed by LUMA as part of the June 22 Motion and the July 6 Motion were not submitted in the updated template provided by the Energy Bureau as part of the May 21 Resolution. It is important to note that, in the May 21 Resolution, the Energy Bureau included additional metrics to be reported each quarter and removed the metrics not required for quarterly reporting. Therefore, LUMA must correct the June 22 Motion and the July 6 Motion.

Through the July 6 Motion, LUMA requested leave from the Energy Bureau to report the IT metrics for the next quarter. The IT metrics referenced by LUMA are part of the metrics not required by the Energy Bureau for quarterly reporting, as established in Attachment C of the May 21 Resolution.

The Energy Bureau **ORDERS** LUMA to update the quarterly report for the months of March, April and May 2021, using the template provided as part of the May 21 Resolution, **on or before August 13, 2021**.¹¹

The Energy Bureau **WARNS** LUMA that noncompliance with any provision of this Resolution and Order may result in the imposition fines under Act 57-2014¹² and the applicable Energy Bureau's regulations and/or any other appropriate administrative sanctions, as deemed appropriate by the Energy Bureau.

⁸ *Id.* The Energy Bureau did not issue a determination on this request.

⁹ July 6 Motion, p. 2.

¹⁰ *Id.*, pp. 2-3.

¹¹ The referred template will be resent with this Resolution and Order.

¹² Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended.



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

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on August 5, 2021. I also certify that on August 6, 2021 a copy of this Resolution and Order was notified by electronic mail to the following: margarita.mercado@us.dlapiper.com, jmarrero@diazvaz.law, and kbolanos@diazvaz.law. I also certify that today, August 6, 2021, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today August 6, 2021.


Sonia Seda Gaztambide
Clerk

