



SESA SOLAR AND ENERGY STORAGE  
ASSOCIATION  
OF PUERTO RICO

NEPR

Received:

Aug 26, 2021

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August 26, 2021

Hon. Edison Avilés-Deliz  
Chairman  
Puerto Rico Energy Bureau  
World Plaza Building  
268 Ave. Muñoz Rivera  
Nivel Plaza Suite 202  
Hato Rey, PR 00918

RE: SESA Concerns Regarding Tranche 1 and Tranche 2 Renewable Generation and Energy Storage Resource Procurement; NEPR-MI-2020-0012

Dear Chairman Avilés-Deliz and Honorable Commissioners:

The Puerto Rico Solar Energy Industries Association Corp., d/b/a/ Solar and Energy Storage Association of Puerto Rico (hereinafter, "SESA") is an association that represents Puerto Rico's solar and energy storage industries. It advocates for solar and storage technologies as a central solution to the energy needs of Puerto Rico and promotes public policy that results in the acceleration of deployment of these important, life-saving technologies. It brings awareness and understanding of these technologies to both government policymakers, the public, and other stakeholders, and facilitates collectively beneficial collaboration.

We come before this Honorable Bureau as a nonprofit stakeholder committed to the successful implementation of Act 17 of 2019, and therefore to the success of any ongoing and future RFPs involving solar power and/or energy storage.

Specifically, we come before you to note concerns regarding the apparent absence of information regarding the official status of Tranche 1 RFPs for renewable energy and storage, and with an urgent request for PREB to assert its oversight powers to induce clarity and transparency on this issue.

Our understanding is that the public announcement of which companies were selected to move to Phase III of the RFP process was expected to occur last Thursday, August 19<sup>th</sup>, yet we are unaware of any such public announcement. We implore upon PREB to take extraordinary measures to require and ensure indisputedly strong transparency to all bidders and the public regarding every step of the process for this RFP and any future RFPs. At this moment, it appears that there is no transparency at all regarding the apparently missed deadline of August 19<sup>th</sup>.

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*Puerto Rico Solar & Energy Storage Association (SESA-PR)*

In regards to Tranche 2, SESA's understanding is that the pending PREB order is for PREPA to issue a Tranche 2 RFP with a target date of August 30<sup>th</sup>. Especially given the multiple and apparent ongoing missed deadlines and delays with Tranche 1 of the RFP process based, apparently, solely on the fault of PREPA, we see it as essential that PREB, all stakeholders, and the public fully absorb the lessons learned from Tranche 1 so that they can be integrated into a Tranche 2 RFP process more likely to succeed than had lessons learned from Tranche 1 not been well understood and implemented.

One specific concern is that we are aware of no process whereby current bidders on Tranche 1 can give feedback to PREB on Tranche 1 directly, as bid protocol apparently forbids it. Given those restrictions, it appears currently impossible for PREB to hear from any active bidder what specifically is going well and what is not going well about the Tranche 1 RFP process, making it impossible for PREB to have this important input and knowledge when preparing for a future Tranche 2.

We implore upon PREB to plan an open, transparent, inclusive and public stakeholder engagement process intended to foster full understanding of Tranche 1 results, and that PREB then integrate that full understanding in preparation of Tranche 2 issuance.

Such a stakeholder process could be modeled after the 5-hour public hearing on January 14<sup>th</sup> 2021, which sought input from and provided a verbal and written, public Question & Answer period between any interested party (including potential bidders), and PREPA and their consultants preparing for the Tranche 1 RFP, before the Tranche 1 RFP was issued. This type of open, inclusive, transparent process can only serve to provide PREB with more information with which to ensure future tranches are most likely to succeed.

### Specific Actions Requested

For the foregoing reasons, SESA requests that PREB:

1. Issue an urgent order requiring PREPA to immediately inform all bidders and the public of the specific reason or reasons why the deadline of August 19<sup>th</sup> was missed, how and when that reason or reasons will be rectified, and what realistic expectations bidders and the public should have regarding the timeline and sequence of events going forward for Tranche 1.
2. Issue an urgent order scheduling an open, transparent, inclusive process for PREB to accept input from all stakeholders regarding lessons learned from the Tranche 1 RFP, including specifically:

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- Providing a safe space for companies (both those companies that participated in the Tranche 1 RFP and those that did not) to interact directly and publicly with PREB Commissioners and PREPA and the PREPA consultants to provide feedback.
- Providing a forum for PREB Commissioners to ask directly to companies what worked well and what didn't.
- Providing both an opportunity for live verbal interaction as well as written, on the public record Q & A between PREPA, PREB, PREPA's consultants involved in the Tranche 1 and/or Tranche 2 RFP process, and any other interested stakeholders.

Respectfully submitted,

/ Signed /

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