

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

IN RE: PERFORMANCE TARGETS FOR
LUMA ENERGY SERVCO, LLC

CASE NO.: NEPR-AP-2020-0025

SUBJECT: Motion Requesting a Brief
Extension for LUMA to Answer LECO's First
Discovery Request.

RESOLUTION

On September 2, 2021, LUMA¹ filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion Requesting a Brief Extension for LUMA to Answer LECO's First Discovery Request* ("LUMA's Motion"). Through its Motion, LUMA states that on August 27, 2021, the Puerto Rico Local Environmental and Civil Organizations ("LECO") served its First Discovery Request on LUMA ("LECO's ROI 1"). LUMA states that based on the Energy Bureau's August 31, 2021 Resolution and Order,² the deadline to respond to LECO's ROI 1 is September 7, 2021.

Through its Motion, LUMA argues that the matter covered by LECO's ROI 1 is technical and requires review and consideration by at least the nine witnesses that have submitted pre-filed testimony in the instant case.³ Further, LUMA states that LUMA staff involved in the preparation of these responses is simultaneously engaged in operating the Transmission and Distribution System and involved in other proceedings before the Energy Bureau.⁴ Based on the above, and on the time allotted to respond to LECO's ROI 1, LUMA requests an extension of at least three additional business days, until September 10, 2021, to submit its answers to LECO's ROI 1.

On September 3, 2021, LECO filed before the Energy Bureau a document titled *Response to LUMA's September 2nd Motion Requesting a Brief Extension Period for LUMA to Answer LECO's First Discovery* ("LECO's Motion"). LECO argues that if the Energy Bureau grants LUMA's request for a three-day extension of time to answer LECO's ROI 1, LECO requests that the end of the discovery period also be extended until September 30, 2021.⁵

¹ LUMA Energy, LLC ("ManagementCo") and LUMA Energy ServCo, LLC ("ServCo") (collectively "LUMA").

² See Resolution and Order, *In Re: Performance Targets for LUMA Energy Servco, LLC*, Case No. NEPR-AP-2020-0025, August 31, 2021.

³ LUMA's Motion, p. 4.

⁴ *Id.*, pp. 4-5.

⁵ LECO's Motion, p. 1.



LECO argues that this extension is justified based on the shortened discovery period from the standard sixty days and because the procedural calendar allows no discovery on LUMA's rebuttal testimony.⁶

The Energy Bureau **GRANTS** until September 10, 2021 for LUMA to respond to LECO's ROI 1. The Energy Bureau **DENIES** LECO's Motion.


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



⁶ *Id.* pp. 1-2.

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on September 3, 2021. I also certify that on September 3, 2021 a copy of this Resolution and Order was notified by electronic mail to the following: margarita.mercado@us.dlapiper.com, jmarrero@diazvaz.law, kbolanos@diazvaz.law; hriviera@jrsp.pr.gov, contratistas@jrsp.pr.gov; agraitfe@agraitlawpr.com; rstgo2@gmail.com, pedrosaade5@gmail.com, larroyo@earthjustice.org; flcaseupdates@earthjustice.org; rolando@bufete-emmanueli.com; notificaciones@bufete-emmanueli.com; jessica@bufete-emmanueli.com; rhoncat@netscape.net. I also certify that today, September 3, 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 September 3, 2021.



Sonia Seda Gaztambide
Clerk

