

**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: Amendment to Procedural
Calendar.

RESOLUTION AND ORDER

On August 9, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("August 9 Resolution"), through which, among other things, amended the procedural calendar of the instant case. The Energy Bureau determined that all the provisions of the April 8 Resolution¹, the May 14 Resolution,² the June 4 Resolution³ and the July 2 Resolution⁴ that are compatible with the August 9 Resolution remained unaltered. As part of the procedural calendar established in the August 9 Resolution, the Energy Bureau established the period to conduct discovery from August 27, 2021, to September 27, 2021.

On September 24, 2021, LUMA⁵ filed before the Energy Bureau a document titled *Motion Requesting Authorization to Submit Revised Pre-Filed Testimony of Melanie Jeppesen, Second Amended Revised Annex IX to the OMA and Redline of Second Amended Revised Annex IX to the OMA* ("September 24 Motion"). LUMA states that, as part of the responses and objections with respect to the Energy Bureau's Fourth Requirement of Information, the witness Ms. Melanie Jeppesen clarified certain information regarding customer complaints, which resulted in a change of the customer complaint rate. LUMA states that, due to the aforementioned change, the proposed targets in the Customer Complaint Rate metric need to be revised.

¹ Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, April 8, 2021, pp. 2-3 ("April 8 Resolution").

² Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, May 14, 2021 ("May 14 Resolution").

³ Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, June 4, 2021 ("June 4 Resolution").

⁴ Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, July 2, 2021 ("July 2 Resolution").

⁵ LUMA Energy, LLC ("ManagementCo") and LUMA Energy ServCo, LLC ("ServCo") (collectively "LUMA").



[Handwritten signatures in blue ink, including 'Sol', 'Am', 'SBR', and 'JMA']

Based on the above, LUMA requested the Energy Bureau to receive and accept Ms. Jeppesen's revised pre-filed testimony as a substitution to the one filed on August 18, 2021⁶. Further, LUMA argues that, considering the revisions made to the Customer Complaint Rate metric targets, the Amended Revised Annex IX of the OMA filed on August 23, 2021⁷ needs to be revised to be consistent with the new calculations. Therefore, LUMA requests the Energy Bureau to receive and accept Exhibit 2 of the September 24 Motion (*i.e.* Second Amended Revised Annex IX to the OMA) as a substitution to Exhibit 1 of the Revised Request for Approval of the Revised Annex IX to the OMA filed on August 18, 2021⁸ and later amended on August 23, 2021.

After reviewing LUMA's arguments, the Energy Bureau **GRANTS** the September 24 Motion. The Energy Bureau **SUBSTITUTES** the pre-filed testimony of Ms. Jeppesen filed on August 18, 2021, with the one filed as part of the September 24 Motion. Further, the Energy Bureau **SUBSTITUTES** Exhibit 1 of the August 18 Motion and Exhibit 1 of the August 23 Motion with Exhibit 2 of the September 24 Motion.

The Energy Bureau **AMENDS** the procedural calendar for the instant case as follows:

Date	Phase
August 27, 2021 – October 7, 2021	Discovery
October 21, 2021	Filing of Written Testimony by Intervenors
October 22, 2021 – November 12, 2021	Discovery on Intervenors' Written Testimony
November 22, 2021	Rebuttal on Intervenors' Written Testimony Due
November 30 – December 1, 2021	Virtual Evidentiary Hearing ⁹
December 7 – 8, 2021	Virtual Public Hearings ¹⁰
December 15, 2021	Filing of Comments by General Public
January 11, 2022	Filing of Final Substantive and Legal Briefs by the Parties; Filing of Final Brief by <i>Amicus Curiae</i>
January 21, 2022	Filing of Replies to Final Briefs by the Parties

⁶ Motion Submitting Pre-Filed Testimonies, *In Re: Performance Targets for Luma Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, August 18, 2021.

⁷ Exhibit 1, Motion Submitting Amended Exhibit to the Revised Request for Approval of the Revised Annex IX to the OMA, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, Resolution and Order, August 23, 2021. ("August 23 Motion").

⁸ Exhibit 1, LUMA's Submittal of Request for Approval of Revised Annex IX to the OMA, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, Resolution and Order, August 18, 2021. ("August 18 Motion").

⁹ Note that in order to prevent the spread of Covid-19, the Virtual Evidentiary Hearing will be held remotely via the *Microsoft Teams* platform from 9:00 a.m. to 5:30 p.m. each day.

¹⁰ Note that in order to prevent the spread of Covid-19, the Virtual Public Hearings will be held remotely via the *Microsoft Teams* platform from 9:00 a.m. to 5:30 p.m. each day.



All other provisions of the April 8 Resolution, the May 14 Resolution, the June 4 Resolution, the July 2 Resolution, and the August 9 Resolution compatible with this Resolution and Order remain unaltered.

Be it notified and published.

Edison Avilés Deliz
Chairman

Angel 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 September 27, 2021. I also certify that on September 27, 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-emmanuelli.com; notificaciones@bufete-emmanuelli.com; jessica@bufete-emmanuelli.com; rhoncat@netscape.net. I also certify that today, September 27, 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 September 27, 2021.

Sonia Seda Gaztambide
Clerk

