

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

NEPR Received: Sep 20, 2021 10:36 AM

IN RE:

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY PERMANENT RATE

CASE NO. NEPR-MI-2020-0001

**SUBJECT: Urgent Request for Brief Extension of Time
to Comply with September 17th Resolution and Order.**

**URGENT REQUEST FOR BRIEF EXTENSION OF TIME TO COMPLY WITH
SEPTEMBER 17TH RESOLUTION AND ORDER AND CLARIFICATION**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME now **LUMA Energy, LLC** (“ManagementCo”), and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly referred to as the “Operator” or “LUMA”), and respectfully state and request the following:

1. Exercising its role and duties over system regulatory matters pursuant to Section 5.6 of the Puerto Rico Transmission and Distribution Operation and Maintenance Agreement (“OMA”) as supplemented by the Puerto Rico Transmission and Distribution System Supplemental Terms Agreement, on September 16, 2021, LUMA filed with this Puerto Rico Energy Bureau (“Energy Bureau”) the quarterly reconciliations for the months of June, July, and August, 2021, and the proposed factors for the FCA, PPCA and FOS riders to be applied from October 1, 2021 until December 31, 2021 (“September 16th Submission”).
2. At 6:24 pm, on Friday, September 17, 2021, LUMA received a Resolution and Order issued by the Energy Bureau, directing that on or before noon of Monday, September 20, 2021, LUMA shall submit additional information and clarifications on five items identified by the

Energy Bureau (“September 17th Order”). The Energy Bureau’s September 17th Order affords LUMA half of a business day to provide explanations, additional information and clarifications on five separate topics: (1) data on non-billed sales during the period of June through August 2021 and the calculations for fuel costs and purchased power costs that were not billed for the same period as stated in the file entitled OCTOBER-DECEMBER 2021 *Factors v2*; (2) conduct a reconciliation in cell K80 of the file entitled “QUARTER RECONCILIATION FILE JUNE-JUL-AUG 2021 xls, TAB “FUEL-JUN-21-REPORT,” involving the difference between the initial fuel inventory for the month of June 2021 in the Aguirre plant and the fuel inventory for the month of May 2021 stated in the file entitled “QUARTER RECONCILIATION FILE MAR-APRIL-MAY 2021 xls, TAB “FUEL-MAY-21-REPORT,” cell K93; (3) regarding the file “*Comportamiento de generación*”, explain data in column M entitled “LF”, and certain information on estimated generation and actual and estimated consumption; (4) regarding the file “*Precio Ponderado Analisis.xlsx*, Tab “Summary”, explain the data presented in line 13 on CORCO fuel inventory; and (5) clarify or submit information on incremental costs of use of the peaking units as stated in the Resolution and Order of September 10, 2021 (“September 10th Order”). See September 17th Order at pages 2-3.

3. It is respectfully submitted that half a business day is not sufficient to comply with the September 17th Order and thus, LUMA will reasonably need a brief extension until 7 pm, today, to complete its analysis and file a compliant submission.
4. Particularly, LUMA will need the remaining business day of September 20, 2021, to complete its careful review of the spreadsheets and provide the explanations that the Energy Bureau has requested.

5. On the request to produce data on the incremental costs of the peaking units for the months of June through August, 2021, it is clarified that in Exhibit 3 to the September 16th Submission, LUMA produced data and explanations on the impact of the use of peaker units, a graphic on Forecasted Fuel Expenditures versus Actual Fuel Expenditures under FCA (June-August 2021) and Forecasted Consumption versus Actual Consumption under FCA (June-August 2021). The raw data regarding costs of the peaker units is found in the fuel reports included in the Quarterly Reconciliation File June-July-Aug-21, tabs FUEL-JUN21-REPORTE, FUEL-JUL21-REPORTE, and FUEL-AUG-REPORTE. These can be compared to the Promod runs for June, July and August presented in Attachment 3 of the JULY-SEPTEMBER 2021 Factors and the APRIL-JUNE 2021 Factors spreadsheets. Upon receiving the September 17th Order, LUMA understands that regarding the ‘incremental cost incurred,’ the Energy Bureau intended to request more detailed information that compares the estimated or projected costs of fuel with the actual costs per peaker units during the months of June through August 2021. It is submitted that the requirement for that level of detail was not evident to LUMA upon reading the September 10th Order. LUMA in good faith understood that the information provided in Exhibit 3 to the September 16th Submission and in the Quarterly Reconciliation File June-July-Aug- 21 was responsive to the Energy Bureau’s September 10th Order.
6. In further compliance with the September 10th Order and in compliance the September 17th Order, LUMA will provide additional data on the costs of use of the peaker units. That analysis, however, demands time and attention, beyond noon of September 20, 2021.
7. LUMA respectfully requests until 7:00 pm of Monday, September 20, 2021, to comply with the September 17th Order. This additional time is not only reasonably necessary for LUMA to

complete the requested submission but is also fair as it would grant LUMA one full business day to address the request issued by the Energy Bureau at 6:24 pm of Friday, September 17, 2021.

8. It bears noting that on the same day that the Energy Bureau issued the September 17th Order, LUMA participated in the Compliance Hearing on System Operation Principles, Case No. NEPR-MI-2021-0001. LUMA was also working on and filed three submissions in compliance with requests for information issued by the Energy Bureau in three different proceedings:
 - a. Responses to the Energy Bureau's Fourth Requirement of Information, Case No. NEPR-AP-2020-0025;
 - b. Responses to Technical Conference Requests for Further Information on LUMA's Emergency Response Plan, Case No. NEPR-MI-2019-0016; and
 - c. Responses to Attachment A to the Resolution and Order of September 9, 2021 issued in LUMA's Initial Budgets Proceedings, Case No. NEPR-MI-2021-0004.
9. Also, on Monday, September 20, 2021, the LUMA team is preparing the quarterly performance metrics report to be filed in Case No. NEPR-MI-2019-0007 and preparing for a compliance hearing in Case No. NEPR-MI-2019-00016, the technical conference in this proceeding, and technical workshops in cases NEPR-MI-2020-0012 and NEPR-MI-2021-0013.
10. LUMA informs that given the resources allotted today to comply with the September 17th Order, its work on the presentation for the technical conference of September 22nd, 2021, has been delayed. LUMA expects to file a presentation during the evening of Tuesday, September 21st, 2021.

11. This request for extension is filed in good faith, without intent to delay the Energy Bureau's processes to conduct the quarterly reconciliations and fix the proposed factors for the FCA, PPCA and FOS riders.
12. LUMA also clarifies in this Motion a statement made in the September 10th Motion where it requested additional time to file the FCA, PPCA and FOS Quarterly Reconciliations and Proposed Factors. At paragraph 3 of the September 10th Motion, LUMA explained that it had been conducting efforts with the personnel of the Puerto Rico Electric Power Authority (PREPA) in charge of providing data on fuel costs and purchased power costs. It is hereby clarified that PREPA personnel provide LUMA data on fuel costs but do not currently provide LUMA data on purchased power costs.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **grant** this request for extension of time until 7:00pm of September 20, 2021, to comply with the September 17th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 20th day of September 2021.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau.



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