

**GOBIERNO DE PUERTO RICO  
JUNTA REGLAMENTADORA DE SERVICIO PÚBLICO  
NEGOCIADO DE ENERGÍA DE PUERTO RICO**

**NEPR**

**Received:**

**Oct 6, 2021**

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**IN RE:** ENMIENDAS A CONTRATO DE  
COMPRAVENTA DE ENERGÍA:  
PROYECTO NO-OPERACIONAL (CIRO  
ONE SALINAS, LLC)

**CASO NÚM.:** NEPR-AP-2021-0001

**ASUNTO:** Informe Mensual - Septiembre  
2021

**MOCIÓN INFORMATIVA Y PARA PRESENTAR INFORME DE PROGRESO  
EN CUMPLIMIENTO CON RESOLUCIÓN FINAL Y ORDEN**

AL HONORABLE NEGOCIADO DE ENERGÍA:

COMPARECE la Autoridad de Energía Eléctrica de Puerto Rico a través de la representación legal que suscribe y muy respetuosamente expone y solicita:

El 10 de junio de 2021, el Negociado de Energía de la Junta Reglamentadora de Servicio Público (el “Negociado” o “Negociado de Energía”) notificó *Resolución Final y Orden* (la “Resolución Final”) mediante la cual aprobó, sujeto a algunas condiciones, la *Petición de Aprobación de Enmienda a Contrato de Compraventa de Energía Renovable con CIRO One Salinas, LLC* (la “Petición”) radicado por la Autoridad de Energía Eléctrica de Puerto Rico (la “Autoridad”) el 17 de marzo de 2021. La Resolución Final ordena a que, entre otras cosas, que la Autoridad y CIRO One Salinas LLC (CIRO) presenten ante el Negociado de Energía informes de progreso mensuales sobre el estatus del Proyecto (el “Informe Mensual”).

Dichos informes deberán incluir información sobre el estatus de la asunción del contrato de compraventa de energía renovable (“PPOA,” por sus siglas en inglés) entre la Autoridad y

CIRO (el “Acuerdo Enmendado”) en el Caso bajo el Título III<sup>1</sup>, permisos, interconexión del Proyecto, contratación de terceros para construcción del Proyecto y financiamiento, entre otros. En cumplimiento con dicha disposición de la Resolución Final, las Autoridad presenta el *Project Monthly Status Report* correspondiente a Septiembre 2021. Exhibit A.

En relación con el estatus de la asunción del Acuerdo Enmendado en el Caso bajo el Título III respetuosamente se informa que el pasado 2 de agosto de 2021, la Autoridad presentó al Tribunal de Distrito una notificación mediante la cual informó que estaba asumiendo el contrato de compra de energía con CIRO.<sup>2</sup> El 10 de agosto de 2021, Windmar Renewable Energy, Inc. (“Windmar”) presentó una objeción a la notificación.<sup>3</sup> El 29 de septiembre de 2021, la Autoridad presentó una réplica en apoyo a la notificación.<sup>4</sup> Según el ordenado el 16 de septiembre de 2021 por la Hon. Laura Taylor Swain, Juez del Tribunal de Distrito de los Estados Unidos para el Distrito del Sur de New York, en el día de hoy la Autoridad y Windmar presentaron argumentos orales en relación con la Notificación y la Objeción.<sup>5</sup>

POR TODO LO CUAL, la Autoridad solicita respetuosamente al Negociado de Energía determine que la Autoridad cumplió con lo establecido en la Resolución Final y acepte el Informe Mensual correspondiente al mes de septiembre 2021.

RESPETUOSAMENTE SOMETIDO.

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<sup>1</sup> *The Puerto Rico Oversight, Management, and Economic Stability Act*, conocido como PROMESA, esta codificado en 48 U.S.C. § 2101 *et seq.*; *In re P.R. Elec. Power Auth., Bankruptcy Case No. 17 -BK-4780 (LTS) (D.P.R. July 7, 2017)* (el “Caso de Título III”). El Caso de Título III se encuentra para consideración ante el Tribunal de Distrito de los Estados Unidos para el Distrito de Puerto Rico (el “Tribunal de Distrito”).

<sup>2</sup> *Ver, Notice of Assumption of Power Purchase Operating Agreement* (la “Notificación”) en el Caso núm. 17 BK 4780-LTS, Docket núm. 2578.

<sup>3</sup> *Ver, Objection to Assumption of Power Purchase Operating Agreement. Id.* en Docket núm. 2591. (la “Objeción”).

<sup>4</sup> *Ver, Reply in Support of Prepa’s Assumption of Power Purchase Operating Agreements, Id.* en Docket núm. 2624.

<sup>5</sup> *Ver, Order Adjourning in Part omnibus Motion of the Puerto Rico Electric Power Authority for Entry of an Order (A) Approving Prepa’s Rejection of Certain Power Purchase and Operating Agreements, and (B) Granting Related Relief. Id.* en Docket núm. 2620.

En San Juan, Puerto Rico, este 6 de octubre de 2021.

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Exhibit A

## Project Monthly Status Report

**Project:** CIRO One Salinas, LLC.  
**Date:** September 2021  
**Recipients:** Puerto Rico Electric Power Authority (PREPA)  
Puerto Rico Energy Bureau (PREB)

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**Brief:** Project Team Monthly Status Report - As required on Section (d) of Article 4.1 of the Power Purchase and Operating Agreement (PPOA) between Puerto Rico Electric Power Authority and Ciro One Salinas, LLC.

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### **Reference: Report Content Overview**

#### **1. Review the status of each significant element of the Project Schedule**

- I. Permitting
- II. Engineering
- III. Procurement
- IV. Construction
- V. Project Milestones & Notice Requirements

#### **2. Corporate Responsibility / Community Involvement**

- I. Local Vendors / Services
- II. Domestic Content (Corporate Wide)

#### **3. Next Steps: Action Items**

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### **Status Report:**

#### Tasks and Milestones Table Legend



**1. Review the status of each significant element of the Project Schedule:**

**I. Permitting:**

- Overview:

The CIRO One Salinas, LLC. project was fully permitted and considered shovel ready. All permits, studies and endorsements are being evaluated to ensure compliance with all new laws, applicable code changes, and regulations. The process is guided by the engineering review being performed by the Project Team (*see section II. Engineering*).

- Table: Tasks and Milestones include (but are not limited to):

Permit/Approval	Permit Authority	Status	Comments
Location Approval	Planning Board	✓	
Environmental Approval	ARPE, OGPE, DNER	✓	
Nationwide Permit (NWP) 14	USACOE	✓	
Endorsements	<ul style="list-style-type: none"> <li>• Municipality of Salinas,</li> <li>• Hwy and Transportation Authority,</li> <li>• OGPE,</li> <li>• ICP,</li> <li>• PREPA,</li> <li>• Puerto Rico Telecommunications Regulatory Board,</li> <li>• PRASA,</li> <li>• Dept of Agriculture</li> </ul>	✓	Endorsements will be revised after engineering review has been completed.
NPDES General Permit	US EPA	✓	
Construction Related Permits	OGPE	✓	<ul style="list-style-type: none"> <li>• Includes General Consolidated Permits,</li> <li>• Incidental Soil Movement Permits, and</li> <li>• Construction Permits</li> </ul>

**II. Engineering:**

- Overview:

The engineering previously completed and approved by PREPA is being revised. The engineering package is being modified to ensure compliance with (among other):

- Changes in any laws and regulations.
- New local code guidelines.
- Updates in technology selection.
- New Minimum Technical Requirements (MTRs).

The Primary Contractor, DEPCOM Power, is working with the Project Team to define and approve new equipment requirements and bill of materials to advance procurement tasks (*see section III. Procurement*)

The table below provides information on all engineering areas previously completed that are under review/validation only.

- Tasks and Milestones include (but are not limited to):

Design / Study	Engineer of Record	Status	Comment
Floodplain Map/Review	CSA Architects & Engineers, LLP	✓	
Hydrology and Drainage Study	GLM Engineering-COOP Timmons Group	●	Target 11/11/2021
ALTA Survey	JAMS Land Surveying Services	✓	
Civil Design (PV Plant)	Timmons	⊙	Target 11/11/2021
Topo / LiDAR	Timmons Group	⊙	Target 10/25/2021
Geotech / Pile Testing (PV Plant)	Suelos, Inc GMTS, PSC	⊙	Target 11/03/2021
Corrosion Study	[EOR]	●	Target 11/03/2021
Cultural Study	AM Group	✓	
Environmental Site Assessment	NAYE Group/Kyros LLC	✓	
Structural Design (PV Plant – Racking)	Gamechange	●	Target 11/18/2021
Structural Design (PV Plant – Miscellaneous Foundations)	Buehler and Buehler Engineering	●	Target 11/18/2021
Electrical Design (PV Plant)	Hugo R. Durand Schettini, PE	⊙	Target 11/18/2021

### **III. Procurement:**

- Overview:

The CIRO One Salinas Team decommissioned all equipment previously procured for the project to ensure compliance with new PREPA requirements for interconnection and adapt to new available technology. Project team will be placing purchase orders after the engineering review has been completed (please refer to table below for timelines).

- Tasks and Milestones include (but are not limited to):

Description	Vendor	Order Status	Delivery Status	Notes
Posts	GameChange	0%	0%	GameChange E/W Fixed Tilt System
Racking	GameChange	0%	0%	GameChange E/W Fixed Tilt System
MVAC Cable	TBD	0%	0%	
Combiner Boxes	TBD	0%	0%	
DC Cable	TBD	0%	0%	
Modules	HT-SAAE	0%	0%	HT-SAAE 450W Bifacial Module
BESS Equipment	TBD	0%	0%	
Power Conversion Stations	Ingeteam	0%	0%	Ingeteam Power Conversion Stations

**IV. Construction:**

-Overview:

Agreements related to general contractors, subcontractors, engineering, and consultants with various entities are in process.

Minimal site work is in process. No major construction activities have yet begun on the site. Once they do, key metrics on activities within civil/site preparation, mechanical installations and electrical installations will be reported on a monthly basis (as required).

- Key companies / Personnel include (but are not limited to):

Contractor	H/Q Location	Scope	Current Headcount	Peak Headcount	Local Hire Target	Veteran Target
DEPCOM	Arizona*	Site Oversight and Management	0	0	50%	30%
Lord Construction Puerto Rico	Puerto Rico	All Major Site Construction	0	0	100%	20%

\*Supervision is from Arizona; all labor is hired locally.



## V. Project Milestones & Notice Requirements:

Below find critical milestone dates and related Notice requirements:

Milestones	Target Date	Actual Date	Progress	Comments
Kick off meeting between PREPA and project proponent	9/27/21	9/27/21	✓	
Mechanical Completion	1/20/23		●	
Commercial Operation Date	2/10/23*	5/31/24**	●	
Substantial Completion	3/10/23		●	
Final Completion	8/25/23		●	

\*Target date based on DEPCOM construction schedule.

\*\*Based on forecast Assumption Order Date of 10/04/21.

## **2. Corporate Responsibility / Community Involvement**

Once the project has begun, the CIRO One Salinas Team and DEPCOM's Director of Philanthropy will create a community support program, in collaboration with local organizations and entities. No organizations have been engaged yet. Recommendations are welcomed from LUMA and/or PREPA.

### I. Local Vendors / Services:

Although no local vendors have been engaged to date, once the project has begun there will be a number of local vendors that DEPCOM will engage with for various support roles. The names of these businesses will be reported on a monthly basis.

### II. Domestic Content (Corporate Wide)

Component	% US	% ROW
Cable	100	0
Posts	65	35
Combiner Boxes	89	11
Racking	59	41
PCS	20	80
Modules	7	93
Balance of System	100	0
Labor / Management	100	0
<b>Total</b>	<b>76</b>	<b>24</b>

### **3. Next Steps: Action Items**

- PREPA to provide response to RFI-01 (PREPA questions).
- Follow-up meeting with LUMA personnel (Technical).
- Continue the project reengineering.
- Complete major equipment selection in order to place orders.

**CIRO One Salinas Project Team thanks you for your time and attention to the project initiatives. Please let us know if there is anything we can do to improve!**