

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

NEPR
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IN RE:

THE PERFORMANCE OF THE PUERTO
RICO ELECTRIC POWER
AUTHORITY

CASE NO.: NEPR-MI-2019-0007

SUBJECT: Urgent Request to Re-Schedule Technical
Conference of October 20, 2021.

**URGENT REQUEST TO RE-SCHEDULE TECHNICAL CONFERENCE OF OCTOBER
20, 2021**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW, LUMA ENERGY, LLC as Management Co., and **LUMA ENERGY
SERVCO, LLC** (collectively, **LUMA**), through the undersigned legal counsel and respectfully
state and request the following:

1. On May 21st, 2021 the Energy Bureau issued a Resolution and Order adopting principles for establishing performance metric benchmarks; establishing four categories of performance metrics applicable to the Puerto Rico Electric Power Authority (“PREPA”) and setting initial benchmark values for several metrics that are subject to reporting requirements, among others (“May 21st Resolution and Order”). *See* May 21st Resolution and Order at pages 3-14. Per the May 21st Resolution and Order, LUMA is to file quarterly reports on the performance metrics that are detailed in Attachments A, B and D of said Resolution and Order.
2. On June 22, 2021, LUMA submitted the quarterly report for the months of March, April and May 2021, for several of the performance metrics, with performance data prior to Interim

Service Commencement which occurred on June 1, 2021. LUMA supplemented said filing on July 6, 2021 in a motion entitled *Motion Supplementing Quarterly Performance Metrics Report and Requesting Leave to Defer Reporting of Specified Metrics* (“July 6th Supplemental Submission”).

3. On August 13, 2021, in response to a Resolution and Order issued by this Energy Bureau on August 6, 2021, LUMA filed a motion entitled *Motion in Compliance with Order Submitting Updated Quarterly Performance Metrics Report* (“August 13th Updated Submission”).
4. On September 20, 2021 LUMA submitted the first Quarterly Performance Metrics Report that involves data collected by LUMA after Interim Service Commencement (“LUMA’s September 20th PM Filing”). LUMA also requested clarifications on the reporting requirements of certain metrics, *see* LUMA’s September 20th PM Filing, ¶¶ 15 (number of formal customer complaints); 16 (whether to maintain historical data in future quarterly filings); 17 (methodology to track technical losses as a percent (%) of net generation and technical loss reduction as a percent (%) of net generation); 18 (average length of time to resolve customer complaints appeals); 25 (exclusion of metrics for which data is not available or remains unaltered for a period of six months or more), and informed that it needed additional time to file its report on several financial performance metrics, Day Sales Outstanding and Percent of Automatically Generated NTL Leads Found to be Occurrences of Theft metrics, *see id.* ¶¶ 20, 21, 23 and 24.
5. At 5: 25, pm of Friday, October 15, 2021, LUMA received notice of a Resolution and Order issued on even date by this Energy Bureau, by which a technical conference was scheduled for October 20, 2021 at 10:00 am to discuss aspects of LUMA’s September 20th PM Filing on

several reliability metrics involving both the Transmission and Distribution System and generators. (“October 15th Resolution and Order”). The topics to be discussed include:

- LUMA's reporting of System Average Interruption Duration Index (SAIDI) versus PREPA's historical reporting of SAIDI including, but not limited to outage causes categories.
- LUMA's reporting of System Average Interruption Frequency Index (SAIFI) versus PREPA's historical reporting of SAIFI including, but not limited to outage causes categories.
- LUMA's reporting of increased monthly SAIDI for several municipalities including, but not limited to: Utuado, Vega Baja, Corozal, Caguas, Humacao, Fajardo, Canóvanas, Mayagüez, San Germán, San Sebastián, Guayama, Monacillos, Río Piedras, Santa Isabel, and Guaynabo.
- LUMA's reporting of increased monthly SAIFI for several municipalities including, but not limited to: Guayama, San Sebastián, Mayagüez, Fajardo, Canóvanas, Cayey, Vega Baja, Utuado, Quebradillas, and Arecibo.
- LUMA's reporting of increased forced outage percentages across specific plants including, but not limited to San Juan-steam, Palo Seco-steam, Aguirre-combined cycle, and Mayaguez.
- LUMA's reporting of decreased availability percentages across specific plants.
- LUMA's reporting of decreased purchased energy from power purchasing operating agreements (PPOA's) from AES and EcoEléctrica.

See October 15th Resolution and Order at pages 2-3.

6. The Energy Bureau directed that LUMA and PREPA would be able to discuss their comments and answer questions from the Energy Bureau. *Id.* at page 3. Also, the Energy Bureau directed that it would provide an opportunity for stakeholders to submit comments on LUMA's reliability performance, PREPA's generation reliability performance, and other metrics as to which LUMA requested deferment and/or clarification. *Id.* The Energy Bureau, however, did not include deferred metrics or metrics that require clarification, in the list of topics for discussion enumerated in the October 15th Resolution and Order.
7. The time frame of two business days to prepare for a technical conference to be held on October 20, 2021, where technical data on LUMA's operations will be discussed, is insufficient and

does not allow LUMA to responsibly prepare to address the topics of the agenda and have its personnel ready to provide fulsome responses to questions that the Energy Bureau may pose.

8. LUMA needs additional time to prepare on the subject matters included in the agenda for the technical conference, that call for comparative discussions on LUMA's performance data *vis à vis* PREPA's regarding SAIDI and SAIFI; explain increases in SAIDI, SAIFI and forced outages for several municipalities; and explain decreases on plant availabilities and purchased power from PPOAs.
9. LUMA understands that proceedings before this Energy Bureau will benefit significantly from allowing LUMA personnel additional time to review the information on the topics to be discussed in the technical conference and to prepare their presentations for the technical conference.
10. Moreover, two of LUMA's witnesses have previously scheduled professional commitments that impede their appearance. Their participation in the technical conference is key for LUMA, given that they were involved in the preparation and review of LUMA's September 20th PM Filing and have been designated by LUMA as part of the team to provide testimony on the subject matter of the technical conference.
11. LUMA respectfully proposes that the technical conference be rescheduled for October 27th or 28th, 2021, within the Energy Bureau's discretion. This brief continuance of the technical conference is not meant to impede the Energy Bureau's consideration of important aspects of LUMA's September 20th PM Filing.
12. Counsel for PREPA informed that PREPA does not oppose this request to reschedule the October 20th technical conference.

WHEREFORE, LUMA respectfully requests this Honorable Bureau **take notice of the** aforementioned and **reschedule or continue** the technical conference scheduled for October 20, 2021, to October 27 or 28th, 2021, within the discretion of the Energy Bureau.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 18th day of October 2021.

I hereby certify that I filed this motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this motion to the attorneys for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law; and Katuska Bolaños-Lugo, kbolanos@diazvaz.law.



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