

**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: Motions to Compel LUMA to
Respond to LECO's Requests; LUMA's
Opposition to Motions to Compel.

RESOLUTION AND ORDER

I. Introduction

On September 27, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("September 27 Resolution") through which, among other things, it amended the procedural calendar previously established through the August 9 Resolution¹ in the instant case. The Energy Bureau determined that all the provisions of the April 8 Resolution², the May 14 Resolution³, the June 4 Resolution⁴ and the July 2 Resolution⁵ that are compatible with the August 9 Resolution remained unaltered. As part of the procedural calendar established in the September 27 Resolution, the Energy Bureau established the period to conduct discovery from August 27, 2021 to October 7, 2021.

On October 7, 2021, the Puerto Rico Local Environmental and Civil Organizations ("LECO") filed before the Energy Bureau a document titled *Motion to Compel LUMA to Respond to LECO's Requests of Information* ("October 7 Motion to Compel"). LECO stated that it served its first and second requests of information ("ROI") to LUMA⁶ on August 27, 2021, and September 3, 2021, respectively. After an extension of time requested by LUMA, and granted by the Energy Bureau, LUMA served the responses to LECO's first and second ROIs on September 10, 2021, and September 13, 2021, respectively. LECO stated that after the submission of several clarifications and responses to objections made by LUMA, LUMA provided answers to a few questions but the majority of LECO's questions remain unanswered.⁷ Therefore, LECO requested the Energy Bureau to compel responses from LUMA to questions 5 and 6 from LECO's first ROI, questions 1-8 and 16-61 in LECO's second ROI and any other remedy the Energy Bureau deems appropriate according to Section 8.03(F) of Regulation 8543^{8,9}.

¹ Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, August 9, 2021.

² 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").

³ Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, May 14, 2021 ("May 14 Resolution").

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

⁵ Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, July 2, 2021 ("July 2 Resolution").

⁶ LUMA Energy, LLC ("ManagementCo") and LUMA Energy ServCo, LLC ("ServCo") (collectively "LUMA").

⁷ October 7 Motion to Compel, p. 2.

⁸ *Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Proceedings*, December 18, 2014.

⁹ October 7 Motion to Compel, p. 10.



On October 11, 2021, LUMA filed a document titled *LUMA's Notice of Intent to File Response and Opposition to LECO's Motion to Compel* ("October 11 Notice of Intent"). LUMA requested the Energy Bureau to concede ten (10) days, expiring on October 18, 2021, to submit its opposition to LECO's Motion to Compel.¹⁰

On October 13, 2021, LECO filed before the Energy Bureau a document titled *Motion to Compel LUMA to Respond to LECO's Third Request of Information* ("October 13 Motion to Compel"). LECO stated that it served the third ROI to LUMA on September 23, 2021. LUMA served its responses to LECO's third ROI on October 4, 2021. LECO argued that responses to questions served as part of the third ROI are incomplete and remain unanswered¹¹ and that most of the answers provided are not supplemented by copies of documents that support them, as was required.¹² Therefore, LECO requested the Energy Bureau to compel responses from LUMA to questions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 from LECO's third ROI and any other remedy the Energy Bureau deems appropriate according to Section 8.03(F) of Regulation 8543.¹³

On October 14, 2021, the Energy Bureau issued a Resolution and Order through which it granted LUMA until October 18, 2021 to file its opposition to the October 7 Motion to Compel.

On October 18, 2021, LUMA filed before the Energy Bureau a document titled *LUMA's Opposition to LECO's Motion to Compel of October 7, 2021* ("October 18 Opposition"). LUMA argued, among other matters, that in LECO's October 7 Motion to Compel, LECO ignored that the requests for information at issue were already answered by LUMA. Further, LUMA argued that the October 7 Motion to Compel does not meet the requirements set forth by Regulation 8543. LUMA also alleged that interrogatories regarding interconnection procedures and LUMA's Emergency Response Plan are outside of the subject matter of this proceeding. LUMA requested the Energy Bureau to deny LECO's October 7 Motion to Compel.

On the same date, LUMA filed a document titled *LUMA's Notice of Intent to File Response to LECO's Second Motion to Compel* ("October 18 Notice of Intent"). LUMA requested the Energy Bureau to concede ten (10) days, expiring on October 23, 2021, to submit its response to the October 13 Motion to Compel.¹⁴

On October 20, 2021, the Energy Bureau issued a Resolution and Order through which it granted LUMA until October 23, 2021 to file its opposition to the October 13 Motion to Compel.

On October 22, 2021, LECO filed before the Energy Bureau a document titled *Motion to Compel LUMA to Respond to LECO's Fourth Request of Information* ("October 22 Motion to Compel"). LECO stated that it served the fourth ROI to LUMA on September 27, 2021. LUMA served its responses to LECO's fourth ROI on October 7, 2021 and provided supplemental responses and objections on the next day. LECO argued that LUMA provided answers to a few questions, however some key questions remained unanswered. Therefore, LECO requested the Energy Bureau to compel responses from LUMA to questions 2, 14, 15, 18, 20 and 22 from LECO's fourth ROI and any other remedy the Energy Bureau deems appropriate according to Section 8.03(F) of Regulation 8543.¹⁵

¹⁰ October 11 Notice of Intent, p. 5.

¹¹ October 13 Motion to Compel, p. 2.

¹² *Id.*

¹³ *Id.*, pp. 10-11.

¹⁴ October 18 Notice of Intent, p. 3.

¹⁵ October 22 Motion to Compel, p. 9.



On October 23, 2021, LUMA filed a document titled *LUMA's Opposition to LECO's Second Motion to Compel of October 13, 2021* ("October 23 Opposition"). LUMA argued that LECO failed to acknowledge that LUMA has already responded to all the requests of the third ROI. Among other matters, LUMA argued that Regulation 8543 does not contemplate a motion by a party carrying out discovery to compel the production of documents in an adjudicative proceeding as part of the discovery process. Further, LUMA stated that the requested documentation on work incidents contains employees' personal information and medical information, which are deemed confidential per federal and Puerto Rico law. LUMA requested the Energy Bureau to deny the October 13 Motion to Compel.

On October 26, 2021, LUMA filed a document titled *LUMA's Notice of Intent to File Response to LECO's Third Motion to Compel* ("October 26 Notice of Intent"). LUMA requested the Energy Bureau to concede ten (10) days, expiring on November 1, 2021, to submit its response to the October 13 Motion to Compel.¹⁶

On October 28, 2021, LECO filed before the Energy Bureau a document titled *Reply to LUMA's Opposition to LECO's October 7th Motion to Compel* ("October 28 Reply"). LECO argued, among other matters, that through the October 7 Motion to Compel it provided the information about the questions and answers concerned through footnotes and also as part of an attachment to the motion.¹⁷ LECO argued that LUMA's argument that a party cannot compel the production of documents as part of the discovery would lead to absurd and unfair results.¹⁸ Further, LECO argued that its information requests contain a standing instruction for the production of supporting documentation.¹⁹ As part of the October 28 Reply, LECO reiterates that LUMA shall provide answers to questions on its testimony an exhibits, on the company's performance and on questions related to all performance areas within its reasonable control.

On November 1, 2021, LUMA filed before the Energy Bureau a document titled *LUMA's Opposition to LECO's Third Motion to Compel of October 22, 2021* ("November 1 Opposition"). LUMA argued that LECO failed to acknowledge that LUMA has already responded to LECO's fourth ROI. As with previous oppositions filed by LUMA, it argued that the October 22 Motion to Compel does not meet the requirements set forth by Regulation 8543. Therefore, LUMA requested the Energy Bureau to deny the October 22 Motion to Compel.

II. LECO's First and Second Requests of Information

1. LECO's First ROI

In the October 7 Motion to Compel, LECO requested the Energy Bureau to compel responses from LUMA to questions 5 and 6 from LECO's first ROI. Regarding questions 5 and 6 from LECO's first ROI, LECO argues that LUMA must provide information related to the company's current performance. LECO argued that LUMA is incorrect in its interpretation that this proceeding is limited to the data used to establish the baselines and benchmarks under Case No. NEPR-MI-2019-0007.²⁰ Also, LECO stated that the baselines and benchmarks to be considered in this proceeding are not limited to those set forth by the Energy Bureau in Case No. NEPR-MI-2019-0007.²¹ LECO stated that LUMA itself has not limited its proposed

¹⁶ October 26 Notice of Intent, p. 3.

¹⁷ October 28 Reply, p. 2.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ October 7 Motion to Compel, p. 6.

²¹ *Id.*



metrics by proposing different baselines and benchmarks than those established by the Energy Bureau.²²

LECO stated that current data is critically important due to the widespread outages that have occurred since LUMA's takeover of the operation of the transmission and distribution system.²³ LECO argued that LUMA is failing to achieve the fundamental obligation of providing adequate and stable service to the customers, then performance-based penalties should reflect that.²⁴ LECO alleged this information is necessary for the Energy Bureau and the parties to evaluate the information available and prepare for the hearing and to properly cross-examine LUMA's witnesses.

In its October 18 Opposition, LUMA stated that LECO limited its argument for compelling answers to questions 5(b) and 6 of LECO's first ROI to the portion where LUMA stated this proceeding does not involve performance or data after the Energy Bureau set the baselines in Case No. NEPR-MI-2019-0007.²⁵ LUMA further argued that its response to question 5(b) shows that LUMA answered the question.²⁶ LUMA also noted that LECO did not include question 5(b) as part of the clarifications letter sent to LUMA on September 27, 2021.²⁷ Regarding question 6 of LECO's first ROI, LUMA stated that it raised several objections but ultimately responded to LECO's question.²⁸

Upon review of the above information, the Energy Bureau **DETERMINES** that LUMA answered questions 5(b) and 6 from LECO's first ROI. Therefore, LECO's October 7 Motion to Compel is **DENIED IN PART** with respect to LECO's first ROI, as established in detail in Appendix 1 of this Resolution and Order.

2. LECO's Second ROI

Through the October 7 Motion to Compel, LECO also requested the Energy Bureau to compel responses to questions 1-8 and 16-61 of LECO's second ROI. Questions 1-8 relate to interconnection procedures of distributed generation resources. LECO argued that information on interconnections is relevant due to the requirement of Act 17-2019²⁹ and Regulation 9137³⁰ to consider compliance with the renewable portfolio standard and rapid integration of renewable energy sources when establishing performance-based incentives and penalties.³¹

LECO stated that LUMA's proposed Annex IX does not include metrics on the Renewable Portfolio Standard, the integration of renewables or storage, or interconnections. LECO argued that the scope of the proceeding is not set by LUMA's proposed Annex IX, but rather by Act 17-2019 and Regulation 9137. Therefore, LECO argued that LUMA must provide information on areas within reasonable control of LUMA that allow the parties and the

²² *Id.*, pp. 6-7.

²³ *Id.*, p. 7.

²⁴ *Id.*, pp. 7-8.

²⁵ October 18 Opposition, p. 5.

²⁶ *Id.*, p. 7.

²⁷ *Id.*

²⁸ *Id.*, p. 8.

²⁹ Known as the *Puerto Rico Energy Public Policy Act*.

³⁰ *Regulation for Performance Incentive Mechanisms*, December 13, 2019.

³¹ October 7 Motion to Compel, pp. 8-9.



Energy Bureau to propose incentives and penalties in those areas, including interconnections.³²

In its October 18 Opposition, LUMA argued that information on interconnection procedures is beyond the scope of the subject matter of this proceeding and it is irrelevant to the controversy at hand.³³ LUMA stated that the interconnection procedures are currently under consideration by the Energy Bureau in a separate proceeding. LUMA argued that none of the proposed metrics targets submitted by LUMA under this proceeding relate to interconnections. Further, it is LUMA's position that the Energy Bureau authorized discovery in this proceeding pursuant to LUMA's petition filed on February 25, 2021, and that LECO has not established the relevance of the requested information to LUMA's Revised Performance Metrics Targets filing.³⁴

LUMA alleged that the December 23 Resolution³⁵, which initiated this proceeding, does not state the possibility of instituting performance-based penalties, nor does it require for LUMA to propose a performance incentive on interconnection procedures.³⁶ Also, LUMA alleged that the Energy Bureau has not established that intervenors may propose performance-based incentives or penalties in this proceeding.³⁷ LUMA argues that LECO's argumentation that intervenors can suggest penalties or incentives for interconnections is not supported by any order issued by the Energy Bureau or by Regulation 8543. LUMA stated this will breach LUMA's right to due process of law and will substantially alter the nature and scope of the proceeding without prior notice.³⁸

On the other hand, questions 16-61 of LECO's second ROI relate to LUMA's Emergency Response Plan. In its October 7 Motion to Compel, LECO stated that LUMA's argument for not answering questions on the Emergency Response Plan is not a valid reason for refusal to answer questions.³⁹ LECO argued that the Emergency Response Plan is one of the documents consulted by witness Mr. Gómez Cortés in preparing his testimony.⁴⁰ LECO argues that, since LUMA entered the referred document into the record of this proceeding, it must answer discovery questions on the document.⁴¹ LECO stated that it is not asking to evaluate the Emergency Response Plan in this proceeding, but to be able to evaluate the metrics, baselines and benchmarks related to the plan.⁴²

As part of the October 18 Opposition, LUMA argued that the questions on LUMA's Emergency Response Plan addressed considerations taken when drafting and implementing the plan itself. LUMA alleged that the information sought by LECO fell beyond the scope of the subject matter of this proceeding and is irrelevant to the controversy at hand.⁴³ LUMA argued that witness, Mr. Gómez Cortés, used the Emergency Response Plan as an operating manual

³² *Id.*, p. 10.

³³ October 18 Opposition, p. 9.

³⁴ *Id.*, pp. 9-10.

³⁵ Resolution and Order, *In Re: Performance Targets for LUMA Energy ServCo, LLC*, Case No. NEPR-AP-2020-0025, December 23, 2020.

³⁶ October 18 Opposition, p. 11.

³⁷ *Id.*, p. 12.

³⁸ *Id.*

³⁹ October 7 Motion to Compel, p. 3.

⁴⁰ *Id.*

⁴¹ *Id.*, p. 4.

⁴² *Id.*, pp. 4-5.

⁴³ October 18 Opposition, p. 15.



applicable in the organization in which he is employed, and this does not provide an opportunity for extensive discovery on the document and other related matters.⁴⁴ Further, it is LUMA's assertion that LECO's real purpose in discovering information on LUMA's Emergency Response Plan is to challenge the document rather than obtaining information on the proposed Preparation Phase performance metric targets.

Upon review of the October 7 Motion to Compel and the October 18 Opposition regarding LECO's second ROI, the Energy Bureau **DETERMINES** that the questions issued by LECO are warranted and discoverable to the instant proceeding and require suitable responses by LUMA. Therefore, LECO's October 7 Motion to Compel is **GRANTED IN PART** with respect to LECO's second ROI, as established in detail in Appendix 1 of this Resolution and Order.

III. LECO's Third Request of Information

In the October 13 Motion to Compel, LECO requested the Energy Bureau to compel responses from LUMA to questions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 from LECO's third ROI, which correspond to questions regarding OSHA proposed metrics and related matters. LECO stated that the responses provided by LUMA are incomplete and the questions remain unanswered because most of the responses are not supplemented by copies of documents in support thereof.⁴⁵ LECO stated that LUMA once again is narrowing the scope of the proceeding, claiming that all information requests must be connected to its own Proposed Performance Metrics Targets filing.⁴⁶

LECO argued that LUMA must be clear about the way it records incidents and reports them to Puerto Rico OSHA, since that is the mandate of Act No. 16 of August 5, 1975.⁴⁷ LECO stated that the information on incident investigations is very pertinent with the safety and health of LUMA workers and compliance with laws and regulations administered by PR OSHA.⁴⁸

In the October 23 Opposition, LUMA stated that the Energy Bureau should strike the October 13 Motion to Compel since it failed to conform to the provisions of Regulation 8543. LUMA argued that it has responded to all discovery requests in LECO's third ROI. Regarding the requested production of documents, for example, the PR OSHA 300 form, LUMA argued that such document is used to classify work-related injuries and illnesses. Based on the information required to be included in such document, LUMA argued that it chronicle's an employee's personal and medical information, deemed confidential, per federal and Puerto Rico laws and regulations.⁴⁹ LUMA argued that the PR OSHA 300 forms requested by LECO were prepared by PREPA and provided to LUMA in accordance with the T&D OMA.⁵⁰ LUMA stated that such information constitutes "System Information" per the T&D OMA and cannot be provided by LUMA to third parties.⁵¹

Upon review of the October 13 Motion to Compel and the October 23 Opposition regarding LECO's third ROI, the Energy Bureau **DETERMINES** that LUMA answered questions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, as established in detail in Appendix 2 of this Resolution and Order. Regarding the request for production of documents for the referenced questions, the Energy Bureau **DETERMINES** that the documents regarding investigations on incidents reported by

⁴⁴ *Id.*, p. 16.

⁴⁵ October 13 Motion to Compel, p. 2.

⁴⁶ *Id.*, p. 3.

⁴⁷ *Id.*, p. 10.

⁴⁸ *Id.*

⁴⁹ October 23 Opposition, p. 5.

⁵⁰ *Id.*

⁵¹ *Id.*, p. 11.



LUMA contain employee information and are deemed confidential. Therefore, LECO's October 13 Motion to Compel is **DENIED**.

IV. LECO's Fourth Request of Information

In the October 22 Motion to Compel, LECO requested the Energy Bureau to compel responses from LUMA to questions 2, 14, 15, 18, 20 and 22 from LECO's fourth ROI. LECO argued that LUMA refused to answer questions 2, 14 and 15 of LECO's fourth ROI, by stating that the responses provided are inadequate. LECO alleged that LUMA incorrectly objects to the questions on the grounds that the information sought is irrelevant. Further, LECO argued that LUMA erroneously limits the scope of the proceeding by claiming that the proposed Performance Metrics Targets were adopted as part of a competitive negotiated process that led to the execution of the T&D OMA.⁵²

Regarding questions 18, 20 and 22 of LECO's fourth ROI, LECO argued that data after the June 1, 2021 takeover by LUMA is unquestionably relevant to this proceeding.⁵³

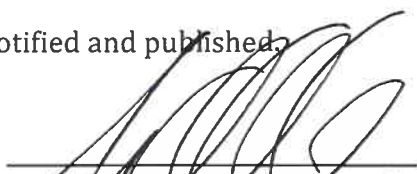
In the November 1 Opposition, LUMA stated that LECO limited its arguments to the portion of LUMA's answers where it stated that the request failed to consider that the proposed Performance Metrics Targets were adopted as part of a competitive negotiated process.⁵⁴ LUMA argued that LECO conveniently failed to mention that LUMA answered the questions issued by LECO and provided the information requested.⁵⁵

Upon review of the October 22 Motion to Compel and the November 1 Opposition, the Energy Bureau **DENIES IN PART** and **GRANTS IN PART** the October 22 Motion, as established in detail in Appendix 3 of this Resolution and Order.


V. Conclusion


Consistent with the determinations made in Part II and Part IV of this Resolution and Order, the Energy Bureau **ORDERS** LUMA to provide, **on or before November 10, 2021**, suitable responses that adequately answer the questions listed in Appendix 1 and Appendix 3 of this Resolution and Order.

Be it notified and published:


Edison Aviles Deliz
Chairman


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner


Sylvia B. Ugarte Araujo
Associate Commissioner

⁵² October 22 Motion to Compel, p. 5.

⁵³ Id., p. 9.

⁵⁴ November 1 Opposition, p. 3.

⁵⁵ Id., p. 4.



CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on November 4, 2021. Associate Commissioner Ángel R. Rivera de la Cruz did not intervene. I also certify that on November 4, 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, November 4, 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 November 4, 2021.



Sonia Seda Gaztambide
Clerk



Appendix 1
Energy Bureau's Determinations on LECO's first and second ROI.

ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
1	5	b. Have any of the outages that occurred since LUMA took over the transmission and distribution system, in June 2021, met the listed criteria?	RFI-LUMA-AP-2020-0025-LECO-10SEPT21-005	<p>LUMA objects this request as it seeks information that falls beyond the scope of the subject matter of this proceeding inasmuch as it references performance on outages. As explained at page 8 of LUMA's Revised Performance Metrics Targets filing of August 18, 2021, LUMA's proposed Major Outage Event Performance Metrics only apply during Major Outage Events that are defined as:</p> <p>an event as a result of which (i) at least two hundred and five thousand (205,000) T&D Customers are interrupted for more than 15 minutes or (ii) at any point in time during the event, there are one thousand five hundred or more ($\geq 1,500$) active outage events for the T&D System, which are tracked in the Outage Management System (OMS). The major outage event is deemed ongoing so long as the interruptions/outages continue to remain above the stated cumulative amounts, in each case for a period of twenty-four hours or longer (≥ 24) and are caused by an act of God. If such an act of God is a storm, the storm must be designated as a named storm by the U.S. National Weather Service, or a State of Emergency declared by the Government of Puerto Rico. The major outage event shall be deemed to have ended when the cumulative number of T&D customers remaining interrupted falls below ten thousand (10,000) for a continuous period of eight (8) hours.</p> <p>LUMA objects to that portion of the request that seeks information related to outages that have occurred since LUMA took over the transmission and distribution system, in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable baselines in the Resolutions and Orders of</p>	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				May 21, 2021 and July 2, 2021, issued in Case No. NEPR-MI-2019-0007. Thus, the requested information on outages that have occurred after June 1, 2021, is not relevant to this proceeding. Without waiving the foregoing objections, LUMA responds that there have been no Major Outage Events that meet the specified criteria since June 2021.	
1	6	Refer to the Summary of Major Outage Event Performance Metrics in Table 24, p. 38. Please provide a detailed description of LUMA's performance, according to each of these metrics, for all outages that have occurred since LUMA took over the transmission and distribution system, in June 2021.	RFI-LUMA-AP-2020-0025-LECO-10SEPT21-006	As explained at page 8 of LUMA's Revised Performance Metrics Targets filing of August 18, 2021, LUMA's proposed Major Outage Event Performance Metrics only apply during Major Outage Events that are defined as: an event as a result of which (i) at least two hundred and five thousand (205,000) T&D Customers are interrupted for more than 15 minutes or (ii) at any point in time during the event, there are one thousand five hundred or more ($\geq 1,500$) active outage events for the T&D System, which are tracked in the Outage Management System (OMS). The major outage event is deemed ongoing so long as the interruptions/outages continue to remain above the stated cumulative amounts, in each case for a period of twenty-four hours or longer (≥ 24) and are caused by an act of God. If such an act of God is a storm, the storm must be designated as a named storm by the U.S. National Weather Service, or a State of Emergency declared by the Government of Puerto Rico. The major outage event shall be deemed to have ended when the cumulative number of T&D customers remaining interrupted falls below ten thousand (10,000) for a continuous period of eight (8) hours. LUMA objects to that portion of the request that seeks information related to LUMA's performance for all outages that have occurred since LUMA took over the transmission and distribution system, in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable baselines in the Resolutions and Orders of May 21, 2021 and July 2,	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				2021, issued in Case No. NEPR-MI-2019-0007. Thus, the requested information on outages that have occurred after June 1, 2021, is not relevant to this proceeding. Without waiving the foregoing objections, LUMA responds that the Major Outage Event Scorecard (MOE Scorecard) proposed by LUMA, will be used as a tool to specifically measure utility performance during each MOE. Since June 1, 2021, no MOE have taken place. Thus, currently there is no available data on performance during an MOE.	
2	1	<p>Please refer to LUMA's August 13, 2021 Motion to Show Cause in Docket NEPR-MI-2019-0016. Provide a detailed description of each of the "modifications to expedite [interconnection] procedures" described in that document:</p> <p>a. LUMA has transitioned from a regionalized structure to a centralized structure with standardized procedures.</p> <p>b. LUMA has also accelerated the studies stage of the interconnection procedure by eliminating sequential revisions in cases that do not require additional technical review.</p> <p>c. The net metering procedures and necessary changes of meters are being handled outside of the Portal simultaneously with the validation and studies processes of the interconnection procedure.</p> <p>d. These modifications are being accompanied by employee training and transparent communications with clients.</p>	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001	<p>LUMA objects to this request as it seeks information that falls beyond the scope of the subject matter of this proceeding and not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects this request as the information sought is irrelevant to the matters at issue on LUMA's Revised Performance Metrics Targets Submission and proposed Revised Annex IX to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement ("T&D OMA"). The interconnection procedures are not at issue in the instant proceeding. The progress of the interconnection procedures is the subject matter of Case No. NEPR-MI-2019-0016 (Informes de Progreso de Interconexión), which is a regulatory proceeding that provides for public participation. The docket of that case is a matter of public record readily available to the public. LUMA objects to that portion of the request that seeks information related to performance since LUMA took over the transmission and distribution system, in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable baselines in the Resolutions and Orders of May 21, 2021 and July 2, 2021, issued in Case No. NEPR-MI-2019-0007. Thus, the requested information on management of interconnections by LUMA after June 1st, 2021, is not relevant to this proceeding.</p>	<p>The information is pertinent and discoverable as part of the subject matter of the instant case.</p> <p>LUMA shall properly respond.</p>



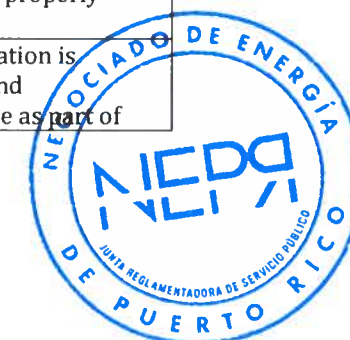
ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
2	2	Refer to this statement in LUMA's August 13th filing: "LUMA has also accelerated the studies stage of the interconnection procedure by eliminating sequential revisions in cases that do not require additional technical review." Please provide a detailed description of the "technical review" referred to here.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-002	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	3	Refer to this statement in LUMA's August 13th filing: "LUMA plans to methodically reduce the number of cases in sequential order, in order to be reasonable with those clients who have had [sic] waited the longest since they submitted their requests to PREPA." Please provide a detailed description of the plan referenced in this sentence.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-003	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	4	According to LUMA's August 13th filings in PREB Docket NEPR-MI-2019-0016, as of May 1, 2021, PREPA had 7,208 pending requests for interconnection of distributed generation systems to the grid. As of July 31, 2021, LUMA had 6,978 pending requests. a. Please specify the number of pending requests, as of May 1st, and as of July 31st, from each customer class (e.g., residential, commercial, industrial, etc.) b. Please provide the number of requests that are over: i. 30 days old ii. 180 days old iii. 1 year old	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-004	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	5	Please list each day since June 1, 2021 where the Net Metering Portal has been nonfunctional for any part of the day.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-005	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001.	The information is pertinent and discoverable as part of the subject matter of the instant case.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
					LUMA shall properly respond.
2	6	Please provide a detailed description of LUMA's plan to improve the performance of the Net Metering Portal.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-006	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	7	For customers that submitted a Net Metering Request since June 1st: provide the number of customers who had Net Metering on their bill within thirty days of submission.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-007	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	8	Please provide the number of net metering-capable meters available to LUMA to be dedicated to new Net Metering customers. Does LUMA anticipate any delay in processing applications, due to a meter shortage?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-008	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-001.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	16	Please refer to p. 7 of the Emergency Response Plan. What is the status of LUMA's scenario specific plans? Produce copies of the scenario specific plans or any drafts of these plans.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016	LUMA objects to this request as it seeks information and documents that fall beyond the scope of the subject matter of this proceeding and not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects this request as the information sought is irrelevant to the matters at issue on LUMA's Revised Performance Metrics Targets Submission and proposed Revised Annex IX to T&D OMA. The Emergency Response Plan is not at issue in the instant proceeding. Additionally, LUMA objects to this request inasmuch as it seeks to undermine an already established public	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				regulatory proceeding. The Emergency Response Plan is under consideration by the Puerto Rico Energy Bureau in Case No. NEPR-MI-2019-0006 (Planes de Autoridad de Energía Eléctrica de Puerto Rico para Atender Emergencias). The docket of that case is a matter of public record readily available to the public. A procedural calendar has been issued in said proceeding with dates already scheduled for a public virtual hearing and a deadline for the filing of comments from the general public.	
2	17	P. 7: Specify what parts of the ERP adopted guidance from the National Response Framework and/or the Comprehensive Preparedness Guide.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-017	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	18	Explain why the ERP does not discuss the Local Emergency Planning Committees.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-018	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	19	P. 8: Specify what risk assessments LUMA has performed. Produce copies of the risk assessments prepared by or at the behest of LUMA.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-019	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	20	P.8: Indicate what prevention or risk mitigation strategies LUMA has developed and/or adopted.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-020	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
		Produce documentation on LUMA's prevention or risk mitigation strategies.			the subject matter of the instant case. LUMA shall properly respond.
2	21	P.19: List and describe the key elements of LUMA's Incident Command System.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-021	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	22	P.19: What emergency preparedness planning has LUMA performed?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-022	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	23	P.20: Specify what aspects of the National Incident Management System LUMA has adopted.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-023	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	24	P.21: Specify whether LUMA has conducted Damage Prediction Modeling. Produce all relevant documents.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-024	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
2	25	P.21: What Field Labor Resource Predictions and Material Requirement Predictions has LUMA prepared?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-025	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	26	P.21: Specify what training programs and exercises LUMA has conducted.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-026	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016. Furthermore, LUMA objects to that portion of the request that seeks information related to performance since LUMA took over the transmission and distribution system, in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable baselines in the Resolutions and Orders of May 21, 2021 and July 2, 2021, issued in Case No. NEPR-MI-2019-0007. Thus, the requested information on training programs and exercises provided by LUMA after June 1st, 2021, is not relevant to this proceeding.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	27	P. 21: Explain the elements of an After-Action Report.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-027	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	28	P. 22: Provide copies of the Mutual Aid Assistance Agreements that LUMA has entered into or is currently negotiating.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-028	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
2	29	P.22: Explain the meaning of the following sentence: "In organizational, geographical and jurisdictional terms events are attended to at the lowest possible level."	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-029	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	30	P.27: Explain the specific actions and resources required in mountainous terrain to provide workers access to lines and other infrastructure.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-030	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	31	P.39: Define "small outage." Please quantify this outage, in terms of customers affected and the duration of the outage.?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-031	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	32	P. 39 Define "severe event." Please quantify this outage, in terms of customers affected and the duration of the outage.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-032	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	33	P. 42: Explain how outages are prioritized. How does the priority matrix system work?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-033	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
					LUMA shall properly respond.
2	34	P. 49: Explain the reference to "limits on information releases".	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-034	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	35	P. 71: Explain the following statement: "To some extent electric utility mutual aid will be limited to those partners who are present in Puerto Rico."	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-035	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	36	Provide copies of all mutual aid documents, including but not limited to agreements, memoranda of understanding, correspondence, and other relevant documentation.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-036	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	37	P. 72: Provide a detailed explanation of how LUMA will "minimize the need for specialized training or work practices". Please provide a detailed description of the "specialized training."	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-037	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.



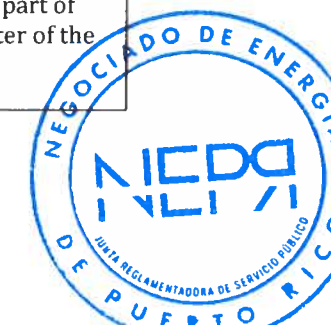
ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
2	38	P.81: Explain the terms, limits, and conditions of the proposed noncompetitive emergency procurement. Specify any amount and time limits for noncompetitive procurement.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-038	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	39	P.111: How did LUMA calculate the number of customers at 2,956,102?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-039	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	40	P.13: Provide the Employee Staffing Roster with a full list of all relevant positions.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-040	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	41	P. 27: Explain how LUMA determined the levels of critical facilities.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-041	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
2	42	P. 35: Provide the documentation that forms the basis for the statement that a Type 1, catastrophic event, historically results in significant damage to the electrical transmission and distribution system, typically involves >50% (700,000) customer interruptions, >50,000 outage events and is anticipated to occur between one and four times in ten years.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-042	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	43	P. 36: Provide the documentation that provides the basis for the statement that a Type 2, severe event, historically results in significant damage to the electrical transmission and distribution system in a region or moderate damage across the entire territory, typically 25-50% (350,000-700,000) customer interruptions, >25,000 outage events and is anticipated to occur between two and four times in five years.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-043	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	44	P. 37: Provide the documentation that provides the basis for the statement that a Type 3 event (tropical depression/storm), historically results in significant damage to the electrical transmission and distribution system in districts or moderate damage to regions, typically involves 10-25% (70,000-350,000) customer interruptions, >25,000 outage events and is anticipated to occur between one and five times per year.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-044	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	45	P. 37: Explain the meaning of decentralized dispatching in this context.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-045	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	46	Specify how the outside assistance from contractors and mutual assistance would work.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-046	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
					the subject matter of the instant case. LUMA shall properly respond.
2	47	P. 37: Provide the documentation that provides the basis for the statement that a Type 4 event which includes thunderstorms, high winds, frequent and/or severe lightning, small to moderate winter storms or unanticipated events, historically results in significant damage to the electrical transmission and distribution system in districts or moderate damage to regions, typically 1-5% (14,000-70,000) customer interruptions, > outage events and is anticipated to occur between five and ten times per year.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-047	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	48	P. 39: Provide the documentation that explains the basis for the statement that a Type 5 event constitutes normal operations, typically involves <1% (14,000) customer interruptions and <2500 outage events.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-048	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	49	P. 41: Explain the frequency, duration and causes of downed wires, including but not limited to incidents of burning, arcing, and sparking.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-049	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	50	Explain the methodology LUMA used to determine critical facilities and produce the relevant documentation. State LUMA's definition of critical facilities. Explain whether water treatment plants include water purification/filtration plants.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-050	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
					LUMA shall properly respond.
2	51	P. 44: Specify what Level 2 critical facilities “support other critical government functions besides prisons.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-051	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	<p>The information is pertinent and discoverable as part of the subject matter of the instant case.</p> <p>LUMA shall properly respond.</p>
2	52	P. 44: Define “other large customers” in Level 3.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-052	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	<p>The information is pertinent and discoverable as part of the subject matter of the instant case.</p> <p>LUMA shall properly respond.</p>
2	53	P. 45: Define Minimum Restoration Time, Larger Area Outages, and Smaller Area Outages.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-053	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	<p>The information is pertinent and discoverable as part of the subject matter of the instant case.</p> <p>LUMA shall properly respond.</p>
2	54	P. 46: Explain the following allegation: “Estimated Time of Outages will establish the baseline of projections”.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-054	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	<p>The information is pertinent and discoverable as part of the subject matter of the instant case.</p> <p>LUMA shall properly respond.</p>



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
2	55	P.63: Explain the methodology and produce the documentation for the calculation of downed wires restoration times.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-055	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	56	How did LUMA determine area restoration prioritization?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-056	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	57	Are all critical facilities included?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-057	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016. Additionally, as drafted, this request is unintelligible and vague and precludes LUMA from raising additional objections or a response.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	58	List the different types of fire hazards and LUMA's plan to respond to each.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-058	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall properly respond.
2	59	P. 10 Explain how the major, medium, and minor geographical faults potentially impact and relate to the T&D infrastructure.	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-059	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	The information is pertinent and discoverable as part of the subject matter of the instant case.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
					LUMA shall properly respond.
2	60	P. 26 What are the potential impacts of tsunamis to T&D infrastructure?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-060	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	<p>The information is pertinent and discoverable as part of the subject matter of the instant case.</p> <p>LUMA shall properly respond.</p>
2	61	What are the potential impacts of flooding/sea level rise/fires in subtropical dry areas/climate change to T&D infrastructure?	RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-061	Please refer to the response provided in RFI-LUMA-AP-2020-0025-LECO-R2-13SEPT21-016.	<p>The information is pertinent and discoverable as part of the subject matter of the instant case.</p> <p>LUMA shall properly respond.</p>



Appendix 2

Energy Bureau's Determinations on LECO's third ROI

ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
3	1	What years does LUMA's evaluation of PREPA PR OSHA-300 correspond to? Was only the registration for the 2019-2020 fiscal year considered? If LUMA only considered fiscal year 2019-2020, why not evaluate previous years to have a wider context of employee incidents recorded by PREPA?	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-001	LUMA objects to this request because it employs the vague term "wider context" and does not provide sufficient context to ascertain the relevance of the request in connection with LUMA's Revised Performance Metrics Targets Submission and proposed Revised Annex IX to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement ("T&D OMA") filed on September 24, 2021 ("LUMA's Revised Performance Metrics Targets filing"). LUMA also objects to this request because it is argumentative. Without waiving the foregoing objections, LUMA performed a review of data related to PREPA PR OSHA-300 including fiscal year 2017 forward. Fiscal Year 2019-2020 was not the only fiscal year considered; however, it was the period considered for baseline calculation as described in Section 2.5.2 of the Revised Performance Metric Filing submitted August 18, 2021, then amended on September 24, 2021.	Already answered by LUMA.
3	2	Did LUMA compare the information collected through the PREPA PR OSHA-300 with information or material from other comparable electrical utilities of other states or jurisdictions?	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-002	It is clarified that the proposed Performance Metrics Targets submitted by LUMA for consideration by the Puerto Rico Energy Bureau were adopted within the competitive negotiated processes conducted by the Puerto Rico Public-Private Partnerships Authority that led to the execution of the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement of June 22, 2020 (T&D OMA). LUMA was not required to conduct an independent utility industry assessment in connection with the health and safety performance metrics. To the extent that this request seeks to elicit information on OSHA processes pertaining to other utilities, it is clarified that LUMA compared information collected through the Edison	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				Electric Institute to review information compiled from other comparable electrical utilities in the United States. Other companies' OSHA information is not directly available to LUMA.	
3	3	What standards adopted by PR OSHA did LUMA use to prepare performance metrics in safety and health?	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-003	LUMA objects to this request as ambiguous and unintelligible. It references standards adopted by PR OSHA without sufficient context to allow LUMA to understand and identify relevant standards responsive to this request. Also, LUMA is not in a position to ascertain the relevance of the request in connection with LUMA's Revised Proposed Performance Metrics Targets filing, and thus, LUMA's witness cannot answer. LUMA also objects to this request as argumentative and because it is based on the unsupported and unexplained premise that OSHA PR has adopted specific standards. Without waiving the foregoing objections, PR OSHA does not have specific standards related to injury recordability different from the industry standards provided by OSHA.	Already answered by LUMA.
3	4	Did LUMA or any LUMA witness review the Regulations developed and approved by PR OSHA and with Act No. 16 of August 5, 1975, as amended?	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-004	LUMA objects to this request because it is vague and overly broad. It does not specify the relevant timeframe nor the specific regulatory or statutory provisions that the request purports to cover. The request does not provide sufficient context to allow LUMA to understand the request and identify responsive information. Also, LUMA is not in a position to ascertain the relevance of the request in connection with LUMA's Revised Proposed Performance Metrics Targets filing. However, LUMA is aware of how the legislation enacted impacts the reporting and recording of workplace injuries.	Already answered by LUMA.
3	5	What documents, in addition to PREPA PR OSHA-300, did LUMA use to prepare performance metrics in safety and health? Submit a copy of all documents that LUMA used.	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-005	LUMA objects to this request as repetitive of, for example, RFI-LUMA-AP-2020-0025-LECO-10SEPT21-002. LUMA also objects to this request as it ignores the pre-filed testimony of J. Meléndez of September 9, 2021, and the exhibits to said testimony. Without waiving the foregoing objections, please refer to RFI-LUMA-AP-2020-0025-LECO-10SEPT21-002, Pre-Filed Testimony	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				of J. Meléndez, lines 32-42 and 81-86 and Exhibit 1.	
3	6	Has witness Jorge Meléndez obtained any training regarding OSHA standard number 1910.269: "Electric power generation, transmission, and distribution"? If so, please provide certifications and evidence of those trainings.	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-006	LUMA objects to this request as it seeks information that falls beyond the scope of the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets. Without waiving the foregoing objections and without acquiescing to the relevance or admissibility of the information, witness Meléndez has participated in OSHA Electrical Transmission & Distribution (ET&D) Partnership 10 hours and OSHA Electrical Transmission & Distribution (ET&D) Partnership 10 hours OSHA 20 hours. He has also participated in several other training courses related to electrical safety.	Already answered by LUMA.
3	7	Please refer to Mr. Meléndez's testimony p. 6, referring to a new report titled "Casi Casi." Considering that LUMA indicates that they evaluated a report entitled "Casi Casi", which refers to the incidents known as "near misses", what explanation, if any, did PREPA give to begin recording the "near misses" cases since the end of 2019 and not before? What additional investigative steps did LUMA take to validate the information collected in the report entitled "Casi Casi"?	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-007	LUMA objects to the first sentence of this request as repetitive. LUMA provided responsive information in RFI-LUMA-AP-2020-0025-PREB-R1-10SEPT21-011. LUMA objects to the second sentence of this request because it employs the vague term "validate" and does not place LUMA in a position to ascertain the relevance of this request or provide an answer. Without waiving the foregoing objections, if by "validate" the request refers to an independent investigation or assessment of the underlying incidents or occurrences, it is clarified that LUMA did not have sufficient data or information to conduct an independent assessment. Such investigation or assessment is not required. In setting performance baselines in Case No. NEPR-MI-2019-0007, the Energy Bureau did not require an independent investigation, assessment, or validation of PREPA's data on health and safety performance metrics.	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				Without waiving the foregoing objections, PREPA did not provide any explanation related to the recording on near misses. Additionally, we were unable to specifically validate the reports that PREPA provided outside of comparing to the OSHA logs. As stated in lines 128 and 129 of my direct testimony, LUMA reviewed the data provided on the Casi Casi report to determine what was accurately reported on the OSHA log and what may have been excluded.	
3	8	Is LUMA aware that the Puerto Rico Occupational Safety and Health Administration ("PR OSHA") provides consulting services? Has LUMA requested the consulting services that PR OSHA provides?	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-008	LUMA objects to this request as it seeks information that falls beyond the scope of the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets. Without waiving the foregoing objections and without acquiescing to the relevance or admissibility of the information, I am aware that PR OSHA has consulting services to assist in scenarios if help is needed by LUMA. However, using OSHA consulting services is optional, and LUMA has not requested their services currently.	Already answered by LUMA.
3	9	How many inspections, if any, has PR OSHA performed at LUMA-managed and supervised workplaces since June 1, 2021? PREB's orders in this docket, as well as PREB's orders in Docket No. NEPR-MI-2019-0007, make it clear that metrics, baselines, and benchmarks will continue to evolve and that this evolution will be informed by LUMA's ongoing performance. LUMA's performance since June 1, 2021, therefore, is relevant evidence in this proceeding.	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-009	LUMA objects to this request because it is argumentative and includes a legal conclusion by counsel. LUMA also objects to this request as it seeks information that falls beyond the scope of the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets. LUMA specifically objects to this request that seeks information related to occurrences since LUMA took over the transmission and distribution system in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				baselines in the Resolutions and Orders of May 21, 2021, and July 2, 2021, issued in Case No. NEPR-MI-2019-0007. Thus, the requested information on OSHA inspections related to health and safety after June 1st, 2021, is not relevant to this proceeding. Without waiving the foregoing objections and without acquiescing to the relevance or admissibility of the information, LUMA has no active OSHA investigations since June 1, 2021.	
3	10	How many incidents related to health and safety have occurred since June 1, 2021? a. Provide the details, documents generated in investigative reports made.	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-010	LUMA objects to this request because it is argumentative and includes a legal conclusion by counsel. LUMA also objects to this request as it seeks information that falls beyond the scope of the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets. LUMA specifically objects to this request that seeks information related to occurrences since LUMA took over the transmission and distribution system in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable baselines in the Resolutions and Orders of May 21, 2021, and July 2, 2021, issued in Case No. NEPR-MI-2019-0007. Thus, the requested information on OSHA inspections related to health and safety after June 1st, 2021, is not relevant to this proceeding. Without waiving this objection and without acquiescing to the relevance or admissibility of the information, LUMA has recorded a total of 24 OSHA Recordable Injuries related to health and safety have occurred since June 1, 2021.	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
3	11	<p>Has LUMA already received citations and penalty proposals from PR OSHA?</p> <p>a. If yes, how many?</p> <p>b. In what workplace was the inspection that led to the issuance of the citations and penalty proposal?</p> <p>c. Submit a copy of all correspondence between LUMA and PR OSHA, and any documents in LUMA's possession related to PR OSHA, specifically including documents related to citations and penalties issued by PR OSHA to LUMA.</p>	RFI-LUMA-AP-2020-0025-LECO-R3-04OCT21-011	<p>LUMA objects to this request as it seeks information that falls beyond the scope of the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets. LUMA specifically objects to this request that seeks information related to occurrences since LUMA took over the transmission and distribution system in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable baselines in the Resolutions and Orders of May 21, 2021, and July 2, 2021, issued in Case No. NEPR-MI-2019-0007. Thus, the requested information on incidents related to health and safety after June 1st, 2021, is not relevant to this proceeding.</p> <p>LUMA also objects to this request to the extent that it purports to obtain information on ongoing investigations that includes confidential data. Without waiving the foregoing objections and without acquiescing to the relevance or admissibility of the information, as of this date, OSHA has not issued citations to LUMA for potential violations nor notices of imposition of penalties.</p>	Already answered by LUMA.



Appendix 3
Energy Bureau's Determinations on LECO's fourth ROI

ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
4	2	PREB's May Order includes a metric for "Capital expenses vs. Budget – Transmission & Distribution" and sets a baseline for a 9.9% ratio of T&D capital expenses to operating budget. Did LUMA consider including this metric in its proposed Annex IX? If so, why did LUMA choose not to include it? If not, why not?	RFI-LUMA-AP-2020-0025-LECO-R4-07OCT21-002	LUMA objects to this request as it seeks information that falls beyond the scope of the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. Further, LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets. The proposed Performance Metrics Targets submitted by LUMA for consideration by the PREB were adopted within the competitive negotiated processes conducted by the P3 Authority that led to the execution of the T&D OMA. Without waiving the foregoing objections and without acquiescing to the relevance or admissibility of the information, LUMA is using this metric in the revised Annex IX of the T&D OMA. "Capital Expenses vs. Budget – Transmission & Distribution" is the equivalent of LUMA's "Capital Budget: Non-Federally Funded". PREPA previously did not have a metric to report on Federal Funds being spent and consistent with the T&D OMA, LUMA included separate budgets for federal and non-federal capital spending, and correspondingly a metric for performance to budget for Capital Budget: Federally Funded and a separate one for Capital Budget: Non-Federally Funded.	Already answered by LUMA.
4	14	PREB's Attachment A includes Generation from RPS-eligible PPOAs as a metric, with a baseline of 3% and benchmark of 40% by 2025 (including distributed resources). Did LUMA consider including this metric in its proposed Annex IX? If so, why did LUMA choose not to include it? If not, why not?	RFI-LUMA-AP-2020-0025-LECO-R4-07OCT21-014	LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets. The proposed Performance Metrics Targets submitted by LUMA for consideration by the PREB were adopted within the competitive negotiated processes conducted by the P3 Authority that led to the execution of the T&D OMA. LUMA also objects to this request as it calls for speculation or a hypothetical scenario and because it	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				<p>does not consider that the proposed Performance Metrics Targets submitted by LUMA for consideration by the Puerto Rico Energy Bureau were adopted within the competitive negotiated processes conducted by the Puerto Rico Public- Private Partnerships Authority that led to the execution of the T&D OMA. LUMA further objects to this request because it is argumentative and includes a legal interpretation by counsel.</p> <p>Without waiving the foregoing objections, it is clarified that Section 5.1 and Annex 1 to the T&D OMA (Scope of Services) outline LUMA's duty to provide O&M Services. The O&M Services do not include generation-related procurement activities which are managed by the P3 Authority with oversight by the PREB. As stated in Section 5.13 (d) of the T&D OMA, LUMA's role regarding the procurement of generation projects and generation supply contracts includes:</p> <p>(i) preparation of risk assessments and analysis in support of Resource Adequacy and Generation Project or Generation Supply Contract procurement prioritization and planning, which shall take into account the Integrated Resource Plan and Applicable Law (and which assessments and analyses PREB may request from time to time);</p> <p>(ii) prepare long and short-range transmission and distribution planning analyses and forecasts to determine the need for Generation Project or Generation Supply Contract procurement, which shall take into account the Integrated Resource Plan to the extent applicable (and which analyses and forecasts PREB may request from time to time);</p> <p>(iii) meet with PREB on an annual basis to review and assess the prepared analyses, demand projections (prepared in accordance with the Integrated Resource Plan), existing System Power Supply, Legacy Generation Assets and generation assets owned by IPPs related to the supply of Power and Electricity, and</p>	



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				determine whether additional power supply sources are needed; and (iv) (iv) coordinate any start-up-related services required from the Owner in connection with any such Generation Project or Generation Supply Contract. To be clear, while the OMA goes into extensive detail to describe the O&M Services, including those related to Generation, LUMA is not tasked with managing any procurement process for new generation. Accordingly, LUMA's Revised Performance Metrics Targets filing does not cover performance categories on generation from RPS PPOAs that are not part of LUMA's O&M Services and, thus, are not under LUMA's control.	
4	15	<p>PREB's Attachment A includes several other metrics not included in LUMA's proposed Annex IX:</p> <ul style="list-style-type: none"> a. Customer Average Interruption Duration Index (CAIDI) as a metric, with a baseline of 145 minutes and a benchmark of 101 minutes. b. Absenteeism, with a Baseline of 13.1% and a Benchmark of 2.4%. c. wait time in commercial offices d. % of customer calls answered e. average time to resolve billing disputes f. percent of customers billed g. percent of bills estimated vs. read h. average time to respond to service and outage complaints <p>For each metric: Did LUMA consider including this metric in its proposed Annex IX? If so, why did LUMA choose not to include it? If not, why not?</p>	RFI-LUMA-AP-2020-0025-LECO-R4-07OCT21-015	<p>LUMA objects to this request as the information sought is irrelevant to the controversy at issue on LUMA's Revised Performance Metrics Targets.</p> <p>LUMA also objects to this request as it calls for speculation or a hypothetical scenario and because it does not consider that the proposed Performance Metrics Targets submitted by LUMA for consideration by the Puerto Rico Energy Bureau were adopted within the competitive negotiated processes conducted by the P3 Authority that led to the execution of the T&D OMA. LUMA further objects to this request because it is argumentative and includes a legal interpretation by counsel.</p> <p>Without waiving the foregoing objections, the metrics selected for the revised Annex IX of the T&D OMA represent a broad list of activities across the utility that fairly represent a utility's performance. Furthermore, the metrics listed above are reported on a quarterly basis as part of Case No. NEPR-MI-2019-0007. As ordered by PREB, LUMA will continue to file reports on each quarter. Lastly, LUMA would like to clarify that while Annex IX contains only Performance Metrics as defined in the OMA, the list of items that will be</p>	Already answered by LUMA.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				reported on quarterly is not exclusive of the other key indicators that may be tracked, utilized throughout the utility's operations, and provided to the PREB. As relates specifically to CAIDI, it was eliminated by LUMA as explained in table 1-1 of LUMA's Revised Performance Metrics Targets filing on page 7 and in the pre-filed testimony of Don Cortez at lines 212 -232, filed in this proceeding Case No. NEPR-AP- 2020-0025.	
4	18	Do the SAIDI and SAIFI calculations that LUMA presented for the months of June through August reflect the same methodology used to calculate the SAIDI and SAIFI values that LUMA presented for months prior to June 2021? If not, please specify all changes to methodology.	RFI-LUMA-AP-2020-0025-LECO-R4-07OCT21-018	LUMA objects to that portion of the request that seeks information related to calculations since LUMA took over the transmission and distribution system, in June 2021. This proceeding does not involve performance or data after the Energy Bureau issued the Resolutions and Orders of May 21, 2021, and July 2, 2021, in Case No. NEPR-MI-2019-0007. Thus, the requested information on data after June 1st, 2021, is not relevant to this proceeding. Without waiving the foregoing objections nor acquiescing to the relevance of the information requested, LUMA's commencement of T&D Operations began on June 1, 2021. LUMA did not present any SAIFI or SAIDI values for the months prior to the month of June 2021. PREPA presented the monthly metrics prior to June 1, 2021. In the Resolution and Order in Case No. NEPR-MI-2019-0007 dated May 21, 2021, the PREB ordered PREPA to resubmit recalculated values for the reliability metrics consistent with the IEEE Guide for Electric Power Distribution Reliability Indices IEEE Std 1366™-2012. For a discussion of LUMA's pre-commencement analysis and findings of PREPA's historical methodology, please refer to Exhibit 2 - LUMA's Comments on Performance Metrics Baselines dated February 5, 2021, in LUMA's filing in Case No. NEPR-MI-2019- 0007 and based on data published by the Energy Bureau and presented during the technical conference held on January 19, 2021: Technical	This question in not pertinent to this procedure. The information sought corresponds under Case No. NEPR-MI-2019-0007, as it seeks a clarification on the methodology used by PREPA and LUMA as part of the quarterly performance reporting for SAIDI/SAIFI metrics. LUMA is not required to respond.



ROI No.	Question No.	Requirement	LUMA Response No.	LUMA Response	Determination
				discussion beginning on page 12. PREPA recalculated reliability metrics for March 2021 going forward based on the Energy Bureau's order. While the current quarterly report to the PREB breaks the T&D SAIFI and SAIDI into T SAIFI and SAIDI and D SAIFI and SAIDI, LUMA's proposed SAIFI and SAIDI metrics are for the combined T&D system as is considered a common industry practice for T&D utilities. Requiring the inclusion of performance for generation operations—which are explicitly excluded from LUMA's O&M Services—in the reliability metrics would mean evaluating an item that LUMA does not control.	
4	20	Please provide the raw outage data from January 1, 2021 through August 31, 2021. Data from the system after LUMA's June 1st takeover is relevant because PREB's orders in Docket # NEPR-MI-2019-0007 have made it clear that baselines and benchmarks must be informed by ongoing collection of data on LUMA's performance.	RFI-LUMA-AP-2020-0025-LECO-R4-07OCT21-020	LUMA objects to this request because it seeks information that falls beyond the scope of the subject matter of this proceeding and is not reasonably calculated to lead to the discovery of admissible evidence. LUMA objects to the request because it seeks information related to performance since LUMA took over the transmission and distribution system, in June 2021. This proceeding does not involve performance or data after the Energy Bureau set the applicable baselines in the Resolutions and Orders of May 21, 2021 and July 2, 2021, issued in Case No. NEPR-MI-2019-0007. The requested information on outage data after June 1st, 2021, is not relevant to this proceeding. LUMA also objects to this request because it is argumentative and includes legal interpretations by counsel.	The information is pertinent and discoverable as part of the subject matter of the instant case. LUMA shall respond in a manner similar to the response provided in RFI-LUMA-AP-2020-0025-LECO-R4-07OCT21-019.
4	22	Provide monthly SAIDI and SAIFI values by region for June 2020 through August 2021 without excluding Major Event Days.	RFI-LUMA-AP-2020-0025-LECO-R4-07OCT21-022	LUMA objects to that portion of the request that seeks information related to data since LUMA took over the T&D System in June 2021. This proceeding does not involve performance or data after the Energy Bureau issued the Resolutions and Orders of May 21, 2021, and July 2, 2021, in Case No. NEPR-MI-2019-0007. Thus, the requested information on data after June 1st, 2021, is not relevant to this proceeding. LUMA is not required to perform these calculations for this proceeding.	The inclusion of Major Event Days is not consistent with the IEEE 1366 methodology. The information sought is not relevant to this proceeding. LUMA is not required to respond.



