

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

NEPR

Received:

Nov 17, 2021

11:56 AM

IN RE:

IN RE: EVENTO DE INTERRUPCIÓN DE
LA LÍNEA DE TRANSMISIÓN 38900
OCURRIDO EL 22 DE AGOSTO DE 2021

CASE NO. NEPR-IN-2021-0003

**SUBJECT: Submission of Report in Compliance
with Order and Request for Confidential
Treatment**

**MOTION SUBMITTING REPORT IN COMPLIANCE WITH ORDER AND REQUEST
FOR CONFIDENTIAL TREATMENT**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW LUMA Energy ServCo, LLC (“ServCo”), (“LUMA”), and respectfully states and requests the following:

1. On October 26, 2021, this Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“October 26th Order”) whereby it initiated an investigation of “the causes of Incident 38900 and the investigative or corrective actions taken by the [Puerto Rico Electric Power Authority (“PREPA”)] and LUMA in connection therewith”. *See* October 26th Order at p. 3 (translation ours).

2. As described in the October 26th Order, “Incident 38900” refers to “events related to a failure of transmission line 38900 occurring on August 22, 2021 which caused this line to trip and the subsequent exit of certain generation units”. *See id.* at p. 1 (translation ours).

3. The October 26th Order requires LUMA and PREPA to provide, on or before November 17, 2021 at noon, the following information regarding Incident 38900:

- i. A summary of Incident 38900 including, but not limited to, a chronological description of the events and their effect, if any, on the Authority's generation fleet,

as well as the investigative, corrective or any other actions taken by LUMA and the Authority;

- ii. Any information received, obtained or collected in the course of investigative, corrective or any other efforts made by LUMA and/or the Authority, its agents, lawyers or consultants to determine the cause of Incident 38900 and its effect, if any, on the Authority's generation fleet;
- iii. Any document produced, prepared or received by LUMA and/or the Authority, its agents, lawyers or consultants in the course of investigative, corrective or any other efforts or efforts made to determine the cause of the Incident including, but not limited to, the "root cause report" of Incident 38900 and its effect, if any, in the Authority's generation fleet;
- iv. Any information, data, video, audio, photos, report or document submitted to federal or local authorities in relation to Incident 38900 and its effect on the generation fleet of the Authority.

October 26th Order at p. 2 (translation ours).

4. The Energy Bureau also explained in the October 26th Order that the request for information was issued pursuant to its regulatory authority and that it was not intended to interfere with any criminal investigation of Incident 38900. *Id.*

5. In compliance with the October 26th Order, LUMA hereby submits an *Analysis for Outage Events on August 22, 2021*. See Exhibit 1. Said analysis includes the sequence of events of two significant disturbances on the electric system that occurred on August 22, 2021. To wit, Disturbance 1 which occurred at 12:25:01 and involved Line 38900 fault, Palo Seco and San Juan generation outages, and a load shed disturbance event; and Disturbance 2 which occurred at 22:29:54 and involved Costa Sur unit # 6 outage and a load shed event. The *Analysis for Outage Events on August 22, 2021* is based on information and documents that LUMA has gathered thus far and LUMA's findings, assessments and recommendations are based on the information that was provided by PREPA or otherwise available to LUMA at the time of the writing of the report.

The report states that the information analyzed indicates that the two events were not related. Finally, the *Analysis for Outage Events on August 22, 2021* identifies key action points to prevent similar future events.

6. Pursuant to Section 15.10 of Energy Bureau Regulation 8543 on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Proceedings of December 18, 2014 (“Regulation 8543”), the investigative records of the Energy Bureau shall remain confidential. Given that the *Analysis for Outage Events on August 22, 2021* is being submitted as part of an ongoing investigation by the Energy Bureau, LUMA submits it under seal of confidentiality and requests that the Energy Bureau keeps and maintains it confidentially even after the investigation concludes. This, because the report includes intricate details about the functioning of assets and critical infrastructures of the Transmission and Distribution System. LUMA requests the opportunity to file at a date to be set within the discretion of the Energy Bureau, a summary of the *Analysis for Outage Event on August 22, 2021*. The summary could be disclosed to the public after the investigation concludes.

7. It bears noting that several of the figures, tables and appendixes to the *Analysis for Outage Event on August 22, 2021* should be received and maintained under seal of confidentiality as they constitute Critical Energy Infrastructure Information (“CEII”) that garner protection from public disclosures pursuant to federal statutes and regulations, *see e.g.*, 6 U.S.C. §§ 671-674; 18 C.F.R. §388.113 (2020), and the Energy Bureau’s Policy on Management of Confidential Information. *See* Energy Bureau’s Policy on Management of Confidential Information, CEPR-MI-

2016-0009 (“Policy on Management of Confidential Information”), issued on August 31, 2016, as amended by the Resolution dated September 16, 2016.¹

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the *Analysis for Outage Event on August 22, 2021* that is being filed as **Exhibit 1** to this Motion, **accept and treat confidentially** the *Analysis for Outage Event on August 22, 2021*, and **deem** that LUMA complied with the October 26th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 17th day of November 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 Katiuska Bolaños-Lugo, kbolanos@diazvaz.law. Notice will also be sent to the Office of the Independent Consumer Protection Office, Lcda. Hannia Rivera Diaz, hrivera@jrsp.pr.gov.

¹ For example:

1. Figure 1-1-Partial System Diagram (CEII);
2. Figure 2-1- Martín Peña Transmission Center 115kV (CEII);
3. Figure 2-2- Palo Seco, San Juan and line 38900 location (CEII);
4. Table 2-1- List of observed status and switching events in Transient Recorder (CEII, based on manual review of DFR and SCADA records) (CEII);
5. Figure 3-1- Berwind 115kV breaker 38930 SEL-311L relay event (CEII);
6. Figure 3-2- Martín Peña 38970-0082 - SEL-311L relay TRIP, breaker 38970 did not open (CEII);
7. Figure 3-3- Line 38900 fault recorded at Bayamón transient recorder (CEII);
8. Figure 3-4- Breaker 38930 at Berwind T.C. closed after 10 seconds and opened in 7 cycles (CEII);
9. Figure 3-5- Palo Seco Unit # 4 - Foxboro DCS alarms (CEII);
10. Figure 3-6- Palo Seco Unit # 3 - Foxboro DCS alarms (CEII);
11. Figure 3-7- Palo Seco DCS and SCADA Sequence of events time synchronization for Units 3 and 4 (CEII);
12. Figure 3-8- Costa Sur 5 & 6 performance during the 38900 fault (CEII);
13. Figure 3-9- Costa Sur units 5 & 6 – 11-minute current and frequency graph at 12:25:01 (CEII);
14. Figure 3-10 - Costa Sur #6 SCADA alarms (CEII);
15. Figure 3-11 - Costa Sur #6 trip event recorded by Digital Fault Recorder (CEII);
16. Figure A1-1 – Circuit breaker 38970 alarms for low hydraulic pressure failure (CEII);
17. Appendix IV- Bayamón T.C. 10-minute transient recorder frequency and 115 kV voltage event (CEII); and
18. Appendix V-Generation MW Response vs Frequency (CEII).



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/s/ Margarita Mercado Echegaray

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Exhibit 1
Analysis for Outage Event on August 22, 2021
[Submitted under Seal of Confidentiality]