

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

<b>NEPR</b>
<b>Received:</b>
<b>Dec 20, 2021</b>
<b>9:00 PM</b>

**IN RE: PERFORMANCE TARGETS FOR  
LUMA ENERGY SERVCO, LLC**

**CASE NO.: NEPR-AP-2020-0025**

**SUBJECT: INFORMATIVE  
MOTION REGARDING LECO'S  
RESPONSES TO PREB'S 1<sup>ST</sup> ROI**

**INFORMATIVE MOTION AND URGENT REQUEST FOR EXTENSION OF TIME  
TO THE PUERTO RICO ENERGY BUREAU:**

COME NOW, Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc.  
- Enlace Latino de Acción Climática, Inc., Alianza Comunitaria Ambientalista del Sureste, Inc., Coalición de Organizaciones Anti-Incineración, Inc., Amigos del Río Guaynabo, Inc., CAMBIO, and Sierra Club and its Puerto Rico chapter, and Unión de Trabajadores de la Industria Eléctrica y Riego (collectively, "LECO"), respectfully states and requests the following:

1. On December 10, 2021, the Puerto Rico Energy Bureau ("PREB"), through its legal counsel, submitted its First Request of Information to LECO.
2. On December 16, 2021, LECO submitted a Motion Requesting an Extension of Time to respond to PREB's First Request of Information (ROI), from December 20, 2021, to December 23, 2021. As of the time of this filing, PREB has not ruled on this Motion. The 10-day term to respond expires on December 20, 2021.
3. LECO informs that we were able to submit responses from Dr. Agustín Irizarry to PREB's 1<sup>st</sup> ROI. However, Dr. José Alameda underwent surgery

last Friday for an injury sustained in the accident he had on December 14<sup>th</sup>, 2021. Dr. Alameda is recuperating from the surgery. He is in no condition to work on the responses to PREB's questions. Dr. Alameda will have an appointment with his doctor on Thursday, December 23<sup>rd</sup> where he will receive further instructions and treatment.<sup>1</sup> We kindly ask this Energy Bureau to give Dr. Alameda the necessary time to recuperate and to answer all the responses until January 14<sup>th</sup>, 2022.

4. At the same time, LECO reiterates its request for an extension of at least ten (10) days after the 3<sup>rd</sup> of January, for all future ROIs submitted in December. LECO's attorneys and experts<sup>2</sup> have already planned to be out of the office from December 24<sup>th</sup>, 2021 to January 1<sup>st</sup>, 2022.<sup>3</sup> If the 10-day period to respond to ROI's falls upon those days, it will impose an undue and unnecessary burden on LECO to comply during a holiday season meant to share with the family within the limitations of the existing pandemic. PREB has placed nothing on the procedural calendar for this case from December 28, 2021, until the Pre-Hearing Conference scheduled on January 14, 2022. Therefore, the requested time extension will have no effect on the existing procedural calendar. As a result, LECO respectfully

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<sup>1</sup> Dr. Alameda will ask for a medical certificate if it is required.

<sup>2</sup> Dr. Alameda will have to take his time off to recuperate from his accident.

<sup>3</sup> The offices of Earthjustice, the firm of Attorneys Arroyo and Murthy, will be closed during those days. On the other hand, the offices of Rolando Emmanuelli, the firm of Attorneys Emmanuelli and Méndez, will be closed during those days until January 10, 2022.

requests an extension of at least ten (10) days after the 3<sup>rd</sup> of January 2022,  
for all future ROIs submitted to LECO in December.

**WHEREFORE**, LECO respectfully informs the submittal of Dr. Agustín Irizarry's responses to PREB First ROI; requests that the Honorable Puerto Rico Energy Bureau grant LECO an extension of time until January 14<sup>th</sup> to submit its responses or objections, if any, to PREB's 1<sup>st</sup> ROI concerning Dr. José Alameda's questions; and an extension of time of at least ten (10) days after the third of January to answer any further ROIs submitted to LECO in December.

Respectfully submitted. In San Juan Puerto Rico, December 20, 2021.

/s/ Laura Arroyo

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## CERTIFICATION OF SERVICE

I hereby certify that on December 20, 2021, I served this Informative Motion to the following parties:

- Puerto Rico Energy Bureau: secretaria@energia.pr.gov; secretaria@jrsp.pr.gov; legal@jrsp.pr.gov and atorres@jrsp.pr.gov
- LUMA Energy LLC and LUMA Energy ServCo LLC: mmercado@mercado-echegaray-law.com; margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com
- PREPA: jmarrero@diazvaz.law; kbolanos@diazvaz.law
- Oficina Independiente de Protección al Consumidor (OIPC): contratistas@oipc.pr.gov; hrivera@oipc.pr.gov
- Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE): agraitfe@agraitlawpr.com
- Colegio de Ingenieros y Agrimensores de Puerto Rico (CIAPR): rhoncat@netscape.net

*/s/ Laura B. Arroyo*

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