

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

NEPR  
Received:  
Dec 21, 2021  
7:34 PM

**IN RE:**  
IN RE: PUERTO RICO ELECTRIC POWER  
AUTHORITY PERMANENT RATE

**CASE NO. NEPR-MI-2020-0001**

**SUBJECT: Motion Submitting Supporting  
Data for Quarterly Reconciliation and  
Proposed Factors and Request for Confidential  
Treatment.**

**MOTION SUBMITTING SUPPORTING DATA FOR QUARTERLY  
RECONCILIATIONS AND PROPOSED FACTORS AND REQUEST FOR  
CONFIDENTIAL TREATMENT**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

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

1. On December 16, 2021, LUMA filed a *Motion Submitting Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors and Request for Confidential Treatment* (“December 16<sup>th</sup> Submission”). Therein, LUMA submitted quarterly reconciliations for September, October, and November 2021 and proposed FCA, PPCA, and FOS factors to be applied from January 1, 2022, going forward. As part of its submittal, LUMA included several Excel spreadsheets and other files as exhibits, for which it requested confidential designation and treatment because they contain sensitive commercial information.

2. On December 17, 2021, this Energy Bureau issued a Resolution and Order instructing LUMA to on or before December 21, 2021, at 10:00 a.m. submit or clarify certain information, including a request to file an update of the file “PRECIO PONDERADO DIRECTORADO DE GENERACION @ junio 30, 2021.xlsx”, with information up to November 30, 2021.

3. In the December 17<sup>th</sup> Order, this Energy Bureau granted confidential designation and treatment to all of the Excel spreadsheets as to which LUMA requested such designation and treatment in the December 16<sup>th</sup> Submission.

4. On December 21, 2021, LUMA complied with the December 17<sup>th</sup> Order and, among others, submitted the “PRECIO PONDERADO DIRECTORADO DE GENERACION @ junio 30, 2021.xlsx,” with information up to November 30, 2021. LUMA clarified that it received the spreadsheet from the Puerto Rico Electric Power Authority (“PREPA”).

5. LUMA hereby submits the spreadsheet entitled “PRECIO PONDERADO DIRECTORADO DE GENERACION @ agosto 31, 2021.xlsx”, with information up to August 31, 2021. LUMA received from PREPA the data included in this spreadsheet up to August 31, 2021. The data was used in the calculations for the quarterly reconciliations that were submitted to this Energy Bureau on December 16, 2021.

6. This submission includes an Excel spreadsheet filed publicly and a confidential Excel spreadsheet with intact formulae submitted confidentially, as depicted below:

**A. Confidential Spreadsheet**

CONFIDENTIAL PRECIO PONDERADO DIRECTORADO DE GENERACION @ agosto 31, 2021
---

**B. Public Spreadsheet**

PRECIO PONDERADO DIRECTORADO DE GENERACION @ agosto 31, 2021_Public
---

7. The confidential Excel file described above is submitted in native format (.xls), with intact formulae. It includes formulae and original calculations that reveal confidential procedures and sensitive commercial information belonging to PREPA or LUMA. As already determined by this Energy Bureau in the December 17<sup>th</sup> Order for the original Excel files submitted

on December 16, 2021, LUMA respectfully requests that the Excel file entitled “CONFIDENTIAL PRECIO PONDERADO DIRECTORADO DE GENERACION @ agosto 31, 2021,” be received, kept, and maintained confidentially by this Energy Bureau.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the filing of the aforementioned Excel spreadsheets; and **keep** confidentially the spreadsheet in Excel format and with formulae, entitled “CONFIDENTIAL PRECIO PONDERADO DIRECTORADO DE GENERACION @ agosto 31, 2021.”

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 21<sup>st</sup> day of December 2021.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau. I will send an electronic copy of this Motion to counsel for PREPA Katuska Bolaños-Lugo, [kbolanos@diazvaz.law](mailto:kbolanos@diazvaz.law) and to the Independent Consumer Protection Office, through Director Hannia Rivera, [hrivera@oipc.pr.com](mailto:hrivera@oipc.pr.com).



**DLA Piper (Puerto Rico) LLC**  
500 Calle de la Tanca, Suite 401  
San Juan, PR 00901-1969  
Tel. 787-945-9107  
Fax 939-697-6147

/s/ Margarita Mercado Echegaray  
Margarita Mercado Echegaray  
RUA NÚM. 16,266  
[margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com)