

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

NEPR
Received:
Dec 16, 2021
1:40 PM

IN RE: PERFORMANCE TARGETS FOR
LUMA ENERGY SERVCO, LLC

CASE NO.: NEPR-AP-2020-0025

SUBJECT: LECO's Request for
Extensions to Answer PREB's
Requirement of Information

**URGENT MOTION REQUESTING EXTENSIONS OF TIME FOR LECO TO
ANSWER REQUIREMENTS OF INFORMATION**

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"), to
respectfully request the following:

1. On October 20, 2021, the Puerto Rico Energy Bureau (PREB) issued a
Resolution and Order amending the procedural calendar established by its
April 8, 2021 Resolution and Order.
2. In its October 20th Resolution and Order, PREB set the deadline for filing
Intervenor's written testimony as November 17th, 2021 and the time period

- for discovery on Intervenor's written testimony as November 18th, 2021 to December 28th, 2021.¹
3. Subsequently, LECO filed a timely Motion to Submit Expert Testimony on November 17, 2021.² LECO's Motion included expert testimony from Dr. José Alameda Lozada and Dr. Agustín Irizarry Rivera.
 4. On December 9, 2021, PREB issued its first Requirement of Information to LECO.
 5. Under the ten-day timeframe for responses to discovery in this matter, LECO has until the 20th of December to submit an answer to PREB's 1st ROI.
 6. LECO informs PREB that expert Dr. Alameda was involved in an accident on December 14th for which he required emergency medical attention as well as a cast on his leg. Fortunately, Dr. Alameda is resting comfortably and recuperating at this point – but he will require an operation. Consequently, this accident has taken away valuable time that is necessary to adequately respond to PREB's first ROI. Dr. Alameda's attention is critical to provide comprehensive answers to PREB's ROIs.
 7. Considering the complexity of LECO's written testimonies, the comprehensive nature of PREB's ROIs, and the accident suffered by Dr.

¹ *In Re* Performance Targets for LUMA Energy Servco, LLC, Resolution and Order, NEPR-AP- 2020-0025, October 20, 2021, at 3 <https://energia.pr.gov/wp-content/uploads/sites/7/2021/10/20211020-AP20200025-Resolution.pdf>.

² Motion to Submit Expert Testimony, In Re: Performance Metrics Targets for LUMA Energy SERVCO, LLC, NEPR-AP-2020-0025 (November 17, 2021), <https://energia.pr.gov/wp-content/uploads/sites/7/2021/11/Motion-to-Submit-Expert-Testimony-NEPR-AP-2020-0025.pdf>.

Alameda, LECO respectfully requests a brief extension of three days to respond to PREB's First Requirement of Information: extending the deadline from December 20th to December 23rd. On the other hand, at the time of filing this Motion, no other ROIs have been submitted to LECO's written testimonies. LECO's attorneys and experts have already planned to be out of the office from December 24th, 2021 to January 1st, 2022.³ 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. In that sense, if a party were to submit an ROI to LECO during the time frame of December 23 to December 28, the 10-day period to answer these requests would fall on the first days of January of 2022, posing undue burdens on LECO and its experts and counsel with very few days in the office to provide answers.

8. 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.

³ 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.

9. As a result, LECO respectfully requests an extension of ten (10) days after the 3rd of January 2022, for all future ROIs submitted to LECO in December.

WHEREFORE, LECO respectfully requests that the Honorable Puerto Rico Energy Bureau grant LECO a brief extension of time of three (3) days to submit its responses or objections, if any, to PREB's 1st ROI and a brief extension of time of 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, this 16th day of December 2021.

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CERTIFICATION OF SERVICE

I hereby certify that on December 16, 2021, I served this Motion Requesting Extension of Times to the following parties:

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- LUMA Energy LLC and LUMA Energy ServCo LLC: mmercado@mercado-echegaray-law.com; margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com
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