

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

NEPR  
Received:  
Jan 13, 2022  
8:43 PM

IN RE: PERFORMANCE TARGETS FOR  
LUMA ENERGY SERVCO, LLC

CASE NO.: NEPR-AP-2020-0025

SUBJECT: INFORMATIVE  
MOTION REGARDING LECO'S  
RESPONSES TO LUMA'S 1<sup>st</sup> ROI  
ADDRESSED TO JOSÉ ALAMEDA  
AND 1<sup>st</sup> & 2<sup>nd</sup> ROI ADDRESSED TO  
AGUSTIN IRIZARRY

Informative Motion Regarding LECO's Response to LUMA's 1<sup>st</sup> ROI Addressed To  
José Alameda and 1<sup>st</sup> & 2<sup>nd</sup> ROI Addressed To Agustín Irizarry

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 April 8, 2021, the Puerto Rico Energy Bureau ("PREB") issued a  
Resolution and Order allowing LUMA to conduct discovery on the  
testimonies provided by intervenors. PREB set forth a discovery  
deadline along with the procedural calendar. Subsequent orders were  
made by PREB to amend the procedural calendar on the following dates:  
May 14, June 4, and July 2, 2021.

2. On October 20, 2021, PREB issued a Resolution and Order amending the procedural calendar established by its April 8, 2021 Resolution and Order. In this 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.
3. Subsequently, LECO filed a timely Motion to Submit Expert Testimony on November 17, 2021. LECO's Motion included expert testimony from Dr. José Alameda Lozada and Dr. Agustín Irizarry Rivera.
4. On December 10, 2021, PREB issued its 1st Requirement of Information to LECO.
5. On December 16, 2021, LECO filed an urgent motion requesting a brief extension of time of three (3) days to answer PREB's 1st Requests of Information, from Dec. 20, 2021 to Dec. 23, 2021. Additionally, LECO requested an extension of time of at least ten (10) days after the 3<sup>rd</sup> of January 2022 to respond to future ROIs submitted to LECO in December 2021.
6. On December 20, 2021, LECO filed an informative motion giving notice of Dr. Agustín Irizarry's responses submitted to PREB's 1<sup>st</sup> ROI. Additionally, LECO also submitted an urgent request for an extension of time, until January 14, 2022 to submit responses 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 3rd of January 2022 to respond to future ROIs submitted to LECO in December 2021.

7. On December 22, 2021, PREB granted LECO's request for an extension of time and ordered LECO to file Dr. Jose Alameda's responses to the Energy Bureau's 1st ROI no later than January 14, 2022. PREB also granted LECO's request for an extension of ten (10) days after January 3, 2022, to issue any other response to ROIs submitted to LECO in December 2021.
8. On December 22, 2021, LUMA, Energy, LLC, and LUMA Energy ServCo, LLC (jointly "LUMA") issued the 1st Set of Interrogatories and Request for Production of Documents to the expert witness for LECO, Dr. José Alameda Lozada. Under the extension granted by PREB, the due date for this request is today, January 13, 2022.
9. On December 27, 2021, LUMA issued three sets of interrogatories and requests to produce documents – two of which were specifically addressed to LECO. The first issued request titled *First Set of Interrogatories and Request for Production of Documents* was addressed to LECO's expert witness Dr. Agustín Irizarry Rivera. The second issued request titled *Second Set of Interrogatories and Request for Production of Documents* was also addressed to Dr. Agustín Irizarry Rivera. Under the extension granted by PREB, the due date for these requests is today, January 13, 2022.

WHEREFORE, LECO respectfully informs PREB of the submittal of expert Dr. José Alameda's responses to LUMA's 1<sup>st</sup> ROI addressed to him, and the submittal of expert Dr. Agustín Irizarry's responses to LUMA's 1<sup>st</sup> and 2<sup>nd</sup> ROI addressed to him.

Respectfully submitted. In San Juan Puerto Rico, January 13, 2022.

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## CERTIFICATION OF SERVICE

I hereby certify that on January 13, 2022, I caused this Informative Motion to be served 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
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