

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

NEPR

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

CASE NO. NEPR-AP-2020-0025

**SUBJECT: LUMA's Request to Modify
the Procedural Calendar**

**LUMA'S REQUEST FOR THIS ENERGY BUREAU TO MODIFY THE
PROCEDURAL CALENDAR SET FORTH IN THE RESOLUTION AND ORDER OF
DECEMBER 22, 2021**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME now **LUMA Energy, LLC** ("ManagementCo"), and **LUMA Energy ServCo, LLC** ("ServCo") (jointly "LUMA"), and respectfully states and request the following:

I. Introduction

On December 23, 2020, this Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order ("December 23rd Order") through which it commenced this adjudicative proceeding to establish performance-based incentive mechanisms for LUMA. In the December 23rd Order, the Energy Bureau established guiding principles to assist LUMA in preparing its request to develop performance-based incentive mechanisms.

On February 25, 2021, LUMA filed a *Submittal and Request for Approval of Revised Annex IX to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement*. LUMA requested that this Energy Bureau set the performance metrics and targets to apply for an initial three years of operations and allow periodic review of the performance baselines, metrics, and targets. Later, on August 18, 2021, LUMA filed a *Submittal of Request for*

Approval of Revised Annex IX to the OMA, with a revised version of Annex IX for approval of this Energy Bureau. LUMA also filed a *Motion Submitting Pre-Filed Testimonies*, wherein it tendered the direct testimonies and accompanying exhibits of nine (9) witnesses in support of the above-described request. In a Resolution and Order dated August 25, 2021, this Energy Bureau determined that the information filed by LUMA complied with the minimum requirements established to continue its evaluation of this proceeding.

On September 24, 2021, LUMA filed a revised version of the Amended Revised Annex IX to the OMA (“Revised Annex IX to the OMA”). The Revised Annex IX to the OMA reflected revisions to the calculations for the customer complaint rate and the proposed targets in the Customer Complaint Rate metric. The Energy Bureau granted LUMA’s September 24th Motion and accepted the exhibits submitted with the motion on September 27, 2021.

After four months of discovery conducted by this Energy Bureau and intervenors on LUMA’s proposed metrics and the pre-filed testimonies of LUMA’s witnesses, on December 22, 2021, this Energy Bureau issued a Resolution and Order determining that three (3) additional performance metrics on Interconnection, Energy Efficiency/Demand Response, and Vegetation Management should be evaluated in this proceeding (“December 22nd Order”). In the December 22nd Order, the Energy Bureau ordered LUMA to submit on or before January 18, 2022, a revised Annex IX to the OMA that includes performance targets for the three new areas described above and pre-filed written testimonies. Additionally, the Energy Bureau amended the procedural calendar to incorporate a timeframe to allow discovery on these newly written testimonies and for the intervenors to submit testimonies on those new metrics.

Without accepting that additional metrics shall be considered at this point in this proceeding, LUMA hereby respectfully requests that the Energy Bureau modify the procedural calendar established in the December 22nd Order.¹

First, the January 18th deadline for LUMA's submissions on the new performance metrics hinders LUMA's fundamental procedural rights and guarantees and places LUMA at a material and significant disadvantage. Specifically, the timeframes imposed by this Energy Bureau at the end of discovery and months after LUMA submitted its *Request for Approval of Revised Annex IX to the OMA* curtail LUMA's opportunity to be heard on the additional metrics and also to reasonably prepare its rebuttal on intervenors' evidence. Apart from the requirement to file a revised Annex IX to the OMA and pre-filed written testimonies by January 18th, on the same date, LUMA also must submit rebuttal testimonies to the four testimonies filed by intervenors. It should also be noted that LUMA's discovery on the pre-filed testimonies has not concluded, and LUMA is set to receive responses to discovery requests as late as January 14, 2022. Additionally, the new deadline to file LUMA's submission on the new metrics by January 18th was set on December 22, 2021, within less than a month of the due date and in the middle of a holiday season, making it impossible for LUMA to have a real opportunity to be able to properly analyze the Energy Bureau's unprecedented determinations that additional metrics will be considered in this proceeding **and** that LUMA must amend LUMA's Revised Annex IX to the OMA. LUMA's Revised Annex IX to the OMA is the product of an iterative process rooted in the OMA that entailed months of work and participation of LUMA experts and management, as well as the Puerto Rico Public-Private Partnerships Authority ("P3"). To consider new performance metrics, LUMA has a responsibility to involve subject-matter experts in several areas of its operations.

¹ LUMA plans to submit separately its position on the Energy Bureau's determination that consideration of additional metrics is appropriate and justified at this point in this proceeding.

Furthermore, LUMA needs time to evaluate the possibility of notice to the P3 pursuant to the provisions of the OMA. Per LUMA's prior experience, this process takes months, making it unattainable for LUMA to complete the aforementioned tasks on or before the January 18th deadline.

Second, as explained in the motion filed on December 22, 2021, LUMA needs additional time to complete rebuttal testimonies on the intervenors' witnesses. Therein, LUMA sought a request for an extension to submit rebuttal testimonies given that the Local Environmental and Civil Organizations' ("LECO") request for an extension to submit their responses to LUMA's discovery requests would have the effect of reducing the time to review and analyze any information or documents produced by LECO. The procedural calendar established in the December 22nd Order entails that LUMA would have only two (2) business days to review responses and documents provided by LECO and submit rebuttal testimonies and that LUMA would have to meet two additional deadlines by January 18, 2022. As such, it is more than justified to grant LUMA sufficient time to submit its rebuttal testimonies on the intervenors' written testimonies.

Finally, the modification of the procedural calendar is warranted due to a conflict by one of LUMA's primary witnesses with the dates now scheduled for the evidentiary hearing. LUMA had no opportunity to comment on the dates selected by this Energy Bureau (nor did any of the other participants in this proceeding) and now is exposed to possibly lose one of its witnesses in charge of highly technical testimony.

For these reasons, which are discussed in more detail below, the Energy Bureau should modify the procedural calendar established in the December 22nd Order. LUMA hereby proposes an amended calendar for consideration by this Energy Bureau.

II. Background

On June 22, 2020, LUMA, the Puerto Rico Electric Power Authority (“PREPA”), and the P3 entered into the OMA under which LUMA would manage PREPA’s T&D System. Under the T&D OMA, LUMA was required to provide “Front-End Transition Services,” which were “intended to ensure an orderly transition of the responsibility for the management, operation, maintenance, repairs, restoration, and replacement of the T&D System to [LUMA] by the . . . [Commencement Date], without disruption of customer service and business continuity [.]” *See* OMA Sections 1.1 and 4.1(a).

During the Front-End Transition Period, LUMA was required to establish a planning team with PREPA and the P3 to prepare, with the input of said planning team, “a revised Annex IX (Performance Metrics), including (i) proposed baseline, target, and minimum performance levels for certain Performance Metrics, (ii) Key Performance Metrics and (iii) Major Outage Event Performance Metrics, together with an explanation of the basis for each of the foregoing.” (together, for purposes of this Motion, “Performance Metrics”). *See* OMA Section 4.2(f). LUMA was then required to submit the proposed revised Performance Metrics for the P3’s review and comments. *Id.* After such review or comment, LUMA then submitted the Performance Metrics to this Energy Bureau. *Id.* As stated in the OMA, upon review of the Performance Metrics, this Energy Bureau may then “approve, deny or propose modifications to such [Performance Metrics] in accordance with Applicable Law.” *Id.*

Performance Metrics, targets and incentives, and their conceptualization in the T&D OMA were part of the competitive procurement process. The evaluation of proposals included the comments received by proponents to customer service, technical, and operational, and financial performance metrics to improve the T&D System. LUMA’s approach was considered by the

Partnership Committee as more favorable and aligned with Puerto Rico’s goals. As indicated in the Partnership Committee Report, “LUMA essentially accepted the Government’s approach to the Performance Metrics included in the RFP...for the benefit of its customers and the people of Puerto Rico.” *See* Partnership Committee Report, Puerto Rico Public-Private Partnership for the Electric Power Transmission and Distribution System, on page 66 (May 15, 2020), *available at* <https://www.p3.pr.gov/wp-content/uploads/2020/06/20-0520-02-partnership-committee-report-r18.pdf> (last visited, January 7, 2022).

As required under the T&D OMA, and after having concluded an iterative review process with the P3’s advisors in December 2020 and January 2021, LUMA submitted the Performance Metrics to the P3 on February 5, 2021, for its final review and comments. The comments and suggestions of the P3 and its advisors were discussed and addressed. The outcome of that process resulted in the Performance Metrics Targets filing submitted to this Energy Bureau on February 25, 2021, which included a revised Annex IX to the T&D OMA as Section 2.0 (“Performance Metrics Targets”).

On April 8, 2021, the Energy Bureau issued a Resolution and Order, whereas it established a procedural calendar to evaluate the February 25th filing and set dates for filings in the instant proceeding. As part of the procedural calendar, the Energy Bureau established May 14, 2021, as the deadline for LUMA to file a revised version of the February 25th filing. It noted that such filing should be consistent with the Energy Bureau’s final determination under Case No. NEPR-MI-2019-0007. The April 8th Order, however, did not apprise LUMA that additional metrics could be considered in this proceeding. The Energy Bureau then extended the deadline for LUMA to file a revised version of the February 25th filing to June 4, 2021.

In the meantime, on May 21, 2021, the Energy Bureau issued a Resolution and Order under Case No. NEPR-MI-2019-0007, in which it established baselines and benchmarks for specific performance metrics. After a request from LUMA to amend the procedural calendar due to a pending filing in Case No. NEPR-MI-2019-0007, which outcome could affect the submission of the revised version of the February 25th filing; on June 4, 2021, the Energy Bureau issued a Resolution and Order modifying the aforementioned procedural calendar. However, in the June 4th Order, this Energy Bureau did not state that additional performance metrics targets other than the ones initially proposed by LUMA would or could be evaluated or required.

On August 18, 2021, LUMA filed a revised version of the *Request for Approval of the Revised Annex IX to the OMA* (“Revised Request for Approval of the Revised Annex IX to the OMA”). In the revised version, LUMA petitioned the Energy Bureau: (1) to accept and approve the Revised Annex IX to the OMA, and the Revised Performance Metrics Targets, (2) set the Performance Metrics and targets to apply for an initial period of three years of operations, (3) and allow periodic review of the performance baselines, metrics, and targets. On that same day, LUMA filed a *Motion Submitting Pre-Filed Testimonies*, in which it pre-filed the testimonies of the nine (9) witnesses it intended to present at the evidentiary hearing in this instant proceeding.

Five days later, LUMA filed a Motion Submitting Amended Exhibit to the Revised Request for Approval of the Revised Annex IX to the OMA. Through this motion, LUMA submitted an amended version of the Revised Annex IX attached to the Revised Request for Approval of the Revised Annex IX to the OMA. This motion was filed to correct the number of associated exhibits for each of LUMA’s primary witnesses. The Energy Bureau issued a Resolution and Order on August 25, 2021, stating that the information filed by LUMA complied with the minimum requirements established to continue the evaluation as part of the instant proceeding.

On September 24, 2021, LUMA filed a Revised Annex IX to the OMA. The Revised Annex IX to the OMA reflected revisions to the calculations for the customer complaint rate and the proposed targets in the Customer Complaint Rate metric. As part of this filing, LUMA also submitted a revised pre-filed testimony of Ms. Melanie Jeppesen, substituting the one filed on August 18, 2021. Ms. Jeppesen is LUMA's witness for the Customer Complaint Rate metric. The Energy Bureau granted LUMA's September 24th Motion and accepted the exhibits submitted with the motion on September 27, 2021.

Discovery on LUMA's Revised Annex IX to the T&D OMA and pre-filed testimonies was conducted from August 27, 2021 through October 7, 2021. On November 17, 2021, intervenors submitted pre-filed testimonies. Thereafter, the issuance of discovery requests on intervenors' testimony was conducted and concluded on December 28, 2021.

Close to four (4) months after LUMA submitted the Revised Request for Approval of the Revised Annex IX to the OMA, the Energy Bureau issued the December 22nd Order determining that it will evaluate the establishment of additional performance metrics targets for Interconnection, Energy Efficiency/Demand Response, and Vegetation Management. As a result, it ordered LUMA to submit a revised Annex IX to the OMA on or before January 18, 2022, which includes performance targets and associated metrics for the areas described above and pre-filed written testimonies on those metrics. Additionally, this Energy Bureau amended the procedural calendar to incorporate a timeframe to allow discovery on these newly written testimonies and for the intervenors to submit testimonies on those new metrics. Consequently, this Energy Bureau set a new calendar to hold the evidentiary hearings and subsequent procedural events in this proceeding.

III. Argument

The December 22nd Order places LUMA at a procedural disadvantage in violation of fundamental procedural fairness and due process guarantees that apply in administrative adjudicative proceedings such as this one. Respectfully, the calendar set in the December 22nd Order is untenable and should be amended to further important interests in the equitable conduct of proceedings. The amendment to the procedural calendar here requested shall inure to the benefit of all of the parties, the Energy Bureau, and a just adjudication of LUMA's Revised Annex IX to the OMA.

Under Puerto Rico law, administrative adjudicative proceedings shall observe the guarantees of due process according to the nature of the proceedings, which ultimately must be fair and equal. *Báez Díaz, ELA*, 179 DPR 605, 623 (2010). Administrative adjudicative proceedings must observe the following minimum guarantees: (1) adequate notice of the proceeding; (2) proceedings before an impartial judge; (3) opportunity to be heard; (4) right to cross-examine witnesses and examine the evidence presented; (5) have the assistance of counsel; and (6) a decision based on the record. *Román Ortiz v. Oficina de Gerencia de Permisos*, 203 DPR 947, 954 (2020). The Energy Bureau's decision to modify the procedural calendar that is based on an unprecedented determination that new performance metrics targets and metrics will be considered in this proceeding at this time thwarts LUMA's procedural rights to have a real opportunity to be heard and its right to present and examine the evidence.

None of the prior determinations issued by the Energy Bureau suggested that additional performance metrics targets other than those initially submitted by LUMA in the February 25th filing could be evaluated in this proceeding, nor that amendments to Annex IX would be considered or mandated. Prior to December 22, 2021, this Energy Bureau conducted the instant

proceeding as if the February 25th filing, as amended, and the proposed metrics contained therein were the ones that would be subject to adjudication. LUMA submitted pre-filed testimonies and, along with intervenors, carried out discovery for the past four months based on the filings already on record. Now, at an advanced stage of the proceedings, and as a consequence of the December 22nd Order, LUMA is called upon to comply with a new unachievable deadline that impacts LUMA's prior filings and pre-filed testimonies where witnesses addressed the substance and calculations included in the Revised Annex IX and did not consider the possibility of additional metrics that may have an impact on the base points and effective weight of the proposed metrics and thus, requires that each of the nine (9) LUMA witnesses reevaluate not only their assigned metrics but also the testimonies submitted on August and September 2021. All of this, at the same time, that intervenors are set to respond to discovery requests up until January 14, 2022, which leaves LUMA with insufficient time to fully evaluate, thoroughly discuss internally, and knowledgeably set its position, defenses, arguments, and evidence in a proceeding that is now unexpectedly set to cover new and additional metrics and targets that affect LUMA's Revised Annex IX to the OMA.

- A. *The January 18, 2022, Deadline set by the Energy Bureau Imposes an Unreasonable Burden on LUMA Affecting its Opportunity to Be Heard and the Right to Present Evidence and Examine the Evidence Presented.*

In the December 22nd Order, this Energy Bureau instructed LUMA to submit on or before January 18, 2022, a revised Annex IX to the OMA that includes performance metrics and targets on Interconnection, Energy Efficiency/Demand Response, and Vegetation Management, and the corresponding pre-filed written testimonies. LUMA respectfully affirms that it is realistically impossible to submit, within a deadline of less than a month that was set in the middle of the Holiday Season when several legal and LUMA holidays were observed and LUMA personnel had

previously scheduled time off, adding performance metrics for Interconnection, Energy Efficiency/Demand Response, and Vegetation Management, with corresponding written witnesses' testimonies. Consideration of new metrics requires an operational process for consideration and proposal by the LUMA organization, including work, consultation, and management of multiple existing LUMA witnesses and new witnesses. Moreover, the effort is not isolated to one team, as it includes personnel from Operations, Business Transformation, Engineering, and Asset Management.

Due to the holiday period and planned vacations, a significant number of the relevant LUMA personnel are out of the office until January 10, 2022. It is important to note that several of those key LUMA employees had scheduled their time off prior to LUMA receiving the December 22nd Order. Other LUMA personnel have been conducting discovery in this proceeding, which includes reviewing the responses provided by the Independent Consumer Protection Office ("ICPO") to the discovery requests issued by LUMA. This, to prepare rebuttal testimonies, which are currently due on January 18, 2022. The Energy Bureau must consider that while LUMA has until January 18, 2022, to submit rebuttal testimonies, **on December 22, 2021**, the Energy Bureau granted LECO **until January 14, 2022**, to present its witnesses' responses to the discovery requests. Because the Energy Bureau's concession towards LECO left LUMA with merely two (2) business days to complete rebuttal testimonies that could consider LECO witnesses' responses, LUMA is hereby requesting an extension of time to submit rebuttal testimonies.

Moreover, LUMA issued discovery requests to LECO's expert witness, Engineer Agustín Irizarry, on topics that precisely cover his proposal to add performance metrics on Interconnection, Energy Efficiency/Demand Response, and Vegetation Management. Since the responses that Engineer Irizarry will provide are relevant to any analysis LUMA may perform on potential new

metrics and targets, having solely two (2) business days to examine those responses is untenable. Procedural equity demands that LUMA have a real opportunity to review and scrutinize any discovery responses provided on such relevant topics before LUMA is required to consider revisions to the Annex IX to the T&D OMA and have witnesses submit sworn direct testimonies. Respectfully, the simultaneous deadlines set by this Energy Bureau to review responses to discovery, file rebuttal testimonies, and consider an order that transmutes LUMA's prior petition, while at the same time witnesses are expected to be ready to explain and support under oath an amended petition that the regulator mandates are unreasonable. The procedural situation in which LUMA finds itself precludes its right to examine the evidence against it and fashion any amendments to its petition and testimonial evidence, thereby having the consequential effect of inhibiting its opportunity to be heard.

Furthermore, LUMA also needs time to evaluate the contractual implications of the December 22nd Order and determine any next steps with the P3. It should be noted that LUMA and the P3 carried out discussions on performance metrics targets for three months before agreeing on the final document presented to the Energy Bureau on February 25, 2021.

Given the aforementioned, LUMA contends that it needs at least until February 17, 2022, to address the December 22nd Order on new metrics. LUMA is cognizant that the extension sought would require the modification of all subsequent procedural events in the calendar of this instant proceeding. However, such modification is necessary to ensure that LUMA has an equitable opportunity to be heard and support its case while guaranteeing fairness to all parties in presenting and examining the evidence, which is the ultimate goal in an adjudicative proceeding.

B. Proposed Revised Procedural Calendar

As part of the December 22nd Order, the Energy Bureau amended the procedural calendar in this instant proceeding to include the filing of the Revised Annex IX and pre-filed testimonies on January 18, 2022, as well as discovery on those submissions. Notably, this Energy Bureau maintained January 18, 2022, as the deadline for LUMA to submit written rebuttal testimonies to the intervenors' direct testimonies. It is respectfully submitted that the Energy Bureau failed to properly consider the current status of discovery on intervenor's direct testimonies, whereby LECO will file some responses on January 14, 2022, as per an order issued near the close of discovery on December 22, 2021, to accommodate a request by LECO. That order, which benefits LECO and its witnesses, leaves LUMA just two (2) business days to complete its rebuttal testimonies on LECO's witnesses' direct testimonies and consider the December 22nd Order on new metrics.

Considering the amount of labor that the submissions on rebuttal testimonies and consideration of new metrics to set LUMA's position require, it is unfeasible for LUMA to complete them by January 18, 2022. LUMA thus requests an amendment to the current procedural calendar.

First, LUMA requests to extend the timeframe to submit rebuttal testimonies. This extension is warranted since the concession by this Energy Bureau of an extension to LECO to notify its answers to the discovery requests severely reduced the period that LUMA has to review and analyze any responses and documents provided by LECO's expert witnesses to complete its rebuttal testimonies. The extension provided to LECO without a corresponding extension to LUMA has the effect of hindering LUMA's right to examine the evidence presented against it.

Accordingly, LUMA requests the Energy Bureau to extend the deadline to submit rebuttal testimonies on the intervenors' written direct testimonies until February 1, 2022.

Second, as stated above, LUMA requests until February 17, 2022, to file its submissions on new metrics.

Third, although LUMA understands the determination included in the December 22nd Order to postpone the evidentiary hearing to accommodate time for discovery on the submissions related to the new performance metrics targets, the new dates conflict with previously scheduled commitments of LUMA's witness, Mr. Don Cortez. Mr. Cortez is a witness for five (5) proposed Technical performance metrics and is unavailable from April 9-23, precisely on the week the evidentiary hearing is currently scheduled. With the current procedural calendar, LUMA would be forced to substitute its witness on a highly technical topic, which is not an easy task given the unique characteristics and experience of Mr. Cortez and his stature at LUMA as Vice President of Utility Transformation. Thus, the changes introduced by this Energy Bureau to the procedural calendar without conferring with the participants on their availability impose a burden on LUMA's presentation of evidence.

LUMA requests the Energy Bureau to schedule the evidentiary hearing for the week of May 16-20, 2022. LUMA proposes that all subsequent procedural events after the hearing be extended by one week to provide the equal benefit of time to the rest of the participants in this proceeding and the public in general in any filings and submissions they may have. This modification request is made in good faith and will not cause prejudice to any of the participants in this proceeding. Instead, it ensures that each one of the parties involved has equal opportunities to present and defend their respective positions.

For the benefit of the Energy Bureau and to facilitate consideration of LUMA’s proposed modifications to the procedural calendar, below is a table illustrating the calendar as it would stand with the extensions sought. This proposed amended calendar is based on LUMA’s good faith estimation on the time that operationally and reasonably is needed to complete rebuttal testimonies and address the December 22nd Order. LUMA notes that the proposed amended calendar is demanding and aggressive. It seeks to accommodate the procedural rights of the parties and the need for efficient and expedient conduct of proceedings.

DATE	PHASE
February 1, 2022	Rebuttal on Intervenors’ Written Testimony Due
February 17, 2022	LUMA’s Submission on New Metrics
February 17, 2022	Filing of Supplemental Written Testimony by LUMA (Limited to Additional Performance Targets)
February 17-March 7, 2022	Discovery on LUMA’s Supplemental Written Testimony (Limited to Additional Performance Targets)
March 22, 2022	Filing of Supplemental Written Testimony by Intervenors (Limited to Additional Performance Targets)
March 22-April 12, 2022	Discovery on Intervenors’ Supplemental Written Testimony (Limited to Additional Performance Targets)
April 27, 2022	Rebuttal on Intervenors’ Supplemental Written Testimony Due
April 29, 2022	Pre-Hearing Conference
May 16-20, 2022	Virtual Evidentiary Hearing
May 24-25, 2022	Virtual Public Hearings
June 10, 2022	Filing of Final Substantive and Legal Briefs by the Parties
June 20, 2022	Filing of Replies to Final Briefs by the Parties
June 26, 2022	Filing of Comments by General Public; Filing of Final Brief by <i>Amicus Curiae</i>

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take** notice of the above and **amend the procedural calendar** to grant LUMA until February 17, 2022, for its

submission on new metrics; extend the deadline to submit rebuttal testimonies until February 1, 2022; re-schedule the evidentiary hearing for May 16-20, 2022; and that all precedent and subsequent procedural events be extended as illustrated in the proposed procedural calendar above.

RESPECTFULLY SUBMITTED.

We hereby certify that we 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 Katuska Bolaños-Lugo, kbolanos@diazvaz.law, the Office of the Independent Consumer Protection Office, Hannia Rivera Diaz, hrivera@jrsp.pr.gov, and counsel for the Puerto Rico Institute for Competitiveness and Sustainable Economy (“ICSE”), Fernando Agrait, agraitfe@agrailawpr.com, counsel for the Colegio de Ingenieros y Agrimensores de Puerto Rico (“CIAPR”), Rhonda Castillo, rhoncat@netscape.net, and counsels for Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc., Enlace Latino de Acción Climática, Alianza Comunitaria Ambientalista del Sureste, Inc., Coalición de Organizaciones Anti-Incineración, Inc., Amigos del Río Guaynabo, Inc., CAMBIO, Sierra Club and its Puerto Rico Chapter, and Unión de Trabajadores de la Industria Eléctrica y Riego (jointly, Puerto Rico Local and Environmental Organizations), larroyo@earthjustice.org, rstgo2@gmail.com, notificaciones@bufete-emmanuelli.com, pedrosaade5@gmail.com, jessica@bufete-emmanuelli.com; rolando@bufete-emmanuelli.com.

In San Juan, Puerto Rico, this 7th day of January 2022.



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