

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

NEPR

Received:

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IN RE: PERFORMANCE TARGETS FOR
LUMA ENERGY SERVCO, LLC

CASE NO.: NEPR-AP-2020-0025

SUBJECT: Notice of Intent to File
Response

**LECO'S NOTICE OF INTENT TO FILE A RESPONSE TO LUMA'S MOTION TO
STRIKE PORTIONS OF THE EXPERT TESTIMONY OF JOSÉ ALAMEDA-
LOZADA**

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
requests the following,

1. On January 14, 2022, the Energy Bureau issued a Resolution and Order amending the procedural calendar ("January 14th Resolution and Order"). The Energy Bureau ordered LUMA to submit its witnesses' rebuttal testimonies on or before February 1, 2022.
2. On January 28, 2022, LUMA filed *LUMA's Request for an Extension of Time to File Rebuttal Testimonies* due to needed outstanding supplemental responses to the discovery requests issued by the Local Environmental and Civil Organizations ("LECO") and the Independent Consumer Protection

Office (“ICPO”). LUMA requested that the Energy Bureau extend the timeframe to submit rebuttal testimonies to February 17, 2022.

3. On January 27, 2022, LECO filed a document titled *Request to Amend the Procedural Calendar to Authorize Discovery on LUMA’s Rebuttal Testimonies*, to allow LECO a period of two to three weeks to conduct discovery on LUMA’s rebuttal on Intervenors’ written testimony and LUMA’s rebuttal on intervenors’ supplemental testimony.
4. On January 31, 2022, the Energy Bureau issued a Resolution and Order (“January 31st Resolution and Order”) granting LUMA until February 17, 2022, to file rebuttal testimonies on the intervenor’s pre-filed direct testimonies.
5. On February 1, 2022, LUMA submitted the pre-filed witnesses’ rebuttal testimonies of Mr. Kalen Kostyk (Manager of Accounting); Mr. Jorge Meléndez (Safety and Training Lead); Mr. Terry Tonsi (Director Lines East); Ms. Melanie J. Jeppesen (Director of Billing Services); and Mr. Brent Bolzenius (Director of Vegetation Management).
6. On February 7, LUMA filed a document titled *Response in Opposition to LECO’s Request to Amend the Procedural Calendar to Authorize Discovery on LUMA’s Rebuttal Testimonies*.
7. On February 15, after reviewing LECO’s request and LUMA’s opposition, the Energy Bureau granted all parties a period of (10) ten days, from

- LUMA's filing of Rebuttal on Intervenors Written Testimony, to conduct on LUMA's rebuttal on Intervenors' written testimony.
8. On February 16, LUMA filed an *Urgent Request for an Extension of Time to File Rebuttal Testimony of Witness Mario Hurtado*, requesting that it be extended until February 25, 2022, to submit the rebuttal testimony of such witness.
 9. On February 17, LUMA submitted the pre-filed witnesses' rebuttal testimonies of Mr. Donald Hall (Senior Director – Engineering & Asset Management); Mr. Don Cortez (Vice President – Utility Transformation); Ms. Jessica Laird (Vice President of Customer Experience); Mr. Lee Wood (Director, Business Transformation); Mr. Branko Terzic; and Mr. Juan Lara.
 10. On February 23, the Energy Bureau issued a *Resolution and Order* granting LUMA's until the 25th of February to file *the Rebuttal Testimony of Witness Mario Hurtado* and granted the parties and intervenors ten (10) days from LUMA's filing of that testimony, to submit discovery related to Mr. Hurtado's Rebuttal Testimony.
 11. On February 23, after PREB's *Resolution and Order* from that same day, LUMA filed an *Urgent Request for an Additional Extension of Time to File Rebuttal Testimony of Witness Mario Hurtado*.
 12. Because LUMA filed a total of eleven (11) Rebuttal Testimonies for a total of 317 pages including attachments, LECO respectfully requests a brief

extension of five days, until March 4, 2022, to submit discovery related to all eleven (11) testimonies filed by LUMA. This extension of time will allow LECO to conduct the necessary thorough discovery on LUMA's rebuttal testimonies. This petition is not intended to cause unnecessary delay.

13. Wherefore, we respectfully request that the Energy Bureau grant LECO until March 4, 2022, to submit discovery on the rebuttal testimonies of the eleven witnesses filed by LUMA.

Respectfully submitted. In San Juan Puerto Rico, February 25, 2022.

/s/ Laura Arroyo

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CERTIFICATION OF SERVICE

I hereby certify that on February 25, 2022, I served this Notice of Intent to File Response 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; and ana.rodriguezrivera@us.dlapiper.com
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