

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

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

CASE NO. NEPR-AP-2020-0025

**SUBJECT: LUMA's Notice of Intent to File
a Response to LECO's Request to Amend
Procedural Calendar to Authorize
Discovery on LUMA**

**LUMA'S NOTICE OF INTENT TO FILE A
RESPONSE TO LECO'S REQUEST TO AMEND PROCEDURAL CALENDAR
TO AUTHORIZE DISCOVERY ON LUMA AND REQUEST FOR TIME TO FILE
LUMA'S RESPONSE**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC ("ManagementCo"), and LUMA Energy ServCo, LLC ("ServCo"), (jointly "LUMA"), and respectfully state and request the following:

1. On January 27, 2022, the Puerto Rico Local Environmental and Civil Organizations ("LECO") moved to amend the procedural calendar established by the Energy Bureau in a Resolution and Order issued on January 14, 2022. *See LECO's Request to Amend the Procedural Calendar to Authorize Discovery on LUMA's Rebuttal Testimonies* ("LECO's January 27th Request to Authorize Discovery"). According to LECO, the procedural calendar does not allow the intervenors to conduct discovery on LUMA's rebuttal testimonies. LECO argues that this constrains its capacity to effectively intervene in the case. LECO requested 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.

2. LUMA informs that it has concerns with LECO's January 27th Request to Authorize Discovery on timeliness and procedural grounds, as well as substantively. LUMA wishes to state

and explain these concerns in a response for the record. LUMA's response will provide important information and arguments that this Energy Bureau should consider before it adjudicates LECO's January 27th Request to Authorize Discovery.

3. LUMA requests that this Energy Bureau take notice of LUMA's intent to respond to LECO's January 27th Request to Authorize Discovery and grant LUMA ten (10) days to expire on February 7, 2022, to submit its response. This petition is not intended to cause unnecessary delay and should not cause any inconvenience to the parties. A period of ten days is reasonable considering that this Energy Bureau previously has set such a timespan for LUMA to oppose LECO's motions to compel discovery. *See* Resolutions and Orders of October 14, 2021, and October 20, 2021.

WHEREFORE, LUMA respectfully requests that the Energy Bureau grant LUMA until February 7, 2022 to file an opposition to LECO's January 27th Request to Authorize Discovery.

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@agraitlawpr.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 31st day of January 2022.



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