

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

NEPR Received: Jan 21, 2022 7:09 PM
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IN RE:

THE PERFORMANCE OF THE PUERTO
RICO ELECTRIC POWER
AUTHORITY

CASE NO.: NEPR-MI-2019-0007

**SUBJECT: Motion in Compliance with Order and to
Submit Plan to Produce Information on Specified
Performance Metrics.**

**MOTION IN COMPLIANCE WITH ORDER AND SUBMITTING PROPOSAL TO
PRODUCE INFORMATION ON SPECIFIED PERFORMANCE METRICS**

TO THE PUERTO RICO ENERGY BUREAU:

COMES NOW, LUMA ENERGY SERVCO, LLC (“LUMA”), through the undersigned legal counsel and respectfully states and requests the following:

1. On September 20, 2021, LUMA submitted the first Quarterly Performance Metrics Report that involves data collected by LUMA after Interim Service Commencement (“June through August Quarterly PM Report”). In what is relevant to this Motion, in the June through August Quarterly PM Report, LUMA requested to exclude from future Quarterly Reports several metrics as to which data was reported as "Non-Applicable" for the 6 months or more prior to the September filing, or the data remained unaltered for the 6 months or more prior to the September filing. Those metrics included Incremental Installed Distribution Generation Capacity per Year - Wind - and Incremental Number of Distributed Generation Installations per Year -Wind- (“Wind Metrics”).
2. On December 14, 2021, this Energy Bureau issued a Resolution and Order on the Subject Matter of *Analysis of Performance Metrics for the Quarter of June through August 2021*

(“December 14th Order”). In relevant part, regarding those metrics that LUMA requested be excluded from future quarterly filings, the Energy Bureau determined that it requires reporting on the metrics and indicated it is interested to know if LUMA has information that will supplement the metrics identified by the Energy Bureau. *See* December 14th Order at pages 3-4.

3. In the December 14th Order, this Energy Bureau directed that by January 7, 2022, LUMA shall identify what alternate information LUMA may provide on the metrics that it proposed to exclude and file a plan and timeline to report on the information.
4. On December 22, 2021, LUMA submitted a Motion entitled *Motion Submitting Quarterly Performance Metrics, Request for Amendment to Reporting Schedule on Certain Financial Metrics, Requests for Clarifications, and Requests to Substitute a Metric, Exclude Certain Metrics and Rename Several Metrics* (“December Quarterly Performance Metrics Report and Request for Remedies”). LUMA requested reconsideration of the Energy Bureau’s determination to deny LUMA’s request to exclude the performance metrics on monthly peak by customer class, monthly peak by district, and average time to resolve billing complaints, from the quarterly performance metrics reports. Secondly, in the December Quarterly Performance Metrics Report and Request for Remedies LUMA requested clarifications on two (2) performance metrics that LUMA had requested to exclude from the quarterly performance metrics reports: (1) Number of Customer Complaints appealed by Customer Class, and (2) Average Time to Respond to Service and Outage Complaints.
5. On January 5, 2022, LUMA requested several remedies in connection with the December 14th Order setting the deadline of January 7, 2022 to identify what alternate information LUMA

may provide on the metrics that it proposed to exclude and file a plan and timeline to report on the information (“January 5th Motion”).

6. First, LUMA requested that the Energy Bureau stay compliance with that portion of the December 14th Order that directed LUMA to identify if it has alternate information to supplement the Energy Bureau’s order to report on the following performance metrics: monthly peak by customer class, monthly peak by district, average time to resolve billing complaints, Number of Customer Complaints appealed by Customer Class, and Average Time to Respond to Service and Outage Complaints, until the Energy Bureau adjudicates LUMA’s December Quarterly Performance Metrics Report and Request for Remedies.
7. Second, in what is relevant to this filing, in the January 5th Motion LUMA requested an extension until January 21, 2022, to comply with that portion of the December 14th Order that directs that LUMA shall identify data that it may produce and submit a plan for producing available data on the Wind Metrics.
8. As of the date of this filing, the Energy Bureau has not adjudicated LUMA’s December Quarterly Performance Metrics Report and Request for Remedies nor the January 5th Motion.
9. In compliance with the December 17th Order, LUMA hereby submits as Exhibit 1, its plan to report on the Wind Metrics.

WHEREFORE it is respectfully requested that the Energy Bureau **take notice** of the aforementioned and **deem** that LUMA complied with that portion of the December 14th Order to identify data that may be produced to this Energy Bureau and submit a plan for producing available data on the Wind Metrics.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 21st day of January 2022.

I hereby certify that I 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.



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Exhibit 1



Plan to Report on Metrics Excluded

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December 14th, 2021 Resolution & Order

- The Energy Bureau **acknowledged** LUMA's request to exclude from the quarterly reports metrics pertaining to the incremental capacity and quantity of wind type distributed generation systems. The quantity and capacity of these type of systems is minimal and it is already included in the overall quantity and capacity of distributed generation systems interconnected to the distribution system.
- Nevertheless, said information shall still be collected and reported by LUMA. Until further notice it will be used by the Energy Bureau for statistical purposes.
- The Energy Bureau **ordered** LUMA to provide, for the next quarterly metric filing, the necessary information required to be able to report the metrics LUMA requested to exclude.
- Furthermore, the Energy Bureau **ordered** LUMA to, on or before January 7, 2022¹, (i) identify if LUMA has alternate information that would supplement the Energy Bureau's metrics, while a plan to report the requested information proceeds; and (ii) a plan and timeline to report the requested information.



¹ LUMA requested this deadline be extended to January 21st in Motion submitted to PREB January 5, 2022

Metrics LUMA Proposed Exclusion on the Following:

	Metric	Metric Classification
1	Incremental number of distributed generation installations per month - Wind (<i>Total, Quebradillas, Santa Isabel</i>)	Renewable Energy and Demand Side Management
2	Incremental number of energy storage installations per year by type (system & per district) – Wind (<i># of Facilities</i>)	Renewable Energy and Demand Side Management

Renewable Energy & Distributed Generation Metrics

Incremental number of distributed generation installations per month- Wind: December 22, 2021 Filing

- LUMA indicated it does not have the visibility to report on this metric in the Distributed Generation Portal
- Upon investigation, there is a small number of legacy DG-wind projects that pre-date the DG Portal and are therefore not able to be extracted from the existing DG portal
- However, LUMA has found records of these projects in a different database and will report this information in the March quarterly filing

Incremental number of distributed generation installations per month- Wind: Going Forward

- Any new DG-wind project that applies for NEM will be tracked in the DG portal, enabling LUMA to report on them
- The *incremental number of distributed generation installations per month* will remain zero until a new DG-wind project applies through the DG Portal, at which point we will depict this addition in the metric report
- These are very rare projects and decreasing in popularity. LUMA does not expect these metrics to change often
- **LUMA understands that an additional plan is not necessary for reporting on this. This will be included in the March report**