

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

IN RE: PERFORMANCE TARGETS FOR
LUMA ENERGY SERVCO, LLC

CASE NO.: NEPR-AP-2020-0025

SUBJECT: LUMA's Urgent Request for an Additional Extension of Time to File Rebuttal Testimony of Witness Mario Hurtado.

RESOLUTION AND ORDER

On January 10, 2022, LUMA Energy, LLC ManagementCo (as "ManagementCo"), and LUMA Energy ServCo, LLC2 (as "ServCo") (collectively, "LUMA"), filed a document titled *LUMA's Request for this Energy Bureau to Modify the Procedural Calendar set forth in the Resolution and Order of December 22, 2021*, to request the modification of the procedural calendar in this instant proceeding.

On January 14, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("January 14 Resolution") through which, among other, amended the Procedural Calendar established through the December 22 Resolution¹. The Energy Bureau set February 1, 2022, as the deadline for LUMA to submit its witnesses' rebuttal testimonies on the intervenors' witnesses' testimonies, among other modifications.

On January 28, 2022, LUMA filed a document titled *LUMA's Request for an Extension of Time to File Rebuttal Testimonies*, asking the Energy Bureau to extend the timeframe to file the rebuttal testimonies to February 17, 2022.

On January 31, 2022, the Energy Bureau issued a Resolution and Order ("January 31 Resolution") through which, it amended the Procedural Calendar established and extended the timeframe for LUMA to file the rebuttal testimonies to February 17, 2022.

On February 1, 2022, LUMA filed a document titled *Motion Submitting Rebuttal Testimonies*. LUMA submitted the rebuttal testimonies of five of its witnesses and reiterated that the remaining testimonies would be filed by the set date of February 17, 2022.

On February 15, 2022, the Energy Bureau issued a Resolution and Order ("February 15 Resolution"), among other, granting all parties ten (10) days to conduct discovery from LUMA's filing of Rebuttal on Intervenors Written Testimonies, which were due February 17, 2022.

On February 16, 2022, LUMA filed a document titled *LUMA's Urgent Request for an Extension of Time to File Rebuttal Testimony of Witness Mario Hurtado* ("February 16 Request"), where LUMA seeks an extension of time of the February 17, 2022 deadline, regarding the rebuttal testimony of Mario Hurtado and therefore, requested an extension up to February 25, 2022, to file Mario Hurtado rebuttal testimony.

On February 17, 2022, LUMA filed a document titled *LUMA's Motion Submitting Additional Rebuttal Testimonies*, whereby it submitted the rebuttal testimonies of six witnesses on the intervenors' pre-filed direct testimonies. The testimonies included those of four LUMA employees and two rendered by LUMA's expert witnesses.²

¹ See Resolution and Order, subject: Additional Performance Targets, *In re: Performance Targets for LUMA Energy Servco, LLC* Case No. NEPR-AP-2020-0025, December 22, 2021 ("December 22 Resolution").

² See, exhibits 1 and 2 of *LUMA's Motion Submitting Additional Rebuttal Testimonies*.



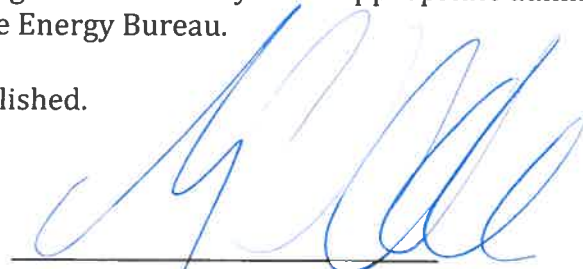
On February 23, 2022 the Energy Bureau issued a Resolution and Order whereby it granted LUMA's Urgent Request and, therefore, extended the deadline for LUMA to file Mario Hurtado rebuttal testimony until February 25, 2022. Also, the Energy Bureau granted the parties and intervenors in this proceeding ten (10) days from LUMA's filing of that testimony, to submit any additional discovery related solely to such rebuttal written testimony of witness Mario Hurtado.

On February 23, 2022 LUMA filed a document titled *LUMA's Urgent Request for an Additional Extension of Time to File Rebuttal Testimony of Witness Mario Hurtado*. LUMA informed that Mr. Hurtado continues to attend to the family emergency informed through the February 16 Urgent Request, which requires his presence outside of the jurisdiction of Puerto Rico. LUMA also sustains that although Mr. Hurtado partially reincorporated remotely to his professional duties, he has done so to be able to appear at the February 24 compliance hearing in Case Number NEPR-MI-2019-007. As a result of the aforementioned circumstances, Mr. Hurtado has been genuinely impeded from completing his rebuttal testimony for LUMA to be in position to file it by February 25, 2022. **Therefore, LUMA requested an additional brief extension of time, until March 3, 2022, to file Mr. Hurtado's rebuttal testimony.**

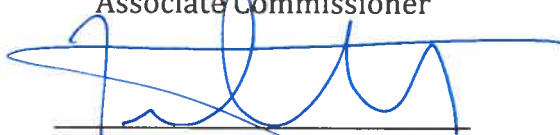

Upon review of LUMA's arguments, the Energy Bureau **GRANTS** LUMA's request and **ORDERS** LUMA's to submit the rebuttal testimony of witness Mario Hurtado, no later than **March 3, 2022**. Therefore, the Energy Bureau **GRANTS** all parties and intervenors **ten (10) days** from LUMA's filing of Mario Hurtado rebuttal testimony to submit any additional discovery related solely to such rebuttal written testimony of witness Mario Hurtado. All other matters addressed in the February 15 Resolution remain unaltered.

The Energy Bureau **WARNS** LUMA's that, noncompliance with any provision of this Resolution and Order, may result in the imposition of fines pursuant to Act 57-2014³ and applicable Energy Bureau's regulations and any other appropriate administrative sanctions, as deemed appropriate by the Energy Bureau.

Be it hereby notified and published.



Edison Avilés Deliz
Chairman


Ángel R. Rivera de la Cruz
Associate Commissioner
Lillian Mateo Santos
Associate Commissioner
Ferdinand A. Ramos Soegaard
Associate Commissioner
Sylvia Ugarte Araujo
Associate Commissioner

³ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended.

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on March 1, 2022. I also certify that on March 1, 2022 a copy of this Resolution and Order was notified by electronic mail to the following: margarita.mercado@us.dlapiper.com, yahaira.delarosa@dlapiper.com, jmarrero@diazvaz.law, kbolanos@diazvaz.law, hrivera@jrsp.pr.gov, contratistas@jrsp.pr.gov, agraitfe@agraitlawpr.com, rstgo2@gmail.com, pedrosaade5@gmail.com, larroyo@earthjustice.org, flcaseupdates@earthjustice.org, rolando@bufete-emmanuelli.com, notificaciones@bufete-emmanuelli.com, jessica@bufete-emmanuelli.com, rhoncat@netscape.net, and lvez@earthjustice.org. I also certify that today, March 1, 2022, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today March 1, 2022.



Sonia Seda Gaztambide
Clerk

