

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

IN RE: IMPLEMENTATION OF THE PUERTO RICO ELECTRIC POWER AUTHORITY INTEGRATED RESOURCE PLAN AND MODIFIED ACTION PLAN

CASE NO.: NEPR-MI-2020-0012

SUBJECT: Execution of Approved Power Purchase and Operation Agreements.

RESOLUTION AND ORDER

On February 2, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order approving eighteen (18) renewable energy projects as part of Tranche 1 of the renewable energy procurement contemplated in the Puerto Rico Electric Power Authority ("PREPA") Approved Integrated Resources Plan and Modified Action Plan¹.

Jim Based on information provided by PREPA, the utility is waiting for the completion of certain technical studies (*i.e.*, Facilities Studies: Network Upgrades and Final Report: Interconnection Studies) by the transmission and distribution operator, LUMA², to proceed with the execution of the Power Purchase Agreements ("PPOAs"). PREPA informed that LUMA provided a task schedule with specific dates to produce the final technical studies ("Task Schedule").³

The timeliness of the execution of the PPOAs is critical for PREPA's compliance with the Puerto Rico Renewable Portfolio Standard. All the procurement process phases shall be handled by PREPA and LUMA with the utmost urgency and expedite all necessary work and efforts towards such objective.

JAE The Energy Bureau **ORDERS** the following:

1. LUMA shall file with the Energy Bureau a motion including: (i) progress report of the status of the mentioned studies on or before **April 29, 2022, at 12:00 pm**; and (ii) provide an updated Task Schedule with a shortened deadline or a certification, under oath, that all efforts⁴ to expedite the completion of the studies at an earlier date have been exhausted;
2. LUMA shall file with the Energy Bureau a copy of the Facilities Studies, on or before **May 15, 2022, at 12:00 pm**;
3. LUMA shall file with the Energy Bureau a copy of the results of the Tranche 1 technical studies, on or before **May 30, 2022, at 12:00 pm**;
4. PREPA shall file with the Energy Bureau execution copies (*i.e.*, signed copies) of the PPOAs, on or before **June 30, 2022, at 12:00 pm**. To that effect, PREPA shall ensure

¹ Final Resolution and Order on the Puerto Rico Electric Power Authority's Integrated Resource Plan, *In re: Review of the Integrated Resource Plan of the Puerto Rico Electric Power Authority*, Case No. CEPR-AP-2018-0001, August 24, 2020 ("IRP Order").

² LUMA Energy, LLC and LUMA ServCo, LLC (collectively, "LUMA").

³ See Informative Motion Regarding Status of BESS Proposal Evaluations, VPP Proposal Negotiations and Interconnection Study Timeline, *In re: Implementation of the Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan*, February 10, 2022, ¶¶ 7-8, pp. 3-4 ("February 10 Motion"). PREPA has requested confidential treatment to the February 10 Motion alleging that the deliberative process for RFP Tranche 1 has not been completed.

⁴ The efforts made to expedite the work must be detailed in the motion.



that all necessary arrangements and coordination are made on a timely fashion to obtain the additional approvals.

The Energy Bureau **WARNS** PREPA and LUMA that noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000.00 per day. The Energy Bureau **WARNS** LUMA and PREPA that any person who intentionally violates any provision of Act 57-2014, as amended, omits, disregards, or refuses to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau and that if recurrence occurs, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000), at the discretion of the Energy Bureau.

Be it notified and published.




Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on April 21, 2022. Associate Commissioner Ángel R. Rivera de la Cruz did not intervene. I also certify that on April 27, 2022 a copy of this Resolution and Order was notified by electronic mail to the following: laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com, kbolanos@diazvaz.law; and mvazquez@diazvaz.law and 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 April 27, 2022.



Sonia Seda Gaztambide
Clerk

