

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

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**IN RE:**  
DEMAND RESPONSE PLAN REVIEW,  
IMPLEMENTATION, AND MONITORING

**CASE NO.:** NEPR-MI-2021-0006  
**SUBJECT:** Request for Brief Extension to  
Submit EE/DR Transition Period Plan

**MOTION REQUESTING BRIEF EXTENSION TO SUBMIT  
EE/DR TRANSITION PERIOD PLAN**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COME** now **LUMA Energy, LLC** (“ManagementCo”), and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly referred to as “LUMA”), and respectfully state and request the following:

1. On December 10, 2020, the honorable Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) adopted the Regulation for Demand Response (“Regulation for DR”), which entered into effect on January 21, 2021<sup>1</sup>, requiring, in pertinent part, that the Puerto Rico Electric Power Authority (“PREPA”) or its successor, LUMA, file with the Energy Bureau a Three-Year Demand Response (“DR”) Plan within six months of its effective date. *See* Regulation on DR, Section 3.02(C)(1)(a).

2. On January 21, 2022, the Energy Bureau published the final version of the Regulation for Energy Efficiency (“EE Regulation”), upon submission thereof to the Puerto Rico State Department<sup>2</sup>. The EE Regulation requires, in pertinent part, that PREPA or its successor,

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<sup>1</sup> Regulation for DR, December 21, 2020, Regulation 9246.

<sup>2</sup> The EE Regulation was at the time assigned the number 9354 by the Puerto Rico State Department. Regulation number 9354 was subsequently annulled and the EE Regulation was resubmitted to the State Department and approved by the Puerto Rico Department of State on March 25, 2022, being assigned number 9367.

LUMA, file with the Energy Bureau a Transition Period Plan covering energy efficiency (“EE”) programs, on or before March 1, 2022. *See* Regulation for EE, Section 2.01(B).

3. On February 1, 2022, this Energy Bureau issued a Resolution and Order (the “February 1<sup>st</sup> Order”) to detail the actions that directly follow the approval of the EE Regulation consisting of “1) [...] establish[ing] a schedule for the filing of the first Three-Year DR Plan to coincide with the Transition Period Plan and the start of the [EE] programs 2) [...] invit[ing] all stakeholders to participate in a workshop [scheduled for February 28, 2022 (the “February 28<sup>th</sup> Workshop”)], regarding the process for developing and implementing the Three-Year DR Plan and its association with the Transition Period Plan; and 3) [...] providing a template for the Transition Period Plan under Section 2.02(C) (4) of the EE Regulation.” *See* February 1<sup>st</sup> Order at p. 2. In the February 1<sup>st</sup> Order, the Energy Bureau also indicated that a related purpose of the order referred to “the coordination of various processes to implement the EE Regulation and the Regulation for [DR]” and “expanded the scope of the instant proceeding to include EE alongside DR”. *See id.*

4. In addition, in the February 1 Order, the Energy Bureau amended the deadline to submit both the Three-Year DR Plan and the EE Transition Period Plan to June 6, 2022, providing an implementation start date for both of October 1, 2022. *See id.* Furthermore, the Energy Bureau directed LUMA to “prepare to present, during the [February 28<sup>th</sup> Workshop], its current plans for the development and launch of quick-start EE and DR programs, as well as the other types of activities it is planning to undertake during the Transition Period to facilitate the ramp-up of the EE and DR programs and development of the EE and DR workforce.” *See id.* at p. 3.

5. The February 28<sup>th</sup> Technical Workshop was thereafter rescheduled by this Energy Bureau for March 9, 2022, at 10:00 a.m. *See* Energy Bureau’s Resolution and Order of February 25, 2022.<sup>3</sup>

6. On March 8, 2021, LUMA submitted to this Energy Bureau a copy of LUMA’s presentation for the March 9<sup>th</sup> Workshop. *See* Exhibit 1 of LUMA’s *Motion to Submit LUMA’s Presentation for Workshop Scheduled for March 9, 2022* (LUMA’s March 9<sup>th</sup> Presentation).

7. The March 9<sup>th</sup> Workshop was held as scheduled and LUMA representatives appeared therein and provided the March 9<sup>th</sup> Presentation. In this presentation, LUMA proposed filing with the Energy Bureau an integrated EE and DR Transition Period Plan (“EE/DR Transition Period Plan”) for approval by the Energy Bureau by the established June 2022 deadline (*see* March 9<sup>th</sup> Presentation at slide 9), which programs/pilots would be launched in October 2022 (*see id.* at slide 10). LUMA explained that it would “include the Transitions Programs for EE and DR within a joint filing to minimize redundancy and present an integrated EE/DR portfolio structure”. *See id.* This EE/DR Transition Period Plan would include “descriptions of each pilot program along with the information on portfolio management and implementation”. *See id.*

8. LUMA is currently in the process of preparing the EE/DR Transition Period Plan as described in the March 9<sup>th</sup> Presentation and anticipates it will need additional time to complete this document. The preparation of this Plan has required significant efforts to coordinate across several LUMA departments for the design of the various programs and pilots and for input on various aspects associated with their management and expedient implementation. Given the complexities identified during this process, the completed Plan will also require further cross-departmental reviews that are anticipated to extend beyond the originally anticipated date to have

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<sup>3</sup> This Resolution and Order addressed a *Motion for Continuance of Workshop Scheduled for February 28, 2022* filed by LUMA on February 23, 2022.

a final version. The LUMA team believes that the cross-departmental feedback that the team is compiling will result in a quality deliverable and in the future, a smoother implementation of the proposed EE and DR programs due to the extensive upfront work performed by the team.

9. In light of these circumstances, LUMA anticipates that it will need an additional period of 15 days to complete this review process and have a final Plan for submittal to this honorable Energy Bureau.

10. LUMA respectfully submits that the brief extension requested will allow LUMA to provide a more complete and better Plan which will best further the interest of establishing valuable programs and pilots to be launched under the Plan.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and grant LUMA a brief extension to submit the EE/DR Transition Period Plan until June 21, 2022.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 2<sup>nd</sup> day of June 2022.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau and that we will send an electronic copy of this Motion to the attorneys for PREPA, Joannely Marrero-Cruz, [jmarrero@diazvaz.law](mailto:jmarrero@diazvaz.law); and Katiuska Bolaños-Lugo, [kbolanos@diazvaz.law](mailto:kbolanos@diazvaz.law).



**DLA Piper (Puerto Rico) LLC**  
500 Calle de la Tanca, Suite 401  
San Juan, PR 00901-1969  
Tel. 787-945-9107  
Fax 939-697-6147

/s/Laura T. Rozas  
Laura T. Rozas  
RUA Núm. 10,398  
[laura.rozas@us.dlapiper.com](mailto:laura.rozas@us.dlapiper.com)