

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

NEPR
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IN RE:

**IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY PERMANENT RATE**

CASE NO. NEPR-MI-2020-0001

**SUBJECT: Motion in Compliance with
Resolution and Order of June 6, 2022**

MOTION IN COMPLIANCE WITH RESOLUTION AND ORDER OF JUNE 6, 2022

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW LUMA Energy Servco, LLC (“ServCo”), (“LUMA”), through the undersigned counsel, and respectfully states and requests the following:

1. On April 23, 2019, the Honorable Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order in Cases Nos. CEPR-AP-2015-0001 and NEPR-AP-2018-0003. The Energy Bureau approves and revises the factors associated with several riders, including contributions in lieu of taxes cost adjustment (“CILTA”), help to human subsidies (“SUBA-HH”), and non-help to human subsidies (“SUBA-NHH”), among others. The particulars of the timing to file annual proposed CILTA, SUBA- HH, and SUBA-NHH factors are stated in the Tariff Book for the Puerto Rico Electric Power Authority (“PREPA”). The proposed factors filings before this Energy Bureau are due before the end of the eleventh month of each annual period.

2. Further, pursuant to Section 5.6 of the Puerto Rico Transmission and Distribution Operation and Maintenance Agreement (“OMA”) as supplemented by the Puerto Rico Transmission and Distribution System Supplemental Terms Agreement, LUMA’s role is to calculate the reconciliations and CILTA, SUBA-HH and SUBA-NHH proposed riders to be applied annually.

3. On May 31, 2022, LUMA filed before the Energy Bureau a *Motion Submitting CILTA, SUBA-HH, and SUBA-NHH Reconciliations and Proposed Factors, and Request for Confidential Treatment of Excel Spreadsheets* (“May 31st Motion”). Therein, LUMA submitted the annual reconciliation of the CILTA, SUBA-HH, and SUBA-NHH riders for May 2021 to April 2022 and the proposed factors to be applied during the Fiscal Year 2023. LUMA also submitted eleven (11) Excel files that contained the supporting files with all the data used for the reconciliations and the costs forecast.

4. On June 6, 2022, this Energy Bureau issued a Resolution and Order instructing LUMA to, on or before June 15, 2022, at noon, submit or clarify the following information regarding the May 31st Motion:

a. The "Alumbrado 2022" tab of the "2023 Subsidies Forecast - NEPR-MI-2020-0001.xlsx" file contains manual entries in blue color, which do not contain any reference or source file, especially with respect to the information provided in the reference or source file, especially with respect to the information contained in cells L17 to L28. LUMA must provide the reference files, or in the alternative, provide a detailed explanation regarding the source of such information. This information is necessary to validate the methodology for the computation of the estimated public lighting consumption for the months of May and June 2022.

b. The file "Customers Estimated FY 2023 - NEPR-MI-2020-0001.xlsx" does not contain a description of the methodology used to calculate the estimated number of customers by class for FY 2022-2023. LUMA should provide such a description.

c. Lines 25 to 45 of the "2022-2023 Load" tab of the "Load Forecast FY 2023-NEPR-MI-2020-0001.xlsx" file contains manual entries in blue, which do not contain a

reference or source file. LUMA must provide the reference files, or in the alternative, provide a detailed explanation regarding the provenance of such information. This information is necessary to validate the methodology used to calculate the estimated consumption by class for the Fiscal Year 2022-2023.

5. Moreover, this Energy Bureau granted confidential designation and treatment to all the Excel spreadsheets LUMA requested such designation and treatment in the May 31st Motion.

6. In compliance with the June 6th Order, LUMA hereby submits the information requested and identifies when reviewing the "Alumbrado 2022" tab of the file "2023 Subsidies Forecast LUMA realized that data for July contained data from June. LUMA has corrected this and is refiling the reconciliation and the forecast costs which have changed with this modification.

7. Further, this submission includes Excel spreadsheets filed publicly in a folder entitled *Public* and confidential Excel spreadsheets with intact formulae submitted in a folder named *Confidential*, as depicted below:

A. Confidential Folder

Documents CILT and Subsidies Riders 2022.06.15
File Name
ANNUAL RECONCILIATION-CILT AND SUB RIDERS-MAY 2021 TO APRIL 2022 5-20-2022
Load Forecast FY 2023
Load forecast modifiers (Jan 2022 updated)
Customers Estimated FY 2023
2023 Subsidies Forecast
2023 Revenues Forecast
Attachment 5 - CILT and SUBSIDIES RECONCILIATION - June 2022
Public Lighthing (May 2021 - April 2022)

B. Public Folder

Documents CILT and Subsidies Riders 2022.06.15
File Name
ANNUAL RECONCILIATION-CILT AND SUB RIDERS-MAY 2021 TO APRIL 2022 5-20-2022
Load Forecast FY 2023
Load forecast modifiers (Jan 2022 updated)
Customers Estimated FY 2023
2023 Subsidies Forecast
2023 Revenues Forecast
Attachment 5 - CILT and SUBSIDIES RECONCILIATION - June 2022
Public Lighthouse (May 2021 - April 2022)

8. The confidential Excel files described above and submitted with this Motion, include Excel spreadsheets submitted in native format (.xls), with intact formulae. They include formulae and original calculations by LUMA personnel that reveal confidential procedures and include sensitive commercial information belonging to LUMA and/or PREPA. As already determined by this Energy Bureau in the June 6th Order for the original Excel files then submitted, LUMA respectfully requests that the updated Excel files submitted today in the *Confidential* folder be received, kept, and maintained confidentially by this Energy Bureau.

9. Finally, LUMA also deems it necessary to clarify that on page 3 of the May 31st Motion, it was stated that “[t]he insufficiency for the SUBA-NHH is \$637,137.62.” This was an error since it should have said, “[t]he refund for the SUBA-NHH is \$637,137.62.” LUMA requests this Energy Bureau to take notice and accept the above correction.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the filing of the aforementioned Excel spreadsheets; **keep** confidentially

the spreadsheets that have been filed in Excel format and with formulae in the folder named *Confidential* that is submitted with this Motion; and **deem** LUMA complied with the June 6th Order.

RESPECTFULLY SUBMITTED.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau. I will send an electronic copy of this Motion to counsel for PREPA Katuska Bolaños-Lugo, kbolanos@diazvaz.law, and to the Independent Consumer Protection Office, through Director Hannia Rivera, hrivera@oipc.pr.com.

In San Juan, Puerto Rico, on this 15th day of June 2022.



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