

**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: Resolution regarding *Motion Requesting Modification of Energy Bureau's Resolution and Order of June 9, 2022, with Respect to the Composition of the Selection Committee Established Therein* and *Motion in Compliance with Resolution and Order of June 9, 2022*, filed by LUMA.

RESOLUTION

On June 9, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("June 9 Order") through which it created the Selection Committee for the evaluation and selection of proposals for all the subsequent Request for Proposals ("RFP") processes (i.e., Tranches 2 through 6), to be comprised of six (6) members selected as follows: (i) the Executive Director of the Puerto Rico Public-Private Partnership Authority ("P3 Authority") or his/her delegate; (ii) one (1) officer of Puerto Rico Electric Power Authority ("PREPA") directly concerned with the RFP process or his/her delegate; (iii) one (1) member of PREPA's Governing Board, selected from the members appointed by the Governor at his sole discretion; (iv) two (2) officials from other government entities, chosen by the Energy Bureau for their knowledge and/or experience in similar transactions; and (v) one (1) representative from LUMA¹, chosen by LUMA for their knowledge and/or experience in similar transactions.²

Through the June 9 Order, the Energy Bureau ordered PREPA and LUMA to inform the members that shall form part of the Selection Committee on or before June 30, 2022.³

On June 29, 2022, LUMA filed before the Energy Bureau a document titled *Motion Requesting Modification of Energy Bureau's Resolution and Order of June 9, 2022, with Respect to the Composition of the Selection Committee Established Therein* ("June 29 Motion"). Through the June 29 Motion, LUMA argued that the number of members in the Selection Committee allocated to LUMA, as established by the Energy Bureau in the June 9 Order, did not adequately reflect the contribution and expertise that LUMA brings regarding the matters to be considered by the Committee consistent with its responsibilities pursuant to the *Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement* ("T&D OMA") nor the role and responsibilities that the Energy Bureau has bestowed upon LUMA in this proceeding to date.⁴

Specifically, in the June 29 Motion, LUMA stressed its roles and responsibilities as Operator of the T&D System under the OMA, which include T&D System planning activities, capital improvements of the T&D System, energy dispatch and generation-related services, as well as its experience in the Tranche 1 procurement process.⁵ Accordingly, LUMA requested that the Energy Bureau modify its June 9 Order providing for only (1) LUMA member in the Selection Committee and increase the number of LUMA participants to two (2) members.⁶

¹ LUMA Energy, LLC and LUMA Energy ServCo, LLC, (collectively, "LUMA").

² June 9 Order, p. 3.

³ *Id.* p. 5.

⁴ June 29 Motion, p. 7.

⁵ *Id.* pp. 12 – 13.

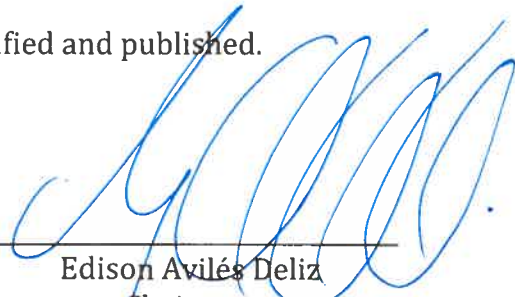
⁶ *Id.* p. 15.



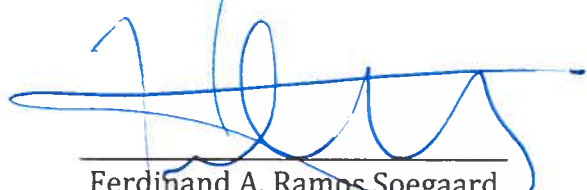
On June 30, 2022, LUMA filed before the Energy Bureau a document titled *Motion in Compliance with Resolution and Order of June 9, 2022* ("June 30 Motion"). Through the June 30 Motion, LUMA informed it had designated Mario Hurtado, Chief Regulatory Officer, as its member of the Selection Committee.⁷ In addition, LUMA proposed Dr. Shay Bahramirad, Senior Vice President Engineering and Asset Management, as a potential second LUMA member to the Selection Committee.⁸ LUMA also incorporated by reference its arguments in its June 29 Motion.⁹

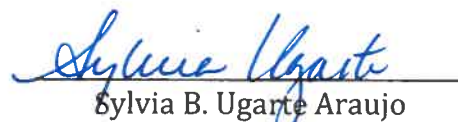
Upon review of LUMA's arguments, the Energy Bureau **DENIES** the June 29 Motion and **REAFFIRMS** its June 9 Order providing for only (1) LUMA member in the Selection Committee. Further, the Energy Bureau **TAKES NOTICE** of the June 30 Motion through which LUMA designated Mario Hurtado, Chief Regulatory Officer, as its member of the Selection Committee.

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 July 14, 2022. I also certify that on July 14, 2022 a copy of this Resolution and Order was notified by electronic mail to the following: laura.rozas@us.dlapiper.com; ana.rodriguezrivera@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 July 14, 2022.


Sonia Segá Gaztambide
Clerk



⁷ June 30 Motion, p. 2.

⁸ *Id.*

⁹ *Id.*