

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

IN RE: REVIEW OF LUMA’S INITIAL
BUDGETS

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Commencement of Review
Process FY23 Budgets.

RESOLUTION AND ORDER

On July 13, 2022, LUMA¹ filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) a document titled *Motion Submitting Fiscal Year 2023 Annual Budget as Approved and Certified by the Financial Oversight and Management Board for Puerto Rico* (“July 13 Petition”). Along with the July 13 Petition, LUMA included a resolution from the Financial Oversight and Management Board for Puerto Rico (“FOMB”) certifying the Puerto Rico Electric and Power Authority (“PREPA”) budget for fiscal year 2023 (“FY23 Certified Budget”).² The July 13 Petition also includes LUMA’s proposed annual budget for FY23, which purportedly are based on the FY23 Certified Budget (“LUMA’s FY23 Budget”).³ LUMA requests that the Energy Bureau take notice of the FY23 Certified Budget.⁴

On July 16, 2022, the Energy Bureau issued a Resolution and Order (“July 16 Resolution”),⁵ whereby, it took notice of LUMA’s filing of the July 13 Petition and that the FY23 Certified Budget is within the revenue requirements of the 2017 Rate Order.⁶ The Energy Bureau commenced review of the July 13 Petition in accordance with the authority granted by Act 57-2014⁷ and the OMA.⁸ The Energy Bureau ordered LUMA to file, on or before July 29, 2022 at 12 p.m., an executive summary in Spanish of the July 13 Petition and certain additional information to facilitate the public’s easy review of the proposed budget.

The Energy Bureau deems it appropriate at this moment to establish the following Procedural Calendar for this case:

Date	Phase
August 12, 2022	Filing of LUMA’s Presentation for the Virtual Technical Conference
August 17, 2022	Virtual Technical Conference ⁹
August 22, 2022	Filing of Revised and/or Additional Information Required by the Energy Bureau

¹ LUMA ENERGY, LLC as ManagementCo, and LUMA ENERGY SERVCO, LLC as ServCo (collectively, “LUMA”).

² July 13 Petition, Exhibit 1.

³ July 13 Petition, Exhibit 2 and Exhibit 3.

⁴ The Energy Bureau will address LUMA’s request for confidentiality of certain documents included in the 2023 Budget Petition in a separate Resolution and Order.

⁵ See, *In Re: LUMA Initial Budgets and Related Terms of Service*, Case No., NEPR-MI-2020-0004, Resolution and Order, July 16, 2022 (“July 16 Resolution”).

⁶ See *In Re: Puerto Rico Electric Power Authority Rate Review*, Case No. CEPR-AP-2015-0001, Final Resolution and Order, January 10, 2017, and Final Resolution, March 8, 2017 (collectively, “2017 Rate Order”).

⁷ Known as the Puerto Rico Energy Transformation and RELIEF Act (“Act 57-2014”).

⁸ Operation and Maintenance Agreement entered by and between the Puerto Rico Electric Power Authority (“PREPA”), the Puerto Rico Public-Private Partnerships Authority (“P3A”), and LUMA on June 22, 2020 (“OMA”).

⁹ Note that in order to prevent the spread of Covid-19, the foregoing Virtual Technical Conference will be held remotely via the Microsoft Teams platform from 10:00 am to 5:00 pm.



Date	Phase
August 24, 2022	Virtual Public Hearing ¹⁰ /Filing of Comments by General Public Due

During the Virtual Technical Conference, LUMA shall present and discuss thoroughly the proposed FY 2023 Budgets. LUMA and the Puerto Rico Electric Power Authority (“PREPA”) representatives and its consultants must be prepared to answer questions under oath from the Energy Bureau, its staff, and consultants, regarding its presentation and all aspects of the proposed FY 2023 Annual Budgets.

The general public will have the opportunity to present their comments and suggestions regarding the proposed FY 2023 Annual Budgets during the Virtual Public Hearing. Since the Virtual Public Hearing is designed to obtain comments from the general public, LUMA or its employees, associates, witnesses or legal representatives, and any other party to this proceeding may not participate in the Virtual Public Hearing. Any person interested in presenting oral comments during the Virtual Public Hearing shall, on or before **Thursday August 23, 2022, at 3:00 p.m.**, contact the Energy Bureau’s Clerk at (787) 523-6262 or via email to secretaria@jrsp.pr.gov to request a turn and to obtain instructions and a link to access the Virtual Public Hearing. The Virtual Public Hearing will be streamed live via the Energy Bureau’s YouTube Channel.¹¹ The Energy Bureau will provide, at the commencement of the hearing, the rules of conduct, and the order of the proceedings.

The public may also submit written comments and suggestions to the Energy Bureau regarding the proposed FY 2023 Annual Budgets (“Written Public Comments”), on or before **August 24, 2022**. The Written Public Comments to be filed with the Energy Bureau shall: (i) include in their title: “Public Comments on LUMA’s Annual Budgets Request — Case No. NEPR-MI-2021-0004”; (ii) be addressed to the attention of Edison Avilés Deliz, Chairman; and (iii) be filed by electronic mail at: comentarios@jrsp.pr.gov; through the Energy Bureau’s electronic filing tool at: <https://radicacion.energia.pr.gov/>; by postal mail addressed to the Puerto Rico Energy Bureau’s Clerk’s Office at World Plaza Building, 268 Muñoz Rivera Ave., Plaza Level Suite 202, San Juan, PR 00918-1925; or in person at the Energy Bureau’s Clerk’s Office, at the referenced address. The hours of operations of the Clerk’s office are Monday through Friday from 8:30 a.m. to 5:30 p.m., excluding holidays.

The Energy Bureau may modify the foregoing Procedural Calendar at its discretion.

The Energy Bureau **ORDERS** LUMA and PREPA to ensure that the pertinent personnel and/or consultants appear during the Technical Conference to respond to questions on the proposed Annual Budgets by the Energy Bureau, its staff, and consultants.


The Energy Bureau **WARNS** LUMA and PREPA that, noncompliance with any provision of this Resolution and Order, may result in the imposition of fines under Act 57-2014 and applicable Energy Bureau’s regulations and/or any other appropriate administrative sanctions, as deemed appropriate by the Energy Bureau.

Be it notified and published.



¹⁰ Note that in order to prevent the spread of Covid-19, the foregoing Virtual Public Hearing will be held remotely via the Microsoft Teams platform from 10:00 am to 5:00 pm.


¹¹ The Energy Bureau’s YouTube channel may be accessed through the following link – <https://www.youtube.com/channel/UCxZYn-qt1k0Lu9TX37-11oA>.



Edison Avilés Deliz
Chairman



Lillian Mateo Santos
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 29, 2022. Associate Commissioner Ferdinand A. Ramos Soegaard did not intervene. I also certify that on July 29, 2022 a copy of this Resolution and Order was notified by electronic mail to the following: margarita.mercado@us.dlapiper.com; ana.rodriguezrivera@us.dlapiper.com; jmarrero@diazvaz.law and kbolanos@diazvaz.law. I also certify that today, July 29, 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 July 29, 2022.



Sonia Seda Gaztambide
Clerk

