

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

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IN RE: INTERRUPCIÓN DE SERVICIO  
ELÉCTRICO DE 6 DE ABRIL DE 2022

**CASE NO. NEPR-IN-2022-0002**

**SUBJECT:**

**Motion Submitting Breaker Failure  
Forensics Analysis of April 6<sup>th</sup> Incident  
and Request for Confidential Treatment**

**MOTION SUBMITTING BREAKER FAILURE FORENSICS ANALYSIS OF APRIL 6<sup>TH</sup>  
INCIDENT AND REQUEST FOR CONFIDENTIAL TREATMENT**

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

**COME** now **LUMA Energy, LLC** (“ManagementCo”) and **LUMA Energy ServCo, LLC** (“ServCo”) (jointly referred to as the “Operator” or “LUMA”), and respectfully state and request the following<sup>1</sup>:

1. On April 6<sup>th</sup> 2022, a failure in the electric system led to a fire at the Costa Sur transmission substation, which resulted in a power outage of the entire electrical system (hereinafter, the “April 6<sup>th</sup> Incident”).

2. On April 8<sup>th</sup> 2022, this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order whereby it initiated an investigation of the April 6<sup>th</sup> Incident (“April 8<sup>th</sup> Order”).

3. On April 12<sup>th</sup>, 2022, in compliance with the April 8<sup>th</sup> Order, LUMA submitted the Preliminary Report of the April 6<sup>th</sup> Incident. The Preliminary Report included the information that

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<sup>1</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in LUMA’s *Motion Submitting Updated Report and Request for Confidential Treatment*, filed in this Energy Bureau on April 18<sup>th</sup>, 2022.

LUMA had gathered thus far, preliminary findings and assessments of the April 6<sup>th</sup> Incident, and a summary of the corrective actions taken by LUMA.

4. On April 14<sup>th</sup>, 2022, to aid the Energy Bureau in its investigation and supplement the Preliminary Report, LUMA filed a *Motion to Supplement Preliminary Report on April 6<sup>th</sup> Incident*. Therein, LUMA submitted two (2) video recordings, including a screen recording from the Costa Sur transmission substation that shows a few minutes before and after the failure at the Costa Sur Substation's 230kV switchyard on April 6<sup>th</sup>, and an aerial view video of the Costa Sur Substation taken the morning after the April 6<sup>th</sup> Incident.

5. On April 18<sup>th</sup>, 2022, in compliance with the April 8<sup>th</sup> Order and to be transparent with its customers and regulators about its operations, LUMA filed a *Motion Submitting Updated Report and Request for Confidential Treatment*. Therein, LUMA submitted the Updated Report of the April 6<sup>th</sup> Incident, which provided an update on the following topics:

- i. Overview of third-party industry expert hired to assist with analysis;
- ii. Outage investigation update and proactive maintenance plan/strategy;
- iii. System analysis update including adding dynamic stability analysis into model; and
- iv. Ongoing restoration activities at Costa Sur.

6. On April 22<sup>nd</sup>, 2022, the Energy Bureau issued a Resolution and Order instructing LUMA and PREPA to submit, on or before May 6<sup>th</sup>, 2022, at noon, certain documents and information in connection with the April 6<sup>th</sup> Incident ("April 22<sup>nd</sup> Order").

7. On May 9<sup>th</sup>, 2022, LUMA submitted all documents and information in its possession, custody, and control, which were responsive to the Energy Bureau's requests for documents and information. They included a sworn statement signed by Darrell Wilvers, LUMA's

Director of Asset Management, stating that the documents produced were exact copies of the original documents and that the information provided was true and correct. Further, LUMA also submitted a Second Updated Report of the April 6<sup>th</sup> Incident, which provided an update on the schedule and status of the investigation.

8. In the Second Updated Report of the April 6<sup>th</sup> Incident, LUMA informed the Energy Bureau that the remaining elements of the investigation schedule included a Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident that would be submitted on or before August 19, 2022.

9. On August 19, 2022, LUMA filed an *Informative Motion on Submittal of Breaker Failure Forensics Analysis*. LUMA stated that although it had informed the Energy Bureau of the submittal of the Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident on August 19, 2022, it would be filing it on August 26, 2022, due to the need for additional time to finalize the report.

10. As asseverated, LUMA hereby submits the Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident. Exponent, the third-party expert contracted by LUMA to carry out the investigation, has prepared this document. LUMA submits the Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident under seal of confidentiality and requests that the Energy Bureau receive and maintain the same confidential.

11. Considering that Section 15.10 of Regulation No. 8543 allows for the release to the public of information after an investigation has concluded, LUMA respectfully submits that the Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident should be designated as confidential material that should be protected from disclosure after the investigation of the April 6<sup>th</sup> Incident concludes. The Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident is protected from disclosure as CEII, *see e.g.*, 6 U.S.C. §§ 671-674; 18 C.F.R. §388.113 (2020), and pursuant to the Bureau's Policy on Management of Confidential Information. *See* Energy Bureau's Policy on

Management of Confidential Information, CEPR-MI-2016-0009, issued on August 31, 2016, as amended by Resolution dated September 20, 2016.

12. Under separate cover and expediently, within the next ten (10) days, as allowed by Section A.2 of the Energy Bureau's Policy on Management of Confidential Information," LUMA will submit a memorandum of law in support of this request to file the Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident under seal of confidentiality.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident that is being filed as Exhibit 1 to this Motion, and **treat confidentially** the Breaker Failure Forensics Analysis of the April 6<sup>th</sup> Incident that is being filed with this Motion.

**RESPECTFULLY SUBMITTED.**

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 attorney for PREPA, Bolaños-Lugo, kbolanos@diazvaz.law.

In San Juan, Puerto Rico, this 26<sup>th</sup> day of August 2022.



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Exhibit 1

(submitted confidential)