

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

NEPR

Received:

Aug 31, 2022

7:58 AM

**IN RE: INFORMES DE PROGRESO DE
INTERCONEXIÓN DE LA AUTORIDAD
DE ENERGÍA ELÉCTRICA DE PUERTO
RICO**

CASE NO. NEPR-MI-2019-0016

**SUBJECT: Request to Modify Quarterly Progress
Reports and Schedule for Submitting Progress
Reports**

**REQUEST TO MODIFY QUARTERLY PROGRESS REPORTS AND
SCHEDULE FOR SUBMITTING PROGRESS REPORTS**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW, **LUMA ENERGY, LLC** as Management Co., and **LUMA ENERGY SERVCO, LLC** (collectively, LUMA), through the undersigned legal counsel and respectfully state and request the following:

I. Introduction and Relevant Background

In the instant proceeding, this honorable Puerto Rico Energy Bureau (“Energy Bureau”) has overseen procedures to handle requests for interconnections of distributed generation systems (“DGs”) and microgrids to the Transmission and Distribution System (“T&D System”). In a Resolution and Order of July 21, 2020 (“July 21st Order”), this honorable Energy Bureau required the Puerto Rico Electric Power Authority (“PREPA”) to submit quarterly progress reports on interconnections of DGs to the T&D System (“Quarterly Progress Reports”) that are discussed in quarterly compliance hearings.

On May 7, 2021, this Energy Bureau directed that LUMA shall file the Quarterly Progress Reports that the Energy Bureau has required in this proceeding. *See* May 7th Resolution and Order on page 1. In compliance with the May 7th Resolution and Order, LUMA has submitted the

quarterly progress reports since August 2021 and appeared before this Energy Bureau for compliance hearings since June 2021.

The most-recent compliance hearing in this proceeding was held on May 18, 2022. During the hearing, counsel for LUMA stated for the record that given how the proceeding had developed in the prior year, it would be beneficial for all of the parties involved to revisit the information to be submitted to this Energy Bureau and to clarify the information that this Energy Bureau would like to receive from LUMA in the future. *See*, Video of Hearing of May 18, 2022, starting at 3:03:58, available at <https://www.youtube.com/watch?v=-A8wHJLk4M>. In response, Associate Commissioner Lillian Mateo indicated that LUMA might file for consideration a proposal to modify the Quarterly Progress Reports. *See id.*

LUMA hereby respectfully proposes modifications to the Quarterly Progress Reports. The modifications are designed to ensure that the referenced reports simplify the track of the current state of interconnections processes and provide the public with current and useful data on interconnections and LUMA's efforts to interconnect distributed generation resources to the T&D System and enable net energy metering services. Finally, the added definitions clarify how the information presented is calculated. This request for modification also furthers LUMA's commitment to facilitate solar installation connections for distributed solar energy.

II. Proposal to Modify Quarterly Progress Reports

In the July 21st Order, this Energy Bureau directed that the following information should be included in the Quarterly Progress Reports:

- i. Total interconnection requests to the Authority, during the report period; and the total of distributed generation systems connected to the grid as of date.*
- ii. Average time to authorize the interconnection of the distributed generation systems.*

- iii. *Average time elapsed from the moment the client notifies the Authority of the interconnection of their distributed generation system, and it reflects the net metering agreement in the bill of the client.*
- iv. *Total clients that waited a lapse of more than 30 days since the moment they notified the Authority of the interconnection of their distributed generation system, and it reflects the net metering agreement in the bill of the client.*
- v. *Total of pending of approval cases (backlog).*
- vi. *Total bidirectional meters available in the Authority warehouse.*
- vii. *Total amount of energy in MWh, that the Authority generated or acquired from renewable energy projects during the last six months for those [for which] the information is available.*
- viii. *The total amount of distributed renewable energy in MWh, that the Authority credited to clients with net metering agreements during the past six months for those [for which] the information is available.*
- ix. *Total percentage of renewable energy attributed to the Authority corresponding to distributed renewable energy.*
- x. *Total percentage in compliance with Renewable Energy portfolio for the last natural year reported, in accordance with the dispositions of Law 82-2010.*
- xi. *The amount of total energy, in MWh, distributed by the Authority to its clients during the time period described on items 7 and 8.*
- xii. *Any recommendations on additional legislation necessary to meet the objectives of the net metering program.¹*

As a threshold matter, LUMA respectfully proposes the following definitions in the modified Quarterly Progress Reports and relevant calculations:

¹ See July 21st Resolution and Order on pages 3-4.

1. *Application complete*: When a customer has a bidirectional meter and net metering tariff.
2. *Customer approval*: When the customer provides all of the documentation per applicable requirements. The documents required from the customer are:
 - Client Orientation Form
 - Equipment Certifications (OGPe);
 - GD System Tests Certification;
 - Evidence of professional association and license (if the diagram does not include the digital signature);
 - Screen print or manufacturer's certification of inverter settings;
 - Installer Certification (OEPPE);
 - GD illustrative diagram (designer certification);
 - *Colegio de Ingenieros y Agrimensores de Puerto Rico* stamp for each document certified by an engineer;
 - Electric installation certification;
 - Evidence of membership, professional license, specialty, or compliance with any legal requirements applicable to the professional in charge of certifying the required documents;
 - And any other documents as required.
3. *Backlog*: Includes cases where the customer was approved but has waited more than thirty (30) days for the application to be completed.
4. *Applicant registration*: When the applicant is registered in the portal by an entity, company, or directly by the applicant.

LUMA proposes consolidating some of the items currently included in the Quarterly Progress Reports; eliminating one item; and modifying several items, as explained further below. Consequently, LUMA proposes to include the following information in future Quarterly Progress Reports starting with the report to be filed in October 2022 (covering data from August through September 2022), as will be explained further in detail in the next section of this Motion:

- i. *The total interconnection requests to the Authority and any other electric transmission network contractor, and the total distributed generation systems connected to the grid as of date.*

In this item, LUMA will include the monthly trend. Also, LUMA proposes to edit the language of the relevant portion of the report to include more detailed data throughout the year and more precise information on the work that has been done.

- ii. *The average time to authorize the interconnection of the distributed generation systems from the moment of customer approval until application is complete.*

- iii. *Total of backlog cases.*

In this item, LUMA will consolidate two requirements: “*the average time to authorize the interconnection of the distributed generation systems*” and “*the average time elapsed from the moment the client notifies the Authority [LUMA] of the interconnection of their distributed generation system, and it reflects the net metering agreement in the bill of the client.*” This proposed change represents a customer’s average wait time between requesting interconnection and having it reflected on their bill. Additionally, this proposed change avoids duplicate requests in instances that the client requests estimates from multiple entities or companies, and these entities or companies register the same customer.

As explained above, LUMA proposes to define the term “backlog” to include a scenario where the customer has submitted all of the documentation and received approval but has waited

more than 30 days for the application to be completed. Thus, eliminating the “*total of clients that waited a lapse of more than 30 days since the moment they notified the Authority of the interconnection of their distributed generation system, and it reflects the net metering agreement in the bill of the client.*” This definition excludes the backlog calculation cases where the client has not completed the application process. This definition aligns with the proposed definition of *application complete* and fairly represents the elapsed time for completing applications. All documentation should be in order to promote efficient processing and align with standard utility practice before LUMA completes the application. Applicants who have completed all the documentation should be processed ahead of others with incomplete documentation.

In contrast, LUMA proposes to keep the following items from the July 21st Order:

- iv. *Total amount of energy in MWh, that the Authority generated or acquired from renewable energy projects during the last six months for those the information is available.*
- v. *The total amount of distributed renewable energy in MWh, that the Authority credited to clients with net metering agreements during the past six months for those the information is available.*
- vi. *Total percentage of renewable energy attributed to the Authority corresponding to distributed renewable energy.*
- vii. *The amount of total energy, in MWh, distributed by the Authority to its clients during the time period described on items 7 and 8 of the July 21st Resolution and Order.*
- viii. *Total percentage in compliance with Renewable Energy portfolio for the last natural year reported, in accordance with the dispositions of Law 82-2010.*
- ix. *Any recommendations on additional legislation necessary to meet the objectives of the net metering program.*

LUMA understands that this Energy Bureau required this information because, in the past, PREPA did not have a sufficient inventory of bidirectional meters. However, as LUMA has informed, it has maintained the availability of bidirectional meters in the past three months. It is

expected to continue doing so, decreasing substantially the risk of not being able to meet customer demand.

Month (Year 2022)	Inventory Available at Month End
January	7,120
February	2,732
March	1,579
April	13,179
May	11,600
June	8,114
July	17,059

For the benefit of the Energy Bureau, LUMA submits as Exhibit 1 to this Motion an illustrative example of the interconnections progress report presentation based on the above-described proposal. It shows the historically required data by this Energy Bureau more concisely and in a straightforward format, allowing the public to understand monthly and annual progress better without compromising those items that are critical to the purpose of this instant proceeding. Therefore, LUMA hereby requests the Energy Bureau to approve the proposal to modify the quarterly interconnection progress reports by allowing modifications to the items set forth above.

III. Proposal to Modify Schedule for Submitting Quarterly Interconnections Progress Reports.

The requirement to submit quarterly reports on the progress of interconnections of PREPA arises under the July 21st Order. Pursuant to a Resolution and Order entered in this proceeding on November 20, 2020, each quarterly interconnections progress report is due on the 13th day after each quarter closes. Per the current schedule to file the quarterly interconnections progress reports, LUMA makes submissions in August (with data for May through July), November (with data for

August through October), February (with data for November through January), and May (with data for February through April). *See Exhibit 2 (Schedule of proposed changes).*²

LUMA hereby respectfully requests to align the quarterly filings of system data in this proceeding with the quarters within the Fiscal Year and other associated reporting. To wit, LUMA proposes to submit quarterly reports on system data in the month following the end of each fiscal quarter, that is, in October (with data for July through September), January (with data for October through December), April (with data for January through March), and July (with data for April through June). This change is designed to align the schedule with the Puerto Rico fiscal year and, therefore, with other reporting schedules in other dockets before this Energy Bureau. The main reason for the suggested change is to improve consistency in the data and statistics submitted to this Energy Bureau. LUMA will use data for the same periods in the quarterly interconnections progress report and other quarterly reporting submitted to this Energy Bureau. In turn, it will facilitate analyses of the data and data comparisons on system performance. Importantly, this change will further LUMA's commitment to transparency and provide this Energy Bureau and the public with reliable data on the electric system in Puerto Rico.

To facilitate the transition to the proposed new schedule to submit quarterly reports on interconnections progress, LUMA hereby requests the Energy Bureau to commence with this proposed schedule by the following interconnections progress report due by October 13, 2022. As explained above, the interconnections progress report due in October is intended to cover July through September. However, considering that the data for July 2022 was already presented in the

² As this Honorable Energy Bureau is aware, LUMA also currently files a quarterly report related to the Puerto Rico transmission and distribution system ("T&D System") that includes information on financial performance with data for each quarter of the relevant fiscal year (filed in the following proceedings: Case No. NEPR-MI-2021-0004, *In Re: LUMA's Initial Budgets*; Case No. NEPR-MI-2021-0002, *In Re: Review of Puerto Rico Electric Power Authority's 10 Year Infrastructure Plan*; and Case No. NEPR-MI-2020-0019, *In Re Review of the Puerto Rico Electric Power Authority's System Remediation Plan*). LUMA also files quarterly reports on certain legacy performance metrics in Case No. NEPR-MI-2019-0007, *In Re: The Performance of the Puerto Rico Electric Power Authority*.

interconnections progress report submitted on August 15, 2022, to avoid duplicity in the data and redundancy, LUMA requests the Energy Bureau to allow submission only of August and September 2022 in the following report.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **approve** the modifications to the Quarterly Progress Reports that are identified and explained in this Motion, as illustrated in Exhibit 1; **grant** LUMA’s request to alter the schedule for submission of interconnections progress reports; and **accept** the new proposed schedule for filing interconnections progress reports submitted as Exhibit 2 to this Motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 31st of August 2022.

I hereby certify that I filed this motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this motion to the attorneys for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law; and Katuska Bolaños-Lugo, kbolanos@diazvaz.law. Notice will also be sent to the Office of the Independent Consumer Protection Office, Lcda. Hannia Rivera Diaz, hrivera@jrsp.pr.gov, and to counsel for the Puerto Rico Solar Energy Industries Association Corp. (“SESA”), javrua@sesapr.org.



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/ Margarita Mercado Echegaray
Margarita Mercado Echegaray
RUA NÚM. 16,266
margarita.mercado@us.dlapiper.com

/s/Yahaira De la Rosa Algarín
Yahaira De la Rosa Algarín
RUA Núm. 18,061
yahaira.delarosa@us.dlapiper.com

Exhibit 1

DG Interconexión Reporte Trimestral

Periodo
Mayo - Julio 2022



- **Conexión de más de 28,000 clientes** con energía solar - un total de 145 Mw - desde el inicio de operaciones de LUMA*
- 2,800 activaciones mensuales (promedio) de generaciones distribuidas
- Gracias a la adaptación de nuestros clientes y nuestros esfuerzos en interconectarlos, ocupamos la posición #28 en E.E.U.U. de residencias con energía solar
- Adicionalmente, Puerto Rico es un de los 8 estados que proveen un *Hosting Capacity Map* para el uso público



Días Promedio de Interconexión

20

Total Casos Backlog**

672

***Hasta el 31 de julio del 2022**

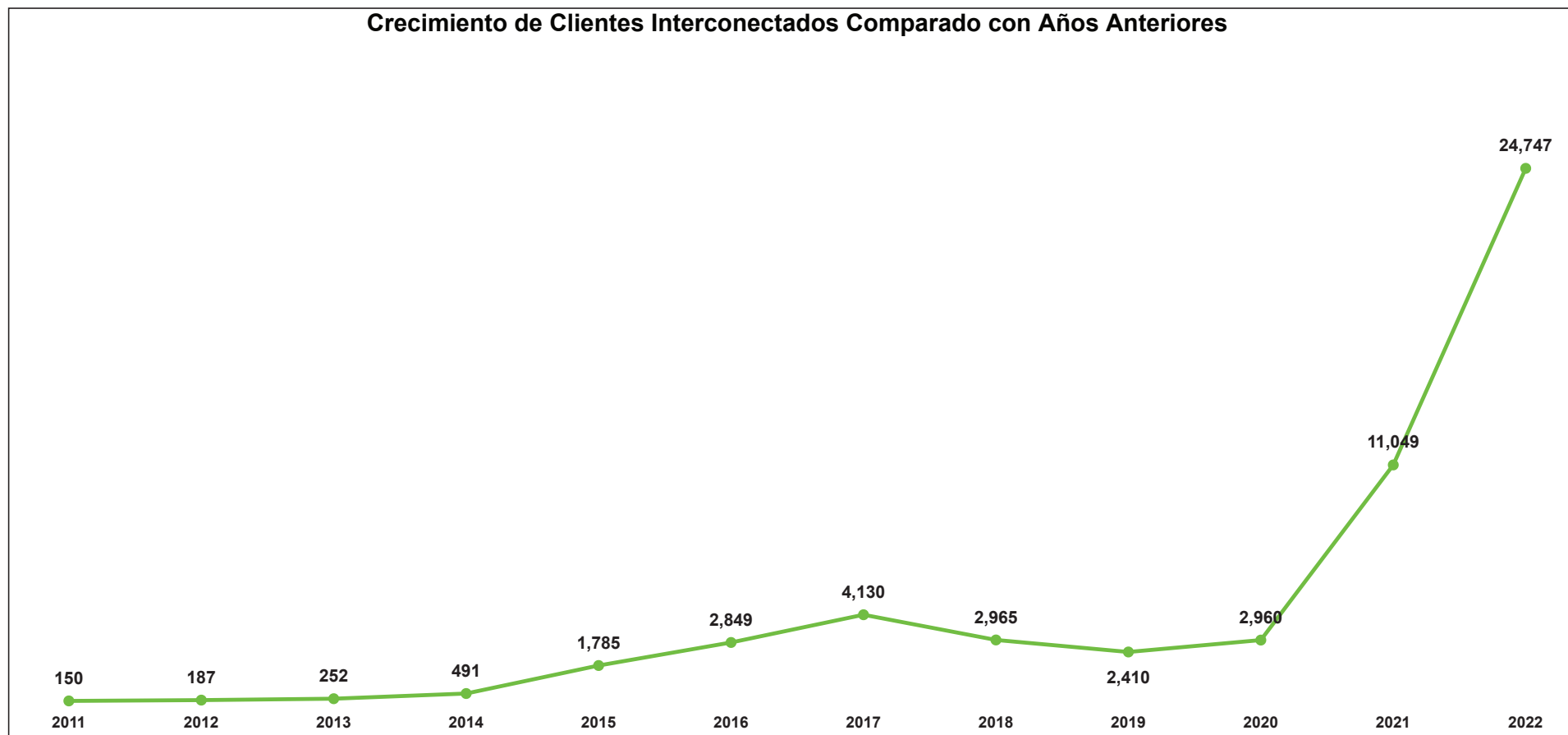
****Incluye casos en espera de acción por el cliente**

DG Interconexión Reporte Trimestral

Periodo
Mayo - Julio 2022

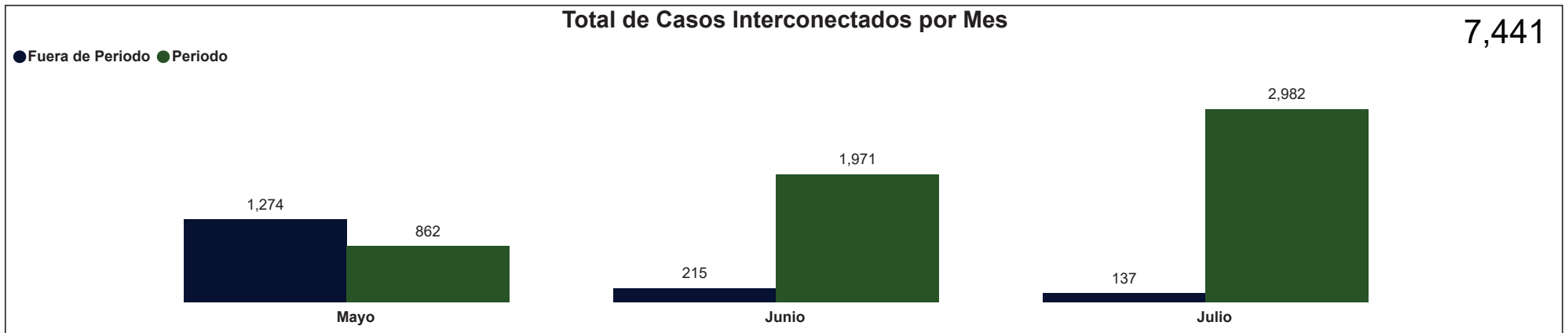
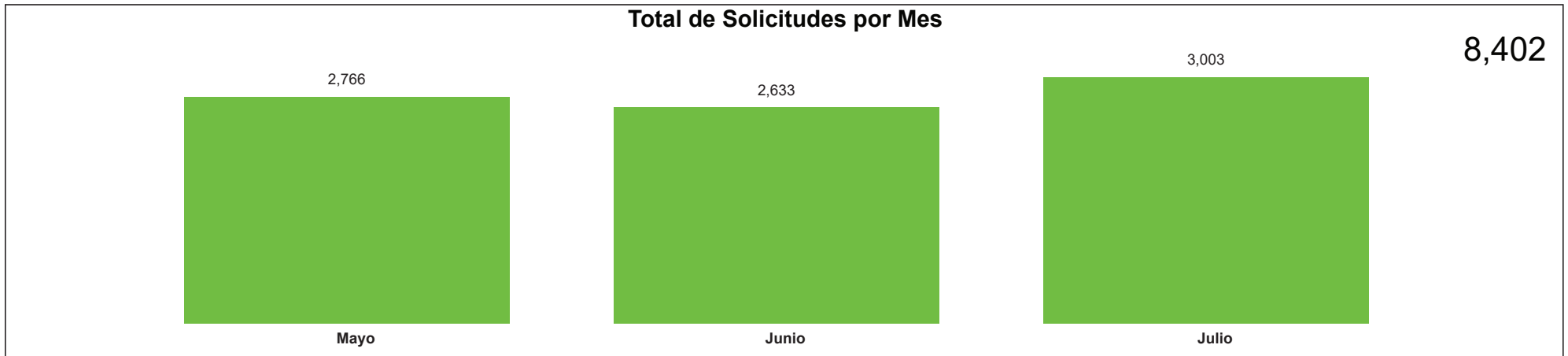


Crecimiento de Clientes Interconectados Comparado con Años Anteriores



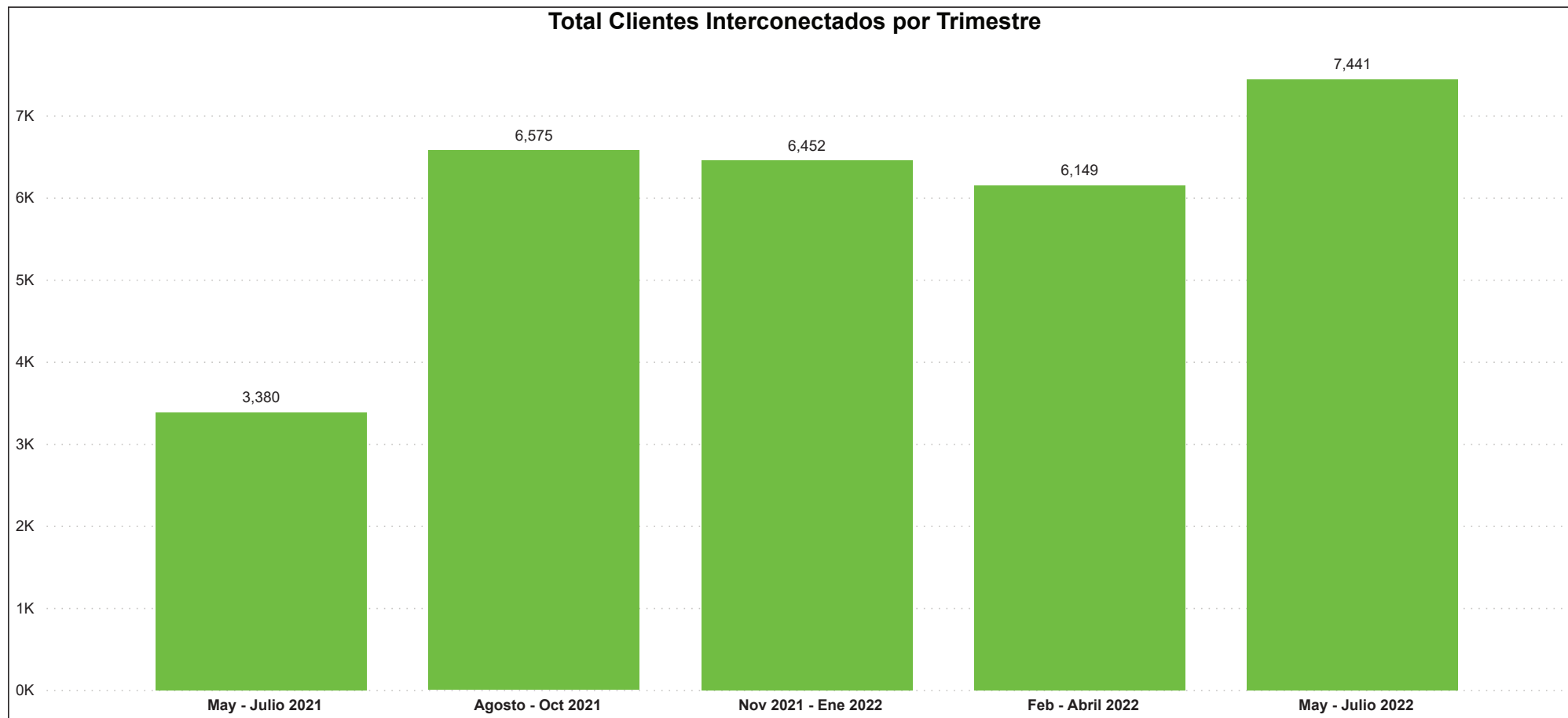
DG Interconexión Reporte Trimestral

Periodo
Mayo - Julio 2022

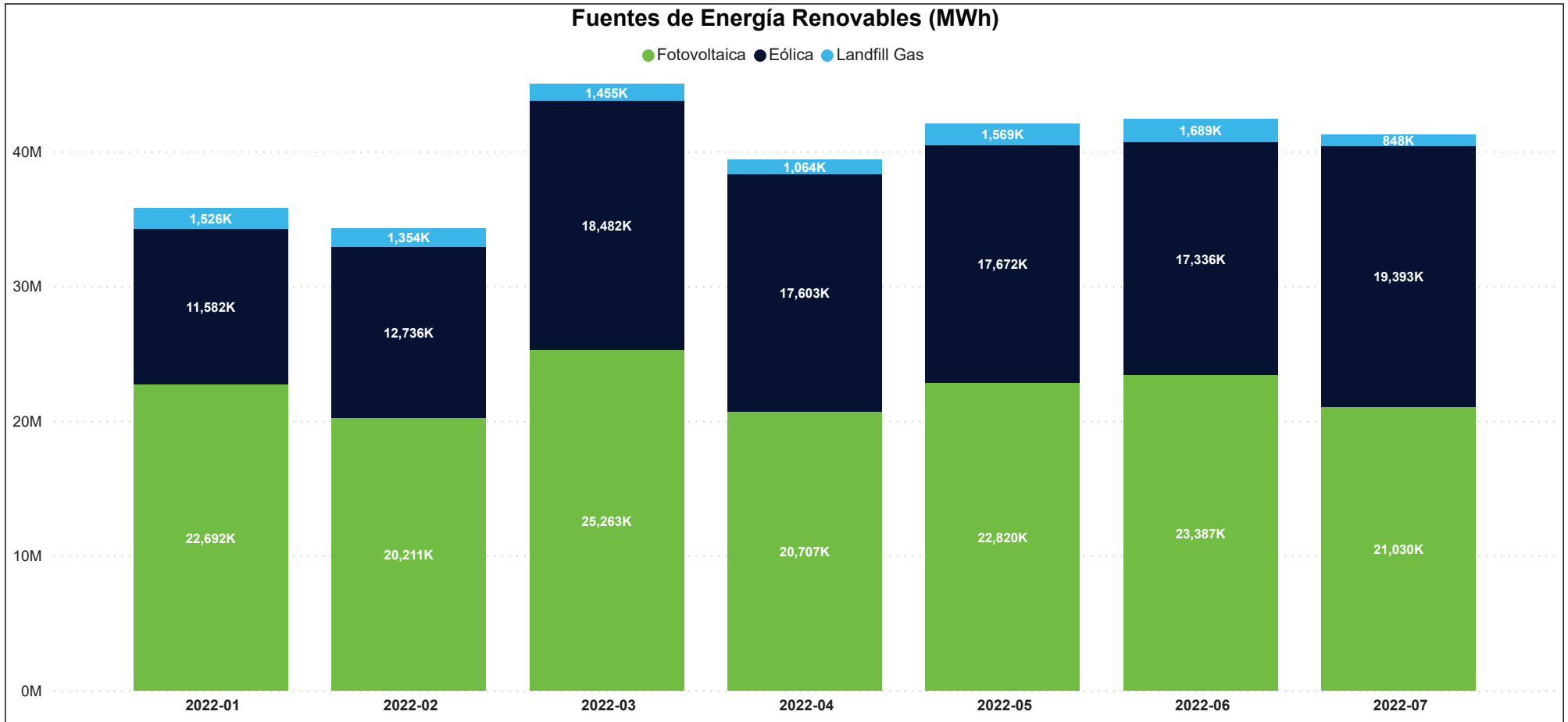


DG Interconexión Reporte Trimestral

Periodo
Mayo - Julio 2022



DG Interconexión Reporte Trimestral

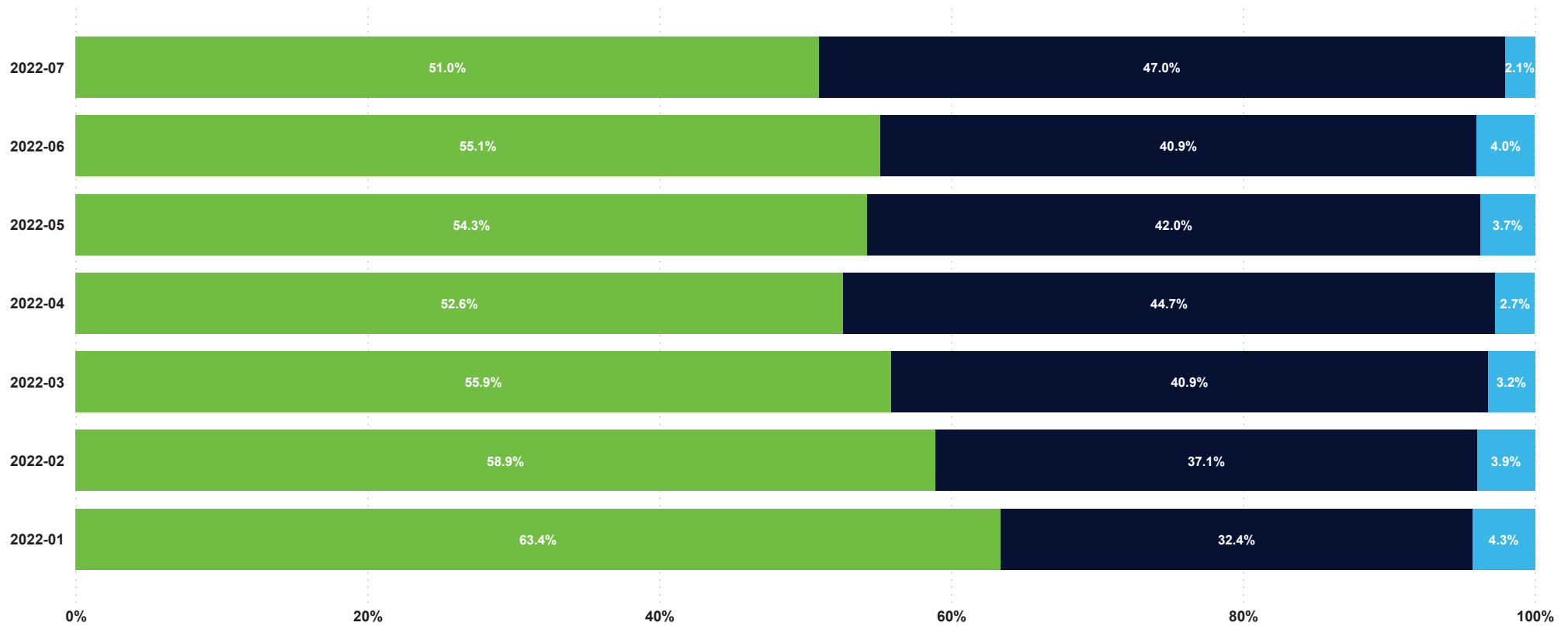


DG Interconexión Reporte Trimestral

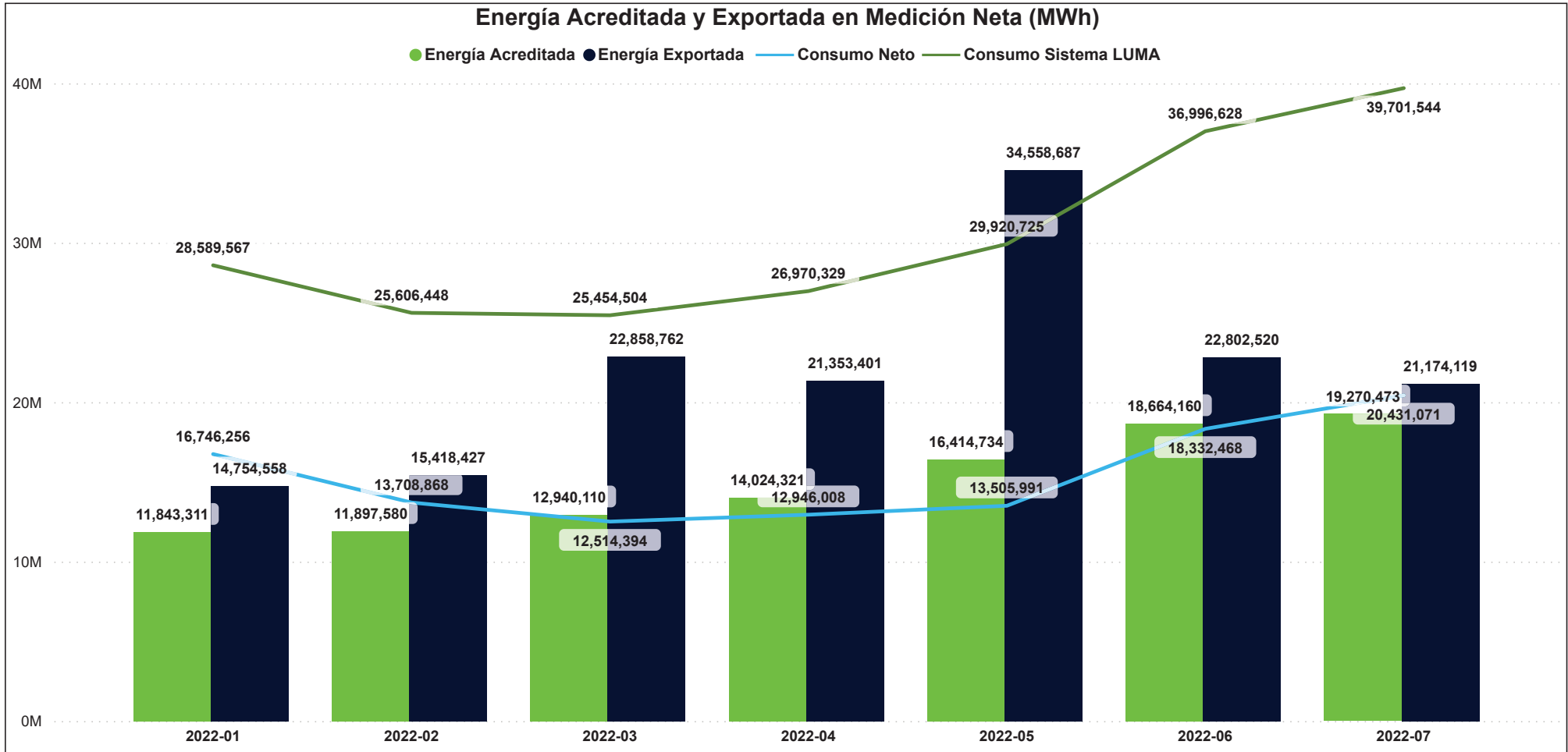


Fuentes de Energía Renovable: Composición de Energía Adquirida

Fotovoltaica ● Eólica ● Landfill Gas



DG Interconexión Reporte Trimestral

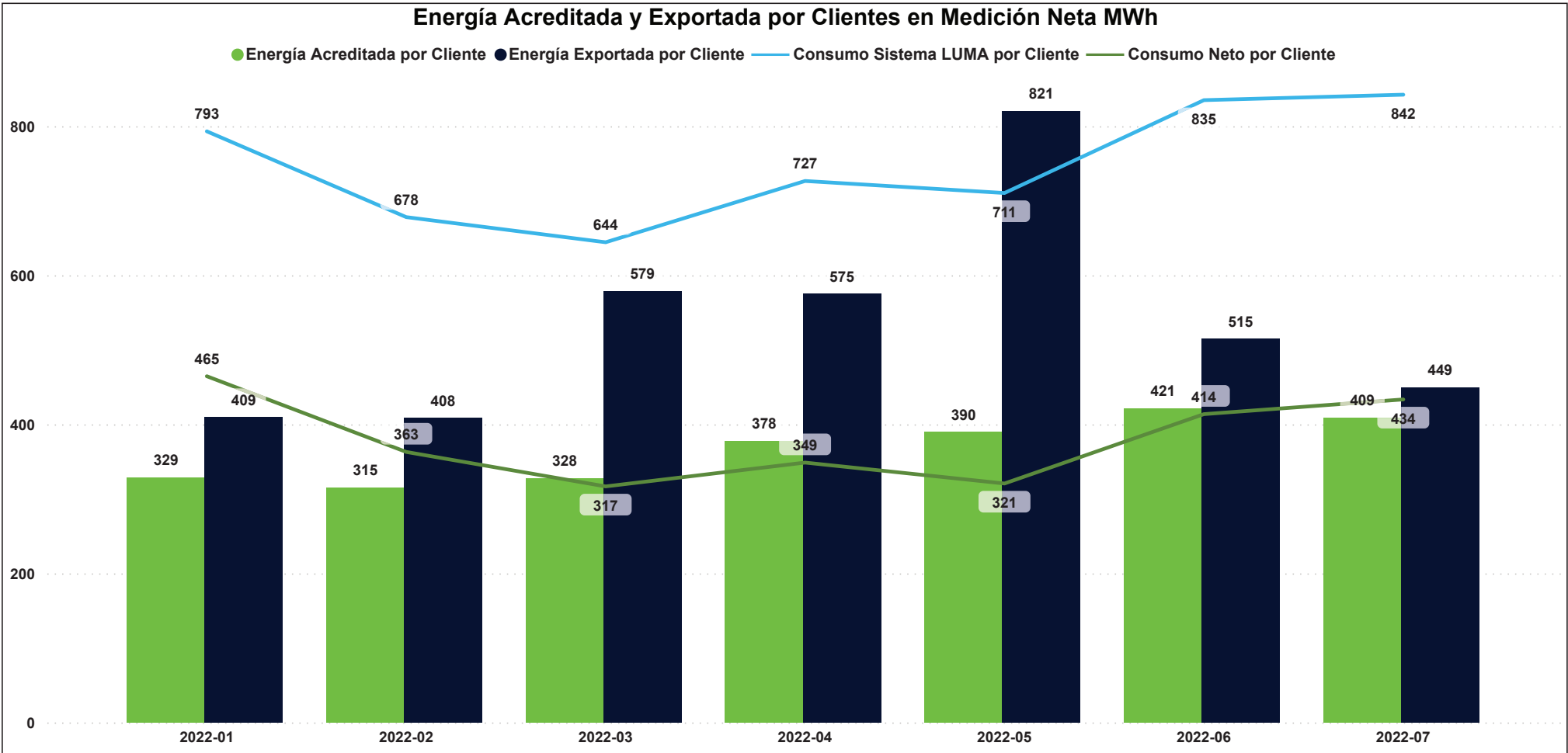


DG Interconexión Reporte Trimestral

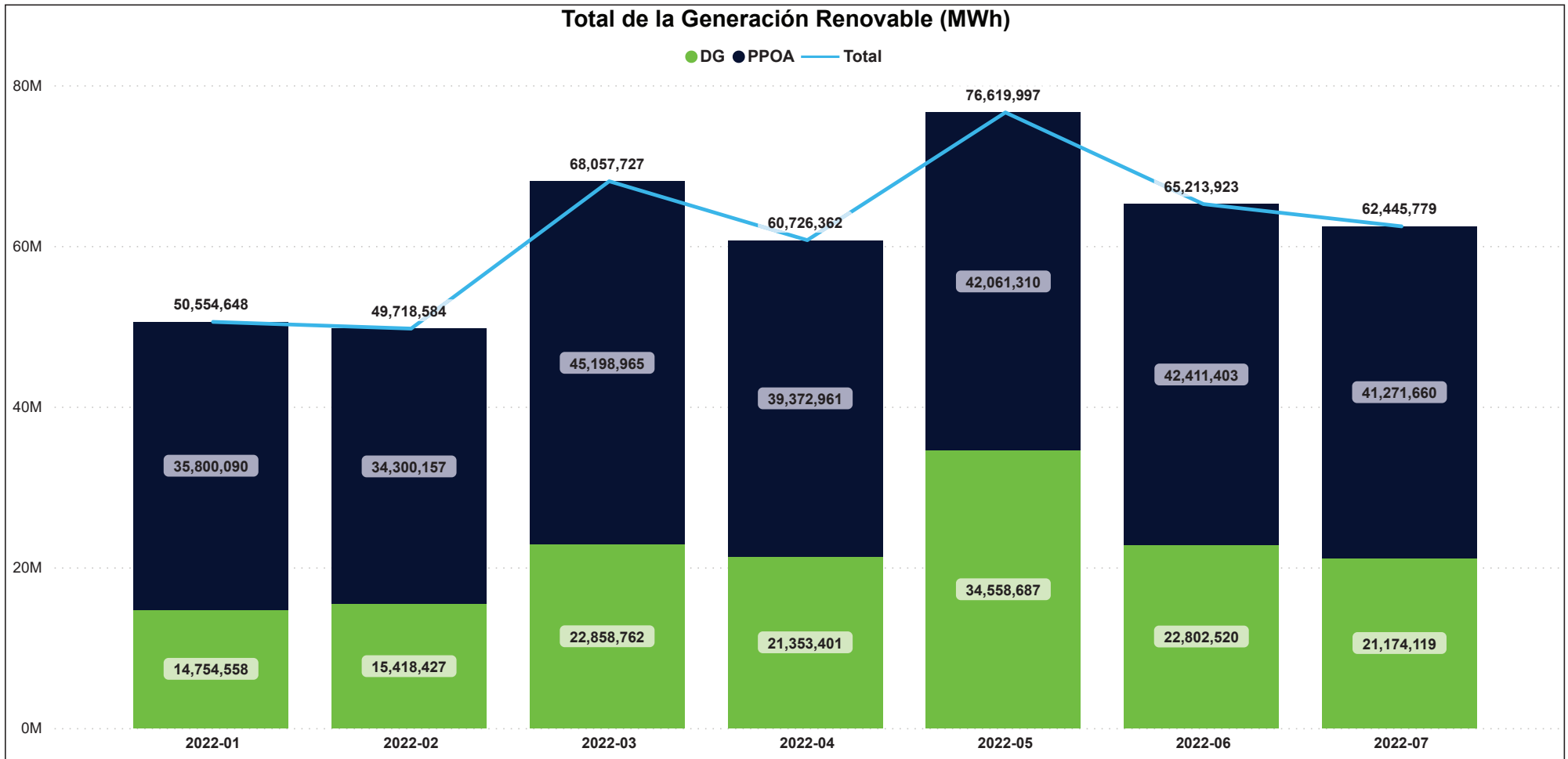


Energía Acreditada y Exportada por Clientes en Medición Neta MWh

● Energía Acreditada por Cliente ● Energía Exportada por Cliente — Consumo Sistema LUMA por Cliente — Consumo Neto por Cliente



DG Interconexión Reporte Trimestral



DG Interconexión Reporte Trimestral

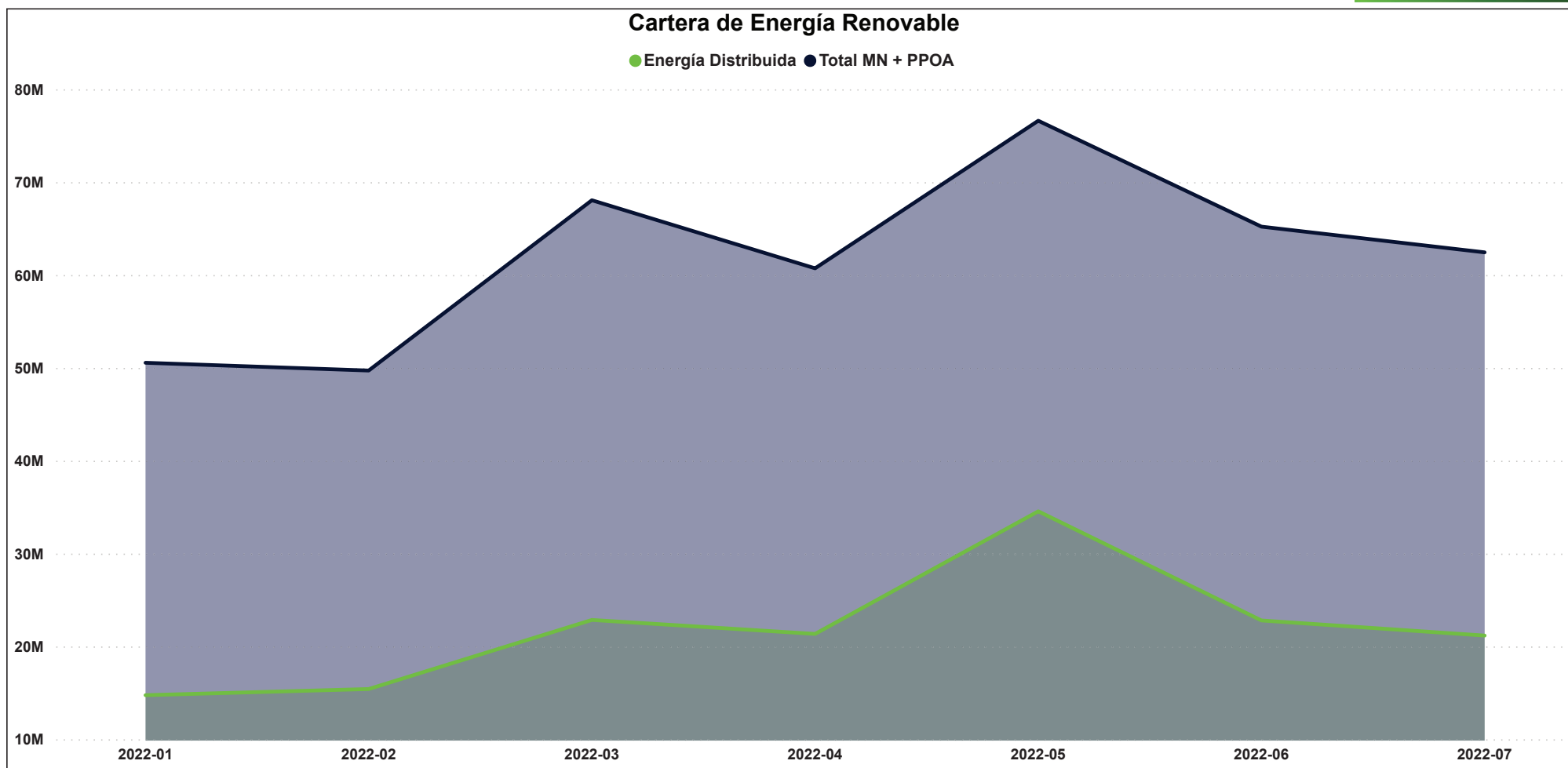


Exhibit 2

Filing Schedule¹

Quarter Report Due to PREB	Months Covered
<input checked="" type="checkbox"/> November 15, 2021	August – October 2021
<input checked="" type="checkbox"/> February 18, 2022	November 2021 – January 2022
<input checked="" type="checkbox"/> May 13, 2022	February - April 2022
<input checked="" type="checkbox"/> August 15, 2022	May – July 2022
October 13, 2022	August – September 2022
January 13, 2023	October – December 2022
April 13, 2023	January – March 2023
July 13, 2023	April – June 2023

¹Revised reporting calendar subject to PREB approval.