

**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: Resolution and Order regarding
*Request for Continuance of Technical
Conference Scheduled for September 27,
2022*, filed by the Puerto Rico Electric Power
Authority; Procedural Calendar
Amendment.

RESOLUTION AND ORDER

On September 7, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution through which it amended the Procedural Calendar and added an additional day to conduct the Virtual Technical Conference, if warranted. ("September 7 Resolution"). As per the amended Procedural Calendar, the Virtual Technical Conference was scheduled to take place on **Tuesday, September 13, 2022, and Wednesday, September 14, 2022, from 10:00 a.m. to 5:00 p.m.**

On September 9, 2022, LUMA Energy, LLC and LUMA Energy ServCo, LCC ("LUMA") filed before the Energy Bureau a document titled *Urgent Request to Re-Schedule Second Day of Technical Conference and for Issuance of Agenda* ("September 9 Motion"). Through the September 9 Motion, LUMA stated that several of LUMA's and the Puerto Rico Electric Power Authority's ("PREPA") witnesses and management personnel were not available to appear before the Energy Bureau on September 14, 2022.¹ LUMA further indicated that upon conferring with PREPA, **the earliest availability for both LUMA and PREPA is on September 27, 2022.**²

On September 13, 2022, the first day of the Technical Conference was held as scheduled. One day for the Technical Conference was insufficient and considering the availability of both parties as indicated in the September 9 Motion, the Energy Bureau issued a bench order through which it rescheduled the second day of the Technical Conference for **Tuesday, September 27, 2022** (from 10:00 a.m. to 5:00 p.m.). Furthermore, the Energy Bureau **ORDERED** LUMA to submit certain information and/or documents on or before 5:00 p.m. of September 23, 2022.

On September 16, 2022, PREPA filed before the Energy Bureau a document titled *Request for Continuance of Technical Conference Scheduled for September 27, 2022* ("September 16 Motion"). Through the September 16 Motion, PREPA informed that Mr. Lucas Porter, its leading financial advisor and key witness to appear during the referenced Technical Conference, was not available on September 27, 2022.³ PREPA stated that Mr. Porter was available to appear on any date from October 7, 2022 onwards and thus requested the Energy Bureau to grant a continuance of the second day of the Technical Conference.⁴

Upon review of the September 16 Motion and taking notice that LUMA and PREPA focused on the recovery of the electric system due to Hurricane Fiona, the Energy Bureau **RESCHEDULES** the second day of the Technical Conference for **Tuesday, October 18, 2022** (from 10:00 a.m. – 5:00 p.m.). Accordingly, the Energy Bureau **AMENDS** the Procedural Calendar of the instant case as follows:

¹ September 9 Motion, p. 10, ¶ 37.

² *Id.*, pp. 10 – 11, ¶¶ 38, 40.

³ September 16 Motion, p. 3, ¶ 7.

⁴ *Id.*



Date	Phase
October 7, 2022 ⁵	LUMA filing of Revised and/or Additional Information Required by the Energy Bureau during the Technical Conference held September 13, 2022. PREPA filing of request of documents as stated in this Resolution and Order
October 18, 2022	Continuation of the Virtual Technical Conference ⁶
November 1, 2022	Filing of Revised and/or Additional Information Required by the Energy Bureau
November 10, 2022	Virtual Public Hearing ⁷
November 17, 2022	Due Date for Filing of Comments by General Public ⁸

Additionally, the Energy Bureau **ORDERS PREPA** to file before the Energy Bureau on or before **Friday, October 7, 2022**, i) all documentation submitted before the Financial Oversight and Management Board for Puerto Rico (“FOMB”) pertaining Fiscal Year 2022, including the four (4) quarterly reports for FY 2022; and (ii) all documents filed with FOMB regarding Fiscal Year 2023 Certified Budget as well as the responses provided by the FOMB.

The Energy Bureau **WARNS** LUMA that noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to twenty-five thousand dollars (\$25,000.00) per day, in accordance with Art. 6.36 of Act 57-2014.⁹

Be it notified and published.


Edison Avilés Deliz
Chairman


Ferdinand A. Ramos Soegaard
Associate Commissioner


Lillian Mateo Santos
Associate Commissioner


Sylvia B. Ugarte Araujo
Associate Commissioner



⁵ On or before 5:00 p.m. of October 7, 2022.

⁶ LUMA and PREPA legal representation shall provide a list of the persons that will appear under oath before the Energy Bureau with at least a day in advance (i.e., on or before October 17, 2022).

⁷ Note that 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. Participation during the public hearing shall comply with the provisions of the Resolution issued by the Energy Bureau under *In re: Public Policy regarding receiving comments and appearing in public hearings*, Case No. NEPR-MI-2021-0010, June 18, 2021, which is available at: <https://energia.pr.gov/wp-content/uploads/sites/7/2021/08/20210618-MI20210010-Poli%CC%81tica-de-Recibo-y-Manejo-de-Comentarios.pdf> (last accessed, September 7, 2022).

⁸ Filing of comments shall comply with the provisions of the Resolution issued by the Energy Bureau under *In re: Public Policy regarding receiving comments and appearing in public hearings*, Case No. NEPR-MI-2021-0010, June 18, 2021, which is available at: <https://energia.pr.gov/wp-content/uploads/sites/7/2021/08/20210618-MI20210010-Poli%CC%81tica-de-Recibo-y-Manejo-de-Comentarios.pdf> (last accessed, September 7, 2022).

⁹ Known as *The Puerto Rico Energy Transformation and RELIEF Act*, as amended (“Act 57-2014”).

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on September 20, 2022. I also certify that on September 20, 2022, a copy of this Resolution and Order was notified by electronic mail to margarita.mercado@us.dlapiper.com, ana.rodriguezrivera@us.dlapiper.com; jmarrero@diazvaz.law, kbolanos@diazvaz.law. I also certify that today, September 20, 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 September 20, 2022.



Sonia Seda Gaztambide
Clerk

