

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

NEPR

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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 Costa Sur Power Plant
Analysis of April 6th Incident and Request
for Confidential Treatment**

**MOTION SUBMITTING COSTA SUR POWER PLANT ANALYSIS OF APRIL 6TH
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 following¹:

1. On April 6th, 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 6th Incident”).

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

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

¹ 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 18th, 2022.

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

4. On April 14th, 2022, to aid the Energy Bureau in its investigation and supplement the Preliminary Report, LUMA filed a *Motion to Supplement Preliminary Report on April 6th 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 6th, and an aerial view video of the Costa Sur Substation taken the morning after the April 6th Incident.

5. On April 18th, 2022, in compliance with the April 8th 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 6th 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 22nd, 2022, the Energy Bureau issued a Resolution and Order instructing LUMA and PREPA to submit, on or before May 6th, 2022, at noon, certain documents, and information in connection with the April 6th Incident ("April 22nd Order").

7. On May 9th, 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 6th Incident, which provided an update on the schedule and status of the investigation.

8. In the Second Updated Report of the April 6th Incident, LUMA informed the Energy Bureau that the remaining elements of the investigation schedule included a Costa Sur Power Plant Analysis of the April 6th Incident that would be submitted on or before September 9, 2022.

9. As advanced in the Second Updated Report of the April 6th Incident, LUMA hereby submits the Costa Sur Power Plant Analysis of the April 6th Incident. Exponent, the third-party expert contracted by LUMA to carry out the investigation, has prepared this document. LUMA submits the Costa Sur Power Plant Analysis of the April 6th Incident under seal of confidentiality and requests that the Energy Bureau receive and maintain the same confidential.

10. 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 Costa Sur Power Plant Analysis of the April 6th Incident should be designated as confidential material that should be protected from disclosure after the investigation of the April 6th Incident concludes. The Costa Sur Power Plant Analysis of the April 6th 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.

11. 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 Costa Sur Power Plant Analysis of the April 6th Incident under seal of confidentiality.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the Costa Sur Power Plant Analysis of the April 6th Incident that is being filed as Exhibit 1 to this Motion, and **treat confidentially** the Costa Sur Power Plant Analysis of the April 6th 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 9th day of September 2022.



DLA Piper (Puerto Rico) LLC
500 Calle de la Tanca, Suite 401
San Juan, PR 00901-1969
Tel. 787-945-9107/ 9132
Fax 939-697-6147/ 6102

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

/s/ Iván Garau-González
Iván Garau-González
RUA NÚM. 20,229
ivan.garau@us.dlapiper.com

Exhibit 1

(submitted confidentially)