

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

NEPR

Received:

Aug 31, 2022

10:09 PM

IN RE: INTERRUPCIÓN DE SERVICIO
ELÉCTRICO DE 12 DE JULIO DE 2022

CASE NO. NEPR-IN-2022-0003

SUBJECT:

**Motion to Submit Monthly Progress
Report of July 12th Incident and Request
for Confidential Treatment**

**MOTION TO SUBMIT MONTHLY PROGRESS REPORT OF JULY 12TH 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:

1. On July 12th 2022, a failure in the electric system led to a fire at the 115KV/4KV Jayuya Substation, which resulted in a power outage in the municipality of Jayuya (hereinafter, the “July 12th Incident”).

2. On July 13th 2022, this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order whereby it initiated a confidential investigation of the July 12th Incident (“July 13th Order”).

3. The July 13th Order instructed LUMA to submit, on or before July 19th, 2022, at 3:00 p.m., a preliminary report on the causes of the July 12th Incident and the corrective actions taken by LUMA (the “Preliminary Report”).

4. Further, the July 13th Order instructed LUMA to submit on or before October 15th 2022, at 3:00 p.m., a final and more detailed report on the July 12th Incident with the following information (the “Final Report”):

- (i) A summary of the incident including, but not limited to, a chronological description of the events and their effect, if any, on the Puerto Rico Electric Power Authority’s (“PREPA”) generation fleet, other energy producers, and the transmission and distribution system, as well as investigative, corrective, or other actions taken by LUMA;
- (ii) Any information received, obtained, or gathered in the course of investigative, corrective, or other efforts undertaken by LUMA and/or PREPA, its agents, attorneys, or consultants to determine the cause of the incident and its effect, if any, on PREPA’s generation fleet and the transmission and distribution system;
- (iii) Any document produced, prepared, or received by LUMA and/or PREPA, its agents, attorneys, or consultants in the course of investigative, corrective, or any other efforts were undertaken to determine the cause of the incident, including, but not limited to, the root cause report of the incident and its effect, if any, on PREPA’s generation fleet and the transmission and distribution system;
- (iv) Repercussions, consequences, or effects that clients and the electricity system will face in the short or long term because of the incident; and
- (v) Any information, in digital or tangible format regarding the incident in possession of LUMA and/or PREPA, which includes, but is not limited to, data, graphs, maps, videos, audios, photos, reports, or documents related to the incident and its effect on the electric service, the generation fleet, and the electricity transmission and distribution system of Puerto Rico

5. The July 13th Order also required LUMA to submit monthly progress reports (the “Monthly Progress Reports”) until LUMA files its Final Report on the July 12th Incident.

6. After requesting an extension of time, on July 17, 2022, LUMA filed the Preliminary Report of the July 12th Incident, which included the following:

- (i) Summary of Information on the July 12th Incident
- (ii) Incident Chronology
- (iii) LUMA's Response to the Outage
- (iv) Damage Assessment and Affected Assets
- (v) Restoration Plans and Next Steps

7. In compliance with the July 13th Order and to be transparent with its customers and regulators about its operations, LUMA hereby submits the Monthly Progress Report of the July 12th Incident. See, Exhibit 1.

8. 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 Monthly Progress Report of the July 12th Incident should be designated as confidential material that should be protected from disclosure after the investigation of the July 12th Incident concludes. The Monthly Progress Report of the July 12th 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.

9. Under separate cover and expediently, within the next ten 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 Monthly Progress Report of the July 12th Incident under seal of confidentiality.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **accept and treat confidentially** the Monthly Progress Report of the July 12th Incident that is being filed as Exhibit 1 to 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 the Puerto Rico Electric Power Authority, Katuska Bolaños-Lugo, kbolanos@diazvaz.law.

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



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/s/ Iván Garau-González
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Exhibit 1

(submitted confidentially)