

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

NEPR Received: Sep 13, 2022 7:02 PM

IN RE:

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY PERMANENT RATE

CASE NO. NEPR-MI-2020-0001

**SUBJECT: Request for Brief Extension of Time to
Submit Quarterly Reconciliations and FCA, PPCA, and
FOS Calculated Factors**

**REQUEST FOR BRIEF EXTENSION OF TIME TO SUBMIT QUARTERLY
RECONCILIATIONS AND FCA, PPCA, AND FOS CALCULATED FACTORS**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES now **LUMA Energy ServCo, LLC** (“ServCo”), (“LUMA”), and respectfully states and requests the following:

1. Pursuant to a Resolution and Order dated January 17, 2020, this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) has conducted approval and revisions of the factors associated with several riders, including contributions in lieu of taxes cost adjustment (CILTA), help to human subsidies (SUBA-HH), non-help to human subsidies (SUBA-NHH), Fuel Charge Adjustment (FCA), the Purchased Power Charge Adjustment (PPCA), and the Fuel Oil Subsidy (FOS), and their reconciliations, in this proceeding, NEPR-MI-2020-0001. The reconciliations and FCA, PPCA, and FOS calculated factors are filed quarterly with this Energy Bureau according to the Final Rate Order issued on January 10, 2017, Case CEPR-AP-2015-0001, as amended (“Final Rate Order”).

2. As Operator of the Transmission and Distribution System, and in furtherance of its duties over system regulatory matters under Section 5.6 of the Puerto Rico Transmission and

Distribution Operation and Maintenance Agreement (“T&D OMA”), supplemented by the Puerto Rico Transmission and Distribution System Supplemental Terms Agreement, LUMA is tasked with the preparation of the required quarterly reconciliations and factors for the FCA, PPCA and FOS riders.

3. In a Resolution and Order issued on July 31, 2022, this Energy Bureau set the FCA, PPCA, and FOS factors to be applicable from October 1, 2022, until December 31, 2022 (“July 31st Order”). In the July 31st Order, the Energy Bureau also directed that on or before September 15, 2022, at noon, LUMA shall file the FCA, PPCA, and FOS reconciliations for July through September 2022, as well as the calculated factors to be applied to start on October 1, 2022.

4. It is respectfully informed that despite its better efforts to obtain the certified fuel purchases data, the Puerto Rico Electric Power Authority (“PREPA”) has not provided it as of today. Thus, LUMA cannot review the same and finalize the calculations to timely submit the reconciliations with this Energy Bureau on or before September 15, 2022.

5. Given the aforementioned delay in receiving necessary data on fuel purchases, LUMA needs two additional business days to complete its analysis of the relevant data, finalize calculations and submit the scheduled reconciliations and calculated factors. Thus, LUMA requests a brief extension until September 19, 2022, to file the quarterly reconciliations and FCA, PPCA, and FOS calculated factors.

6. This request for extension is filed in good faith and should not delay the Energy Bureau’s processes related to quarterly reconciliations and calculated factors.

7. As LUMA has explained in prior filings, it does not own or operate generation facilities nor purchase any fuel for generation. LUMA’s operations costs are not included in the

FCA and PPCA riders. The tariff book requires the calculation of the riders to assure the pass-through of costs for fuel used in generation by PREPA and the power purchased from private generators by PREPA is performed in line with regulation, without any markup, profit, or additional charges that would benefit PREPA (or LUMA).

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **grant** LUMA until September 19, 2022, to inform this Energy Bureau of the quarterly reconciliations and FCA, PPCA, and FOS calculated factors.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 13th day of September 2022.

We hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this Motion to counsel for PREPA Katuska Bolaños-Lugo, kbolanos@diazvaz.law, and to the Independent Consumer Protection Office, through Director Hannia Rivera, hrivera@oipc.pr.com.



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