

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

NEPR

Received:

Oct 5, 2022

3:04 PM

IN RE:

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY PERMANENT RATE

CASE NO. NEPR-MI-2020-0001

SUBJECT: Informative Motion

**INFORMATIVE MOTION ON BILL CREDITS TO CUSTOMERS DUE TO
HURRICANE FIONA OUTAGE**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME now **LUMA Energy, LLC** (“ManagementCo”), and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly referred to as “LUMA”), and respectfully state and request the following:

1. Pursuant to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement of June 22, 2020 (“T&D OMA”), LUMA performs customer services in accordance with Contract Standards that include “all billing and collection services for the T&D System in accordance with the Contract Standards, including the requirements set forth in Annex I (Scope of Services).” T&D OMA., Section 5.3(a).

2. LUMA is cognizant of its duties pursuant to Act 143 of July 11, 2018, known as the *Law for Fair, Reasonable and Transparent Billing of Essential Public Services During Emergencies* (“Act 143-2018”), regarding billings and collections in the context of Emergency

Situations.¹ In compliance with said statute, LUMA customers will receive a bill credit on their November LUMA energy bill corresponding to the Emergency Situation due to Hurricane Fiona. The credit corresponds to the monthly customer charge and Residential Fixed Rate (RFR) for Public Housing customers., *see* PREPA Tarif Book for the specifics of the customer charge as applied to each customer class².

3. In the interest of transparency, beginning the week of October 9, 2022, LUMA will be publishing information on its website informing customers that the bill credits for the outage caused by Hurricane Fiona will be reflected in their November LUMA Energy Bill.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned for all relevant purposes.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 3rd day of October 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 counsel for PREPA Katuska Bolaños-Lugo, kbolanos@diazvaz.law, and to the Independent Consumer Protection Office, through Director Hannia Rivera, hrivera@oipc.pr.com.

¹Article 2 of Act 143-2918 defines “Emergency Situations” as “prolonged interruption of an Essential Public Service for a period greater than twenty-four (24) hours as a result of breakdowns caused by the passage of an atmospheric phenomenon and any other emergency situation that has been decreed by the Governor of Puerto Rico by Executive Order and affects the provision of an Essential Public Service.” Act 143-2018, Article 2(h).

² The PREPA Tariff Book is available at <https://lumapr.com/wp-content/uploads/2021/07/Tariff-Book-Electric-Service-Rates-and-Riders-Revised-by-Order-05172019-Approved-by-Order-05282019.pdf>.



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