

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

NEPR

Received:

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IN RE:

IMPLEMENTATION OF THE PUERTO
RICO ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN AND
MODIFIED ACTION PLAN

CASE NO. NEPR-MI-2020-0012

**SUBJECT: Submittal of Status Update on Technical
Consultant Contracting Process and Early Stages of IRP
Preparation in Compliance with Energy Bureau
Resolution and Order of April 22, 2022**

**MOTION TO SUBMIT STATUS UPDATE ON TECHNICAL CONSULTANT
CONTRACTING PROCESS AND EARLY STAGES OF IRP PREPARATION
IN COMPLIANCE WITH ENERGY BUREAU RESOLUTION AND ORDER
OF APRIL 22, 2022**

TO THE PUERTO RICO ENERGY BUREAU:

COMES NOW LUMA Energy ServCo, LLC (“LUMA”), through the undersigned legal counsel, and respectfully states and requests the following:

I. Factual and Procedural Background

1. On October 6, 2020, the Energy Bureau issued a Resolution and Order (the “October 6th Resolution”) opening this docket to “manage the implementation phase of the Approved IRP and Modified Action Plan¹.” *See* October 6th Resolution at page 1 (footnote added).

2. On November 5, 2021, LUMA informed the Energy Bureau of the status of LUMA’s activities to meet the requirements for the procurement of the technical consultant to be engaged for IRP-related services (“IRP Technical Consultant”) under Section V(B)(2) of the

¹ The term Approved IRP and Modified Action Plan refers to the Puerto Rico Electric Power Authority’s (“PREPA”) Integrated Resource Plan (“IRP”) as approved in part and rejected in part by the Energy Bureau by Final Resolution and order of August 24, 2020 in Case CEPR-AP-2018-0001, *In Re: Puerto Rico Electric Power Authority Integrated Resource Plan* (“August 24th Resolution”), and the modified action plan established by the Energy Bureau in the August 24th Resolution. *See id.*

August 24th Resolution (“IRP Consultant Contracting Process”), among others. *See Informative Motion on Status of Activities Related to Next IRP Cycle, Request for Extension to File Documents, and Request to Schedule Technical Conference* of that date.

3. After other procedural events, on December 17, 2021, LUMA filed with the Energy Bureau the proposed Request for Qualifications (“RFQ”), Request for Proposals (“RFP”) and first draft of the contract to engage the IRP Technical Consultant (together, the “RFQ/RFP Package”) (*see Exhibit 3 of Motion to Submit Report on Resource Planning Process for Next IRP Cycle and Draft RFQ/RFP for IRP Consultant and Request for Confidential Treatment* of that date (“December 17th Motion”)). LUMA also requested the Energy Bureau to approve a proposed streamlined IRP Consultant Contracting Process (the “Streamlined IRP Consultant Contracting Process”). *See* December 17th Motion at pages 2-6.²

4. On April 22, 2022, the Energy Bureau issued a Resolution and Order (the “April 22nd Order”) approving “the requests of LUMA to streamline the contracting process for an IRP Technical Consultant” (i.e., the Streamlined IRP Consultant Contracting Process; now, “Approved IRP Consultant Contracting Process”) and “LUMA’s use of a draft RFQ/RFP/contract form” (i.e., the RFQ/RFP Package). *See* April 22nd Order at page 5. In addition, the Energy Bureau directed LUMA to “file status updates on the technical consultant contracting process and the early stages of IRP preparation on July 1, 2022, and October 1[,] 2022”. *See id.*

² Subsequently, LUMA provided a presentation on the proposed Streamlined IRP Consultant Contracting Process and the IRP development process and schedule in a Technical Conference held by the Energy Bureau on January 25, 2022. *See* LUMA’s presentation attached as Exhibit 1 to LUMA’s *Motion to Submit LUMA’s Presentation for Technical Conference Scheduled for January 25, 2022*, filed with the Energy Bureau on January 20, 2022.

5. On July 1, 2022, LUMA submitted the first status update (“July 1st Status Update”) required under the April 22 Order informing the Energy Bureau of the issuance of the RFQ/RFP for the IRP Technical Consultant and the schedule of milestones in the Approved Technical Consultant Contracting Process. *See Motion to Submit Status Update on Technical Consultant Contracting Process and Early Stages of 2024 IRP Preparation in Compliance with Energy Bureau Resolution and Order of April 22, 2022* of that date.

6. On August 31, 2022, LUMA submitted to this Energy Bureau, among others, a list of proponents meeting the qualification requirements under the RFP/RFQ Package. *See Motion to Submit List of Qualified Proponents for IRP Consultant Procurement and Related Information and Request for Confidentiality* of that date (“August 31st Motion”).

II. Status Update in Compliance with April 22nd Order

7. LUMA now submits the second status update required under, and in compliance with, the April 22nd Order on the Approved Technical Consultant Contracting Process and the initial stages of the IRP preparation as of the date hereof (“Status Update”).

a. Technical Consultant Procurement

i. On May 17, 2022,³ LUMA issued the RFQ/RFP for the IRP Technical Consultant publicly for bid. The deadline to submit the qualifications was June 3, 2022, and the deadline to submit the proposals was July 5, 2022. Thereafter, LUMA evaluated the complete proposals it received and determined which proponents met the qualification

³ It is clarified herein that in the July 1st Status Update, the date of issuance of the RFQ/RFP was by inadvertence indicated to have been a day later (i.e., May 18, 2022) of the actual date (i.e., May 17, 2022) indicated herein. The updated date was provided in the August 31st Motion. *See August 31st Motion, Exhibit 1.*

requirements of the RFQ/RFP Package (“Qualified Proponents”) and, from among those, proceeded to determine which one best met the scope of services and commercial terms of the RFQ/RFP Package (“Selected Proponent”). On August 31, 2022, LUMA submitted to the Energy Bureau the List of Qualified Proponents and the determination on the Selected Proponent, as well as the documentation supporting its determination to the Energy Bureau. *See August 31st Motion.* LUMA is currently awaiting the determination of the Energy Bureau on its review of the latter information and documents, to then proceed with the next step of the procurement process.

ii. The following table summarizes the current schedule for the remaining milestones in the Approved Technical Consultant Contracting Process:

Key RFQ/RFP Process Events*	Target Date
File Report and Negotiated Final Draft Contract with Preferred Bidder with Energy Bureau for approval*	October 2022
Execute Contract	Late Oct. 2022

* This task is pending approval by the Energy Bureau of the List of Qualified Bidders and Selected Proponent submitted on August 31, 2022, when LUMA will then be able to commence negotiating the contract with the Selected Proponent. Therefore, the target dates provided in this table are an estimate assuming LUMA can commence these negotiations by the week of October 3, 2022.

b. IRP Status Update

LUMA has prepared an IRP Status Report which is attached to this motion as *Exhibit 1* and incorporated herein by reference, which includes the key milestones, summary of key activities, and potential risks or issues that could affect the timeline.

WHEREFORE, LUMA respectfully requests the Energy Bureau to **take notice** of the aforementioned, **accept** the Status Update provided in this motion and in *Exhibit 1* herein, and **find** LUMA in compliance with the directive associated with the filing of status updates in the April 22nd Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 3rd day of October 2022.

We hereby certify that we filed this notice and request using the electronic filing system of this Puerto Rico Energy Bureau and that courtesy copy of this notice and request was notified to PREPA counsel mvazquez@diazvaz.law and kbolanos@diazvaz.law.



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Exhibit 1

IRP Status Report



2024 Integrated Resource Plan Status Report

NEPR-MI-2020-0012
October 3, 2022

2024 IRP Status Update

G On target
 Y Caution
 R Off plan
 C Complete

Key Activity Summary

- Received applications for 2024 IRP Technical Consultant and filed with Energy Bureau for approval.
- Issued Stakeholder Facilitator RFP to manage the 2024 IRP stakeholder engagement process.
- Continued to meet with, share data with, and provide technical guidance to the US DOE PR100 team.
- Reviewed and provided input to NREL's wind study; Final Wind Study Report submitted to Energy Bureau on Sept. 30, 2022.
- Conducting studies and analysis:
 - Distributed Energy Resources Incremental Hosting Study Capacity;
 - Transmission Study; and
 - Updated Peak Load and Energy Forecast.
- Compiling historic and forecasted data from PREPA, LUMA and other organizations for use during the development of the 2024 IRP.

Key Milestones

	Date	Status
Filed draft RFQ/RFP and contract with Energy Bureau	December 2021	C
Issued RFQ/RFP	May 2022	C
Filed list of Qualified Proponents with Energy Bureau for approval	August 2022	C
File report and negotiated final draft contract with Preferred Bidder with Energy Bureau for approval	October 2022	Y
Energy Bureau approval of final contract and execution of contract	Late October 2022	Y
Develop 2024 IRP (date modified based on April 22nd R&O)	Oct. 2022 - Feb. 2024	G
2024 IRP Technical Conference	March 2023	G
File 2024 IRP with Energy Bureau (due date modified based on April 22nd R&O)	March 1, 2024	G

Risks / Issues:

- Market Baseline and Potential Studies for EE and DR must be completed in a timely manner by the Energy Bureau in order to incorporate the associated data in the 2024 IRP forecast. Estimates and assumptions may be required where system and market data are not available.
- Technical consultant contract execution is behind schedule and could affect 2024 IRP timeline.