

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

NEPR

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IN RE:

**THE PERFORMANCE OF THE PUERTO
RICO ELECTRIC POWER
AUTHORITY**

CASE NO.: NEPR-MI-2019-0007

**SUBJECT: Submission in Compliance with Resolutions
and Orders of October 7th and 20th 2022**

**SUBMISSION IN COMPLIANCE WITH RESOLUTIONS AND ORDERS
DATED OCTOBER 7TH AND 20TH, 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:

1. Since June 2021, LUMA has complied with the orders issued by this honorable Puerto Rico Energy Bureau (“Energy Bureau”) on May 14, 2019, and December 30, 2020, in this proceeding, that require submission of quarterly reports on specified system data of the Puerto Rico Electric Power Authority (“PREPA”). LUMA has submitted such quarterly reports in accordance with a Resolution and Order of May 21st, 2021, that itemizes in Attachments A, B and D, the statistics to be included in the quarterly reports.

2. On August 18, 2022, this Energy Bureau issued a Resolution and Order with the subject “June 2021-May 2022, 12-Month Metric Summary” (“August 18th Order”). Attachments A and B of the August 18th Order include a summary and analysis by this Energy Bureau of the system data that LUMA and PREPA reported from June 1, 2021, through May 31, 2022.

3. On page 7 of the August 18th Order, this Energy Bureau stated succinctly that for certain performance metrics, LUMA's and PREPA's performance had not improved when compared to the baseline that was previously set by this Energy Bureau. This Energy Bureau then directed LUMA and PREPA to file by September 1, 2022, "a motion explaining, to the extent possible, the causes of th[e] non-positive negative performance and the corrective measures that [LUMA and PREPA] will implement" Subsequently, on August 24, 2022, this Energy Bureau issued a Resolution and Order where it determined that from June 2021 through May 2022, "the performance of LUMA remained within the expected baseline target for approximately eighty four percent (84%) of the metrics evaluated".

4. On August 26, 2022, LUMA filed a motion entitled *Request for Extension of Time to Comply with Resolution and Order of August 18, 2022*, requesting additional time, until October 3, 2022, to submit explanations on system data and performance that spans twelve (12) months of operations and to outline corrective actions, as requested by this Energy Bureau. In an Order dated August 30, 2022, this Energy Bureau granted LUMA an extension until September 20, 2022, to file its submission in compliance with the August 18th Order.

5. In attention to the threatened passage of Hurricane Fiona through Puerto Rico, on September 16, 2022, LUMA urgently requested that this Energy Bureau extend the time to comply with the August 18th Order up to and including September 30, 2022. On September 17, 2022, PREPA also requested that the time to comply with the August 18th and August 24th Orders be extended up to an including September 30, 2022. Then, on September 21, 2022, PREPA filed a second urgent request for extension of the deadline to comply with the August 18th and August 24th Orders and moved this Energy Bureau to set the new deadline for October 14, 2022.

7. On September 23, 2022, this Energy Bureau ruled that LUMA and PREPA should file their respective submissions in compliance with the August 18th Order by October 14, 2022. By October 14, 2022, PREPA shall also comply with the August 24th Order.

8. Shortly thereafter, on October 7, 2022, the Energy Bureau entered a Resolution and Order directing LUMA to file on or before October 17, 2022, “the underlying data and supporting calculations with all formulae intact for the SAIDI and SAIFI performance metrics for the first and last month of each quarter the period starting June 1, 2021, through May 31, 2022, for the purposes of auditing LUMA’s and PREPA’s reported metrics.” (the “October 7th Order”). The Energy Bureau further ordered PREPA to “provide such information for its generation fleet to LUMA on or before October 12, 2022, in order for LUMA to include in the October 17, 2022, filing deadline.”

9. On October 12, 2022, PREPA filed a *Motion to Inform Regarding the October 7[,]* 2022 Order whereby it informed the Energy Bureau that the SAIFI and SAIDI metrics are not recorded by PREPA but by LUMA as the administrator of the T&D System and dispatch center. As such, PREPA reported not having any SAIDI and SAIFI information responsive to the October 7th Order.

10. On October 14, 2022, LUMA requested additional time, until November 7, 2022, to comply with the October 7th Order. In a Resolution and Order issued on October 20, 2022, this Energy Bureau granted LUMA’s request for an extension up to and including November 7, 2022, to file its submission of underlying data and supporting calculations with all formulae intact for the SAIDI and SAIFI performance metrics in compliance with the October 7th Order (“October 20th Order”).

11. On October 17, 2022, LUMA filed its *Submission in Response to Resolution and Order of August 18, 2022, on LUMA’s Performance, LUMA’s Objection and Requests for*

Corrections or Clarifications submitting explanations and responses to the Energy Bureau’s summary of specified metrics included in Attachments A and B of the August 18th Order. As explained therein, LUMA further requested certain amendments, corrections, and clarifications to the Energy Bureau’s findings as to certain metrics.

12. In the October 20th Order, this Energy Bureau expanded the scope of the underlying data, definitions and supporting calculations that LUMA shall submit by November 7th to include the underlying data, definitions, and supporting calculations with all formulae intact for the following performance metrics: Estimated vs. Read Bills (LUMA); Available vehicles (LUMA and PREPA); and Total Workforce: Definition and/or Exclusion (LUMA and PREPA). *See* October 20th Order at page 2. Finally, this Energy Bureau ordered “LUMA and PREPA to attest to the veracity and accuracy of the required underlying data, definitions, and calculations.” *Id.*

13. In compliance with the October 7th and October 20th Orders, LUMA is submitting today, via email, the following spreadsheets in excel format, with the underlying raw data corresponding to the performance metrics identified in paragraph 12 above:

- i. Bills Estimated vs Read_062021-052022.xlsx
- ii. Total Workforce_092021-052022 (1).xlsx
- iii. Total Available Vehicles in Service_062021-052022 (1).xlsx
- iv. customers_by_dist.csv
- v. SAIDI_SAIPI_Outage_Data_062021-052022.xlsx
- vi. Exclusion_list.csv

14. The spreadsheet entitled “SAIDI_SAIPI_Outage_Data_ 062021-052022.xlsx,” includes confidential Critical Energy Infrastructure Information (“CEII”). The CEII included in the spreadsheet is being submitted under seal of confidentiality. LUMA is also submitting a public

version of said spreadsheet. LUMA respectfully requests that the confidential spreadsheet entitled “CONFIDENTIAL SAIDI_SAIPI_Outage_Data_ 062021-052022_Confidential.xlsx,” be received and kept confidential by this honorable Energy Bureau pursuant to the Energy Bureau’s Policy on Management of Confidential Information, CEPR-MI-2016-0009, issued on August 31, 2016, and partially amended on September 16, 2016. In accordance with said policy, LUMA will submit a Memorandum of Law in support of this request in within the next ten (10) days.

15. As **Exhibit 1** to this Motion, LUMA submits attestations by LUMA personnel regarding the accuracy of the aforementioned spreadsheets with raw data. This, in compliance with the October 20th Order.

WHEREFORE, LUMA respectfully requests this Honorable Bureau **take notice of the** aforementioned; and **deem** that LUMA complied with the October 7th and October 20th Orders.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 7th day of November 2022.

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 attorneys for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law, and Katiuska Bolaños-Lugo, kbolanos@diazvaz.law; and the Independent Consumer Protection Office, Hannia Rivera, hrivera@jrsp.pr.gov.



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/s/ Margarita Mercado Echegaray
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Exhibit 1
Attestations

ATTESTATION

I hereby attest and certify that the spreadsheet entitled "Total Workforce 092021-052022 (1).xlsx" includes the raw data for the performance metric on "Total Workforce — Exempt and Total Workforce — Non-Exempt". LUMA keeps and maintains the raw data obtained from our systems and spreadsheet in the ordinary course of its business and used the data to prepare LUMA's quarterly performance metric report submitted to the Energy Bureau for the period between June 2021 and May 2022. The data and spreadsheet are complete and accurate to the best of my knowledge, information, and belief.

November 3, 2022



Kenneth J. Fernandez
Chief People Officer

ATTESTATION

I hereby attest and certify that the spreadsheet entitled "Bills Estimated vs Read_062021- 052022.xlsx," includes the raw data for the performance metric on "Percentage of Bills Estimated vs Read." LUMA keeps and maintains the data and spreadsheet in the ordinary course of its business and used the data to prepare LUMA's quarterly performance metric reports submitted to the Energy Bureau for the period between June 1, 2021 and May 31, 2022. The raw data is complete and accurate to the best of my knowledge, information and belief.

November 3, 2022



Melanie Jeppesen
Director Billing
Services

ATTESTATION

I hereby attest and certify that the spreadsheets entitled “SAIDI_SAIFI_Outage_Data_062021-052022.xlsx,” “customers_by_dist.csv” and “Exclusion_list.csv” includes the raw data for the SAIDI and SAIFI performance metrics, total number of customers per district (26), and code descriptions to be included or excluded from the reliability metrics. LUMA keeps and maintains the raw data and spreadsheets in the ordinary course of its business and used the data to prepare LUMA’s quarterly performance metric reports submitted to the Energy Bureau for the period between June 1 2021 and May 31, 2022. The data and spreadsheets are complete and accurate to the best of my knowledge, information and belief.

November 4, 2022



Julio Aguilar
Director
Reliability Analysis,
Standards and Asset Management

ATTESTATION

I hereby attest and certify that the spreadsheet entitled “Total Available Vehicles in Service_062021-052022 (1).xlsx” includes the raw data for the performance metric on “Total Available Vehicles in service (system).” LUMA keeps and maintains the raw data and spreadsheet in the ordinary course of its business and used the data to prepare LUMA’s quarterly performance metric reports submitted to the Energy Bureau for the period between June 1, 2021 and May 31, 2022. The data and spreadsheet are complete and accurate to the best of my knowledge, information and belief.

November 3, 2022



Angel Silverio
Fleet Director