

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

NEPR

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IN RE:

**REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S
SYSTEM REMEDIATION PLAN**

CASE NO.: NEPR-MI-2020-0019

**SUBJECT: Request for Extension to File
FY2023 Q1 Report**

REQUEST FOR EXTENSION OF TIME TO FILE FY2023 Q1 REPORT

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. On June 23, 2021, this honorable Energy Bureau issued a Resolution and Order approving LUMA's proposed SRP (“June 23rd Order”). In Section IV, paragraphs 1 through 3 of the June 23rd Order, this honorable Energy Bureau directed that starting on September 15, 2021, LUMA shall file reports every two months on the implementation of the SRP that shall include:

- i. Actual spending amounts, broken down by spending initiative/portfolio, and reflecting in detail any variances from the System Remediation Plan;
- ii. A detail[ed] timeline per portfolio with sufficient detail to allow the Energy Bureau to assess project status for System Remediation Plan capital expenditures and operational initiatives; and
- iii. Any capital expenditure or operational initiatives that are behind schedule, compared to the initial System Remediation Plan timeframe and a detail[ed]

explanation as to the cause of the delay and the corrective actions implemented to prevent further delays, as applicable.

2. On August 25, 2021, the Energy Bureau issued a Resolution and Order (“August 25th Order”) modifying the bimonthly reporting requirement to a quarterly basis and establishing a filing due date for these reports of thirty (30) days following the close of the reported quarter.” *See* August 25th Order at p. 3. Then, on November 4, 2021, this Energy Bureau issued a Resolution and Order (the “November 4th Order”) establishing a filing due date for these reports of forty-five (45) days after each quarter closes. *See* November 4th Order at p. 2.

3. In compliance with the June 23rd Order as amended by the August 25th and November 4th Orders, LUMA submitted three quarterly reports for the Fiscal Year 2022 on November 15, 2021; February 15, 2022; and May 16, 2022 (jointly, “the Quarterly Reports”).

4. On September 23rd, 2022, LUMA submitted a motion entitled “Request for Extension of Time to Submit the Fiscal Year 2022 Fourth Quarter Report in Compliance With Resolution and Order Issued on September 16, 2022,” where LUMA established that due to just cause related to the unforeseen emergency event of Hurricane Fiona, it needed additional time to submit the Fiscal Year 2022 Fourth Quarter Report (“September 23rd Request for Extension”). To wit, LUMA requested an extension of at least one month following the conclusion of restoration efforts related to Hurricane Fiona. As of today, this Energy Bureau has not ruled upon LUMA’s September 23rd Request for Extension.

5. The Report for the First Quarter of Fiscal Year 2023 (“Q1 Report”) is due on November 14, 2022; forty-five (45) days after Q1 closed on September 30, 2022. As explained herewith, LUMA needs a brief extension of time until November 30, 2022, to submit the Q1 Report.

6. As this Energy Bureau is aware, the unforeseen event beyond LUMA's control of the passage through Puerto Rico of Hurricane Fiona on September 18, 2022, required the deployment of a significant proportion of LUMA's workforce to prepare for and address the island-wide emergency. Efforts to conduct close-of quarter tasks to prepare the Q1 Report were delayed given that LUMA personnel, including personnel involved in the close process, were deployed as part of the emergency operation until October 22nd, 2022. Also, the receipt of information required to finalize the results for the quarter was significantly delayed due to LUMA's organization-wide focus of resources on the emergency. Additionally, unanticipated complex work has been required related to federally reimbursable expenditures given the declaration of a public emergency due to Hurricane Fiona. This activity required the redeployment of resources away from the regular quarterly close activities to focus on seeking reimbursement for emergency and restoration related costs. Thus, the standard time frame of forty-five after each quarter closes, to finalize accounting and other tasks to produce the Q1 Report, has been delayed for just cause and cannot be completed in time for the current deadline of November 14th.

7. This request for additional time to submit the Q1 Report is submitted in good faith, considering delays in usual LUMA processes to complete the Quarterly Reports and because LUMA has been required to perform additional work, including work related to federal funding, in the aftermath of Hurricane Fiona. The intent behind this Request is to allow LUMA to provide the Energy Bureau accurate, quality, and compliant information on Q1 Results.

WHEREFORE, LUMA respectfully requests that the honorable Bureau **take notice** of the aforementioned for all purposes; and **grant** LUMA an extension up to and including November 30, 2022, to submit the Q1 Report.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 10th day of November 2022.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau. A stamped copy of this Motion will be notified to the Puerto Rico Electric Power Authority through its attorneys of record: jmarrero@diazvaz.law and kbolanos@diazvaz.law.



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