

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

NEPR
Received:
Dec 16, 2022
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IN RE:
IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY PERMANENT RATE

CASE NO. NEPR-MI-2020-0001

**SUBJECT: Motion to Substitute Exhibits of the
*Submission of Reconciliations for September,
October, and November 2022, FCA, PPCA,
PPCA, and FOS Calculated Factors and Request
for Confidential Treatment***

**MOTION TO SUBSTITUTE EXHIBITS OF THE SUBMISSION OF
RECONCILIATIONS FOR SEPTEMBER, OCTOBER, AND NOVEMBER 2022, FCA,
PPCA, PPCA, AND FOS CALCULATED FACTORS AND REQUEST FOR
CONFIDENTIAL TREATMENT**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”), and **LUMA Energy Servco, LLC** (“ServCo”), (jointly referred to as the “Operator” or “LUMA”), through the undersigned counsel, and respectfully state and request the following:

1. On December 15, 2022, LUMA filed before the Energy Bureau a *Submission of Reconciliations for September, October, and November 2022, and FCA, PPCA and FOS Calculated Factors and Request for Confidential Treatment* (“December 15th Submission”). LUMA submitted the quarterly reconciliations for the Fuel Charge Adjustment (“FCA”) and Purchased Power Charge Adjustment (“PPCA”) riders for September through November 2022, and the factors for the FCA, PPCA, and Fuel Oil Subsidy (“FOS”) riders for the period from January 1 until March 31, 2023. As part of the filing, LUMA included Excel spreadsheets filed publicly and confidential Excel spreadsheets with formulae intact.

2. By inadvertence, there was an error in the submission of the files labeled “Precio Ponderado Análisis _ 2022.11.30_Values.xlsx” in the Values folder and “Precio Ponderado

Análisis _ 2022.11.30.xlsx” in the Confidential folder. The submitted versions of those files were not the final version. However, this error does not affect the calculation of the factors already presented to the Energy Bureau in the December 15th Submission. Those numbers remain the same.

3. LUMA’s present submission includes an Excel spreadsheet filed publicly via email in a file entitled Values submitted with this Motion. Alongside this Motion, LUMA also offers via email a confidential Excel spreadsheet with formulae intact submitted in a file entitled Confidential.

A. Confidential Folder

Precio Ponderado Análisis _ 2022.11.30.xlsx

B. Public Files in Values Folder

Precio Ponderado Análisis _ 2022.11.30_Values.xlsx
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4. The confidential Excel file described above and submitted herein includes a spreadsheet submitted in native format (.xls) and with formulae intact. It includes formulae and original calculations by LUMA personnel that reveal confidential procedures. It has sensitive commercial information belonging to LUMA and/or PREPA and is thus protected by law, which should not be disclosed in its native form.

5. The Excel spreadsheet submitted today in native form and with formulae intact in the file entitled *Confidential* is protected as trade secrets. It has commercial value to LUMA and the Puerto Rico Electric power Authority (“PREPA”) as they reveal confidential processes and analyses to produce calculations supporting the proposed FCA, PPCA, and FOS public filings factors. LUMA and PREPA keep and maintain these native files confidentially and do not disclose them to the public or unauthorized third parties. Thus, LUMA respectfully requests that the Excel

file submitted today in the file entitled *Confidential*, be received, kept, and maintained confidentially by this Energy Bureau.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **accept** the Excel spreadsheets included as Exhibit 1 to this Motion; and **grant** the request to keep confidentially the spreadsheet that has been filed in Excel format and with formulae in the file entitled *Confidential* that is submitted with this Motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this 16th day of December 2022.

We hereby certify that we 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 Katiuska Bolaños-Lugo, kbolanos@diazvaz.law, and to the Independent Consumer Protection Office, through Director Hannia Rivera, hrivera@oipc.pr.com.



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Exhibit 1
(to be filed via email)