

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

NEPR
Received:
Feb 2, 2023
4:35 PM

IN RE:

THE PERFORMANCE TARGETS FOR
LUMA ENERGY SERVCO, LLC

CASE NO.: NEPR-AP-2020-0025

**SUBJECT: Notice of Intent to Oppose ICPO's
Motion to Strike Evidence from the Record**

**NOTICE OF INTENT TO OPPOSE ICPO'S
MOTION TO STRIKE EVIDENCE FROM THE RECORD**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC ("ManagementCo"), and LUMA Energy ServCo, LLC ("ServCo"), (jointly "LUMA"), and respectfully state and request the following:

1. On February 1, 2023, the Independent Office for Consumer Protection ("ICPO") filed a motion styled *Moción en Solicitud para que se Declare Inadmisibile en Evidencia la Encuesta de JD Power Sometida por LUMA y a los Fines de que se Elimine de Manera Parcial el Testimonio de Jessica Laird* ("Motion to Strike").

2. Through the Motion to Strike, the ICPO requests that the Energy Bureau strike certain portions of the testimony of Jessica Laird, LUMA's Vice President of Customer Experience, as well as the JD Power and Associates customer experience study attached as an exhibit to the testimony.

3. The ICPO's request is based on an incorrect interpretation of the objected testimony and the purpose served by the JD Power study in the context of this administrative proceeding. As

such, LUMA respectfully informs its intent to oppose the ICPO's Motion to Strike and, to that end, requests a brief term, until Monday, February 6th, 2023, to file its Opposition thereto.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the foregoing and **grant** LUMA until February 6, 2023, to file its response to the ICPO's Motion to Strike.

RESPECTFULLY SUBMITTED.

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 attorneys for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law; and Katuska Bolaños-Lugo, kbolanos@diazvaz.law, the Office of the Independent Consumer Protection Office, Hannia Rivera Diaz, hrivera@jrsp.pr.gov, and counsel for the Puerto Rico Institute for Competitiveness and Sustainable Economy ("ICSE"), Fernando Agrait, agraitfe@agraitlawpr.com, counsel for the Colegio de Ingenieros y a de Puerto Rico ("CIAPR"), Rhonda Castillo, rhoncat@netscape.net, and counsels for Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc., Enlace Latino de Acción Climatica, Alianza Comunitaria Ambientalista del Sureste, Inc., Coalicion de Organizaciones Anti-Incineración, Inc., Amigos del Río Guaynabo, Inc., CAMBIO, Sierra Club and its Puerto Rico Chapter, and Unión de Trabajadores de la Industria Eléctrica y Riego (jointly, Puerto Rico Local and Environmental Organizations), larroyo@earthjustice.org, rstgo2@gmail.com, notificaciones@bufete-emmanuelli.com, pedrosaade5@gmail.com, jessica@bufete-emmanuelli.com; rolando@bufete-emmanuelli.com, lvez@earthjustice.org, rmurthy@earthjustice.org, jcassel@earthjustice.org.

In San Juan, Puerto Rico, this 2nd day of February 2023.



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