

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

**IN RE:** AMENDMENT TO POWER  
PURCHASE OPERATING AGREEMENT  
BETWEEN PREPA AND GUAYAMA SOLAR  
ENERGY, LLC

**CASE NO.:** NEPR-AP-2023-0002

**SUBJECT:** Request for Confidential  
Designation and Treatment

**RESOLUTION**

On January 20, 2023, the Puerto Rico Electric Power Authority ("PREPA") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Petition for Approval of Amendment to Power Purchase Operating Agreement Between the Puerto Rico Electric Power Authority and Guayama Solar Energy, LLC* ("Petition"), requesting the Energy Bureau to allow PREPA to amend a power purchase operating agreement executed between PREPA and Guayama Solar Energy, LLC, ("Guayama Solar"). The proposed amendment was attached as Annex D of the Petition. Parts of the Proposed Amended PPOA were presented redacted. PREPA submitted an unredacted version to the Energy Bureau under seal.

On February 6, 2023, PREPA filed before the Energy Bureau a document titled *Memorandum of Law in Support of Request for Confidential Treatment of Redacted Portions of Petition*, ("Memorandum of Law"), in which PREPA alleges that pages 111 and 167 of Annex D include transmitting utility maps and diagrams schematics and requests the Energy Bureau to determine that such information is Critical Energy Infrastructure Information (CEII) and confidential and to maintain the public files with the redaction already provided and the unredacted versions under seal. Therefore, PREPA requests the Energy Bureau to grant confidential designation and treatment to the referenced portions of the document.

Act 57-2014<sup>1</sup> establishes that any person having the obligation to submit information to the Energy Bureau, can request privilege or confidential treatment to any information that the party submitting understands deserves such protection.<sup>2</sup> Specifically, Act 57-2014 requires the Energy Bureau to treat as confidential the information submitted provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected".<sup>3</sup> In such case, the Energy Bureau "shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted."<sup>4</sup>

Upon review of PREPA's arguments and the applicable law, the Energy Bureau **GRANTS** confidential designation and treatment to the referenced portion of the Petition, pursuant to the provisions of Article 6.15 of Act 57-2014.

Be it notified and published.



<sup>1</sup> Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended.

<sup>2</sup> Section 6.15 of Act 57-2014, as amended.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

  
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Edison Avilés Deliz  
Chairman

  
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Ferdinand A. Ramos Soegaard  
Associate Commissioner

  
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Sylvia B. Ugarte Araujo  
Associate Commissioner

  
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Antonio Torres Miranda  
Associate Commissioner

## CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on February 21, 2023. Associate Commissioner Lillian Mateo Santos is inhibited. I also certify that on February 21, 2023 a copy of this Resolution was notified by electronic mail to [jmarrero@diazvaz.law](mailto:jmarrero@diazvaz.law); and I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today, February 21, 2023.

  
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Sonia Seda Gaztambide  
Clerk

