

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

NEPR Received: Feb 23, 2023 11:06 AM

IN RE:

REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN-
DECEMBER 2020

CASE NO. NEPR-MI-2021-0002

**SUBJECT: Motion to Inform Status of Federally
Funded Project**

MOTION TO INFORM STATUS OF FEDERALLY FUNDED PROJECT

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC¹, and LUMA Energy ServCo, LLC², (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submit the following:

1. On March 26, 2021, this Honorable Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order in the instant proceeding, ordering, in pertinent part, that the Puerto Rico Electric Power Authority ("PREPA") submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency ("FEMA") funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3"), FEMA or any other federal agency ("March 26th Order"). It also directed PREPA to continue reporting to the Energy Bureau and FEMA within the next five years, the progress of all ongoing efforts related to the approval of the submitted projects not yet approved by the Energy Bureau. This Energy Bureau thereafter

¹ Register No. 439372.

² Register No. 439373.

determined that this directive applied to PREPA and LUMA. *See* Resolution and Order of August 20, 2021.

2. Meanwhile, on April 14, 2021, PREPA filed a *Motion in Compliance with the Resolution and Order Entered on March 26, 2021*, which included a list of projects under the categories of transmission, distribution, and substations. PREPA submitted the list of projects to the Energy Bureau at least thirty (30) calendar days before their submittal to COR3 and/or FEMA, aligning with the March 26th Order. The list of projects submitted by PREPA included the “FAASt Manati TC - BRKS 230 kV (Substation)” federally funded Transmission and Distribution Project (“T&D Project”).

3. On April 22, 2021, the Energy Bureau issued a Resolution and Order (“April 22nd Order”). It determined that additional information was required to thoroughly evaluate the projects submitted by PREPA and evaluate its compliance with the March 26th Order. The Energy Bureau ordered PREPA to provide detailed information: (i) on or before April 28, 2021, for each project already submitted to COR3 and/or FEMA; and (ii) on or before May 21, 2021, for each project in that will be submitted to COR3 and/or FEMA under the different project categories.

4. In compliance with the April 22nd Order, on April 28, 2021, PREPA filed a *Motion in Compliance with the Resolution and Order entered on April 22, 2021*. PREPA submitted the Scopes of Work (“SOW”) provided to COR3 and FEMA in compliance with the April 22nd Order. Among the SOWs submitted to this Energy Bureau was the “FAASt Manati TC - BRKS 230 kV (Substation)” T&D Project.

5. On June 8, 2021, the Energy Bureau entered a Resolution and Order. It determined that most of the SOWs for T&D projects submitted by PREPA were necessary to improve the

system's reliability ("June 8th Order"). Therefore, it approved most of the projects presented in the April 28th Submission, including the "FAASt Manati TC - BRKS 230 kV (Substation)" T&D Project SOW. Further, the Energy Bureau ordered PREPA to submit a copy of the approval by COR3 and/or FEMA of the projects, which shall contain the costs obligated for each project within ten (10) days of receiving such approval, and inform the Energy Bureau once the projects are completed.

6. In compliance with the June 8th Order, on June 1, 2022, LUMA submitted to the Energy Bureau a copy of approval by FEMA of the "FAASt Manati TC - BRKS 230 kV (Substation)" T&D Project. The document states FEMA's approval and includes the cost obligated for the project.

7. In view of the above and in further compliance with the June 8th Order, LUMA hereby informs that LUMA's internal workforce and resources have executed the aforementioned project. The project was energized on December 12, 2022.

8. Considering that the above-mentioned asset is now operating as part of the T&D System, LUMA deems it appropriate to notify the Energy Bureau of the date this asset was energized.³

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **deem** LUMA complied with the June 8th Order.

RESPECTFULLY SUBMITTED.

³ The term "energized", in this context, is to be considered as such time from which the asset is operating as part of the T&D System.

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 the attorney for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law.

In San Juan, Puerto Rico, on this 23rd day of February 2023.



DLA Piper (Puerto Rico) LLC
500 Calle de la Tanca, Suite 401
San Juan, PR 00901-1969
Tel. 787-945-9132
Fax 939-697-6102

/s/ Yahaira De la Rosa Algarín
Yahaira De la Rosa Algarín
RUA NÚM. 18,061
yahaira.delarosa@us.dlapiper.com