

**GOBIERNO DE PUERTO RICO
JUNTA REGLAMENTADORA DE SERVICIO PÚBLICO
NEGOCIADO DE ENERGÍA DE PUERTO RICO**

NEPR

Received:

Jan 31, 2023

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IN RE: ENMIENDAS A CONTRATO DE
COMPRVENTA DE ENERGIA:
PROYECTO NO-OPERACIONAL (CIRO
ONE SALINAS, LLC)

CASO NÚM.: NEPR-AP-2021-0001

ASUNTO: Moción para Presentar Informe de
Progreso Mensual Correspondiente a
diciembre de 2022

**MOCIÓN PARA PRESENTAR INFORME DE PROGRESO MENSUAL
CORRESPONDIENTE A DICIEMBRE DE 2022**

AL HONORABLE NEGOCIADO DE ENERGÍA:

COMPARECE la Autoridad de Energía Eléctrica de Puerto Rico (la “Autoridad”) a través de la representación legal que suscribe y muy respetuosamente expone y solicita:

1. El 10 de junio de 2021, el Negociado de Energía de la Junta Reglamentadora de Servicio Público (el “Negociado” o “Negociado de Energía”) notificó *Resolución Final y Orden* (la “Resolución Final”) mediante la cual aprobó, sujeto a algunas condiciones, la *Petición de Aprobación de Enmienda a Contrato de Compraventa de Energía Renovable con CIRO One Salinas, LLC* radica por la Autoridad el 17 de marzo de 2021.

2. La Resolución Final ordena a que, entre otras cosas, la Autoridad y CIRO One Salinas LLC (“CIRO”) presenten ante el Negociado de Energía informes mensuales de progreso sobre el estatus del proyecto (el “Informe de Progreso Mensual”).

3. El 9 de febrero de 2022, el Negociado emitió una *Resolución y Orden* mediante la cual, entre otras cosas, ordenó que la Autoridad y CIRO debían presentar cada Informe de Progreso Mensual firmado por oficiales de cada entidad e informar la fecha de su preparación.

4. El 10 de noviembre de 2022, el Negociado notificó la Resolución y Orden con el título *Moción para presentar Informe de Progreso Mensual; Solicitud de Acumulación* mediante la cual incluyó a LUMA Energy ServCo, LLC y LUMA Energy, LLC (“LUMA”) como parte en el caso de epígrafe y le ordenó designar un representante que comparezca y participe de la certificación de los informes.

5. En cumplimiento con la Resolución Final y las órdenes del 9 de febrero y 10 de noviembre de 2022, la Autoridad presenta:

- El Informe de Progreso Mensual correspondiente a diciembre 2022 preparado por CIRO y revisado por la Autoridad (Anejo A) y
- la Declaración de LUMA en relación con el Informe de Progreso Mensual de diciembre 2022 (Anejo B).

POR TODO LO CUAL, la Autoridad solicita respetuosamente al Negociado de Energía que tome conocimiento de lo aquí informado y acepte el Informe Mensual de diciembre 2022.

RESPETUOSAMENTE SOMETIDO.

En San Juan, Puerto Rico, este 31 de enero de 2023.

f/ Joannely Marrero Cruz
Joannely Marrero Cruz
jmarrero@diazvaz.law
TSPR 20014

DÍAZ & VÁZQUEZ LAW FIRM, P.S.C.
290 Jesús T. Piñero Ave.
Oriental Tower, Suite 803
San Juan, PR 00918
Tel. (787) 395-7133
Fax. (787) 497-9664

CERTIFICADO DE NOTIFICACIÓN

Certifico que este escrito ha sido presentado a la Secretaria del Negociado de Energía a través del sistema electrónico de radicación <https://radicacion.energia.pr.gov/> y, además, copia del mismo ha sido notificado a LUMA Energy ServCo, LLC y LUMA Energy, LLC por conducto de la Licenciada Laura T. Rozas Laura.rozas@us.dlapiper.com.

En San Juan, Puerto Rico, hoy 31 de enero de 2023.

f/ Joannely Marrero Cruz
Joannely Marrero Cruz

Anejo A

Project Monthly Status Report

Project: CIRO One Salinas, LLC.

Date: December 2022

Recipients: Puerto Rico Electric Power Authority (PREPA)
Puerto Rico Energy Bureau (PREB)

Brief: Project Team Monthly Status Report - As required on Section (d) of Article 4.1 of the Power Purchase and Operating Agreement (PPOA) between Puerto Rico Electric Power Authority and Ciro One Salinas, LLC. dated as of July 14, 2021.

Reference: Report Content Overview

1. Material Updates and Critical Issues – Summary of material updates and critical issues that could impact the project development and/or construction.

2. Review the status of each significant element of the Project Schedule

- I. Permitting
- II. Engineering
- III. Procurement
- IV. Construction
- V. Project Milestones & Notice Requirements

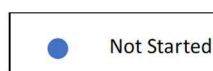
3. Corporate Responsibility / Community Involvement

- I. Local Vendors / Services
- II. Domestic Content (Corporate Wide)

4. Next Steps: Action Items

Status Report:

Tasks and Milestones Table Legend



1. Material Updates and Critical Issues: Summary of material updates and critical issues that could impact the project development and/or construction.

I. Material Updates: Since the last monthly status report.

- **General:**
 - Ciro One Salinas (COS) Project Team has completed all engineering outside of the interconnection scope (see Section II below) and has placed all related purchase orders for pending components (see material updates below).
 - Deliveries are ongoing.
 - Construction initiatives have continued as reported (see below)
- **Section II: Engineering** (Refer to SECTION II for details)
 - All other engineering initiatives have been completed, except for:
 - Changes to the interconnection strategy have forced a project delay.
 - There is a change in the interconnection scope given the identified conditions on the PREPA right of way.
 - Project Team paid for the interconnection studies and additional interconnection studies requested by LUMA several weeks ago.
 - Interconnection facilities (PREPA Facilities) – Waiting for the complete analysis and scope approval from LUMA.
 - This process has been severely delayed for reasons outside of the control of the Project Team.
 - Continued delays on Project Team RFIs have also impacted completion of certain HV activities.
- **Section III: Procurement** (Refer to SECTION III for details)
 - Delivery of certain project components has continued. The value of the equipment is around \$120 Million.
- **Section IV: Construction:** (Refer to SECTION IV for details)
 - Additional resources were added to the Project Execution Team members.
 - Continued delays on Project Team RFIs have also impacted completion of certain HV activities.
- **Section V: Project Milestones & Notices Requirements** (Refer to SECTION V)
 - Recurrent Interconnection Studies Meetings are being held.
 - There are projected delays on the FNTP, COD, Substantial Completion and Final Completion milestones, based on the delays caused by the Critical Issues.
 - Continued with civil, structural & electrical construction.
- **Item #3. Corporate Responsibility / Community Involvement**
 - Project team has started engaging with local organizations and entities to define the Corporate Responsibility / Community Involvement plan initiatives.
 - The engagement of local vendors and employees was updated.

- 45% labor from the area, 99% local labor.
- Project Team continued the training initiatives of workforce.
- Item #4. Next Steps: Action Items: Section was updated based on pending initiatives and next steps.

II. Critical Issues: Outstanding issues that are causing delays in the project timeline.

- The critical issues that have had an adverse impact on project timelines and overall schedule are as follows:
 - Interconnection Studies Payment approval.
 - Interconnection Studies completion – Still pending (severe delay) – This has impacted design, orders, deliveries and will impact project completion schedule.
 - Transmission Line Path – See Updates section below.
 - Point of Interconnection (POI) Scope of Work (SOW) – See Updates section below.
 - Hurricane Fiona.
 - Response to Project Team RFIs (all project areas).
- Updates:
 - The next critical path is the completion of the new interconnection strategy (as reported in previous Monthly Reports).
 - The COS has been collaborating with the LUMA and PREPA teams to get this process completed in a timely manner. However, this process is severely delayed and will impact the project timelines.
 - The SOW of the updated IC strategy is still pending.
 - Waiting for the “sectionalizer” (switchyard) analysis and scope completion.
- Project team needs timely responses to RFIs.
- A potential delay notification has been issued (weather, process delays, etc.)

2. Review the status of each significant element of the Project Schedule:

I. Permitting:

- Overview:

The CIRO One Salinas, LLC. project was fully permitted and considered shovel ready. All permits, studies and endorsements are being evaluated to ensure compliance with all new laws, applicable code changes, and regulations. The process is guided by the engineering review being performed by the Project Team (*see section II. Engineering*).

- Table: Tasks and Milestones include (but are not limited to):

Permit/Approval	Permit Authority	Status	Comments
Location Approval	Planning Board	✓	
Environmental Approval	ARPE, OGPE, DNER	✓	
Nationwide Permit (NWP) 14	USACOE	✓	
Endorsements	<ul style="list-style-type: none"> • Municipality of Salinas, • Hwy and Transportation Authority, • OGPE, • ICP, • PREPA, • Puerto Rico Telecommunications Regulatory Board, • PRASA, • Dept of Agriculture 	✓	Endorsements will be revised after engineering review has been completed.
NPDES General Permit	US EPA	✓	
Construction Related Permits	OGPE	✓	<ul style="list-style-type: none"> • Includes General Consolidated Permits, • Incidental Soil Movement Permits, and • Construction Permits

II. Engineering:

- Overview:

The engineering that was previously completed and approved by PREPA is being revised. The engineering package is being modified to ensure compliance with (among other):

- Changes in any laws and regulations.
- New local code guidelines.
- Updates in technology selection.
- New Minimum Technical Requirements (MTRs).

The Primary Contractor, DEPCOM Power, is working with the Project Team to define and approve new equipment requirements and bill of materials to advance procurement tasks (*see section III. Procurement*)

The table below provides information on all engineering areas previously completed that are under review/validation only.

- Tasks and Milestones include (but are not limited to):

Design / Study	Engineer of Record	Status	Comment
Floodplain Map/Review	CSA Architects & Engineers, LLP	✓	
Hydrology and Drainage Study	GLM Engineering-COOP Timmons Group	✓	Recently reviewed.
ALTA Survey	JAMS Land Surveying Services	✓	
Civil Design (PV Plant)	Timmons	✓	
Topo / LiDAR	Timmons Group	✓	
Geotech / Pile Testing (PV Plant)	Suelos, Inc GMTS, PSC	✓	
Corrosion Study	[EOR]	✓	
Cultural Study	AM Group	✓	
Environmental Site Assessment	NAYE Group/Kyros LLC	✓	
Structural Design (PV Plant – Racking)	Gamechange	✓	
Structural Design (PV Plant – Miscellaneous Foundations)	Buehler and Buehler Engineering	✓	
Electrical Design (PV Plant)	Hugo R. Durand Schettini, PE	✓	

Note: The Interconnection Design is delayed. Waiting for the 30% design package from LUMA (and related consultants) to be able to complete this task.

III. Procurement:

- Overview:

The CIRO One Salinas Team decommissioned all equipment previously procured for the project to ensure compliance with new PREPA requirements for interconnection and adapt to new available technology. Project team will be placing purchase orders after the engineering review has been completed (please refer to table below for timelines).

- Tasks and Milestones include (but are not limited to):

Description	Vendor	Order Status	Delivery Status	Notes
Posts	GameChange	100%	100%	GameChange E/W Fixed Tilt System
Racking	GameChange	100%	100%	GameChange E/W Fixed Tilt System
MVAC Cable	WESCO	100%	100%	
Combiner Boxes	Olson	100%	100%	
DC Cable	WESCO	100%	100%	
Modules	HT-SAAE	100%	23%	HT-SAAE 450W Bifacial Module
BESS Equipment	VLI/Dynapower	100%	32%	
Power Conversion Stations	Ingeteam	100%	100%	Ingeteam Power Conversion Stations
GSU	WEG	100%	0%	

IV. Construction:

-Overview:

Agreements related to general contractors, subcontractors, engineering, and consultants with various entities are in process.

Construction activities are ongoing and progress is reported in the below table:

Construction Activity	% Complete
Clearing and Grubbing	55%
Site Grading	45%
Post Install	40%
Racking Install	18%
Module Install	2%
Combiner Boxes	7%
DC Cable	2%
AC Cable	23%
Power Conversion Stations	24%
BESS	1%
Substation	1%

- Key companies / Personnel include (but are not limited to):

Contractor	H/Q Location	Scope	Current Headcount	Peak Headcount	Local Hire Target	Veteran / Minority Target
DEPCOM	Arizona*	Site Oversight and Management	14	TBD	50%	30%
Lord Construction Puerto Rico	Puerto Rico	All Major Site Construction	212	TBD	100%	30%
Other - Various	Puerto Rico	Development, Finance, Engineering, Logistics, Adm., Owners Engineer and Reps, Legal,	34	TBD	75%	30%

*Supervision is from Arizona; all labor is hired locally.

V. Project Milestones & Notice Requirements:

Below find critical milestone dates and related Notice requirements:

Milestone	PPOA Required Date	COS Target Date	Progress	Comments
Kick off meeting between PREPA, LUMA and COS Project Team.	N/A	09/27/21	✓	Recurring Meetings are Being Held Between the Parties (see note below).
Interconnection Studies Meeting	After Interconnection Studies Payment	03/24/2022	✓	Recurring Meetings are Being Held Between the Parties (see note below).
Mobilization	N/A	Q2 2022	✓	Project Timeline is Being Revised to Set Mobilization Date (Status: on-target).
FNTF	8 months after Assumption Order*	06/14/22	✓	Estimated to be 30 days after mobilization date (subject to PREPA/LUMA deliverables) – Pending PREPA/LUMA validation.
Mechanical Completion		TBD	●	Projected timelines consider completion dates earlier than PPOA requirements.
Commercial Operation Date	24 months after FNTF	TBD	●	
Substantial Completion		TBD	●	
Final Completion		TBD	●	

*Based on Assumption Order Date of 12/08/21.

Note #1: COS Project Team is having weekly meetings with PREPA and LUMA personnel to advance the interconnection scope and other project related initiatives. Delays of the FNTF have been caused by issues outside of the project team. **Note#2:** All Timelines are currently under review.

3. Corporate Responsibility / Community Involvement

The CIRO One Salinas and DEPCOM Power Team has started the process of creating the community outreach and philanthropic plan as part of the established corporate responsibility goals. Meetings with certain local organizations and entities are being held in an effort to provide some level of community support. The project team is willing to take recommendations from all stakeholders to ensure an inclusive and impactful initiative.

I. Local Vendors / Services:

The project team is engaging local vendors for various support roles. The names of these businesses will be reported in future a monthly report.

The employee selection process prioritizes the personnel from the area (45% labor from the area, 99% local labor).


II. Domestic Content (Corporate Wide)

Component	% US	% ROW
Cable	100	0
Posts	65	35
Combiner Boxes	89	11
Racking	59	41
PCS	20	80
Modules	7	93
Balance of System	100	0
Labor / Management	100	0
Total	76	24


4. Next Steps: Action Items

- LUMA/PREPA to finalize interconnection related assessments, routes, and SOW definition.
- Complete the INTERCONNECTION STUDIES.
- PREPA/LUMA to provide responses to RFI's submitted by COS Project Team.
- Continue the weekly follow-up meeting with LUMA personnel (Technical).
- Continue the project construction.

**CIRO One Salinas Project Team thanks you for your time and attention to the project initiatives.
Please let us know if there is anything we can do to improve!**

Submitted by: 
Mario J. Tomasini
Authorized Representative
CIRO One Salinas
January 4, 2023.

Revised by PREPA Representative:


F.santos (Jan 31, 2023 13:12 AST)
Francisco Santos, Esq.
Manager Business Strategy
and Operations, PREPA
January 31, 2023

LUMA Representative: _____
Name: _____
Position: _____
Date: _____

Anejo B

STATEMENT REGARDING CIRO ONE SALINAS, LLC MONTHLY STATUS PROGRESS REPORT FOR December 2022

For purposes of compliance with the Puerto Rico Energy Bureau's ("PREB") Resolution and Order of November 10, 2022, in Case NEPR-AP-2021-0001 (*Enmiendas a Contrato de Compraventa de Energía: Proyecto No-Operacional (Ciro One Salinas, LLC)*), LUMA Energy ServCo, LLC ("LUMA") hereby informs that LUMA:

- has reviewed the referenced monthly progress report prepared by Ciro One Salinas, LLC dated December 2022 and submitted to the Puerto Rico Electric Power Authority (the "Ciro One Report"), which report is to be filed with the PREB as per PREB's Final Determination and Order of May 11, 2021, in the same case; and
- does not have reason to disagree with the information in the Ciro One report, **except as otherwise indicated in or subject to**, LUMA's comments in red included in the attached document which replicates selected portions of the Ciro One Report, which comments are made for purposes of clarifying, updating, or correcting the information in the report.

LUMA Representative:

Omar Aponte
Name: Omar Aponte Sosa
Title: Project Manager, Renewable & System Projects
Date: January 31, 2023

1. Material Updates and Critical Issues: Summary of material updates and critical issues that could impact the project development and/or construction.

I. Material Updates: Since the last monthly status report.

- **General:**
 - Ciro One Salinas (COS) Project Team has completed all engineering outside of the interconnection scope (see Section II below) and has placed all related purchase orders for pending components (see material updates below).
 - Deliveries are ongoing.
 - Construction initiatives have continued as reported (see below)
- **Section II: Engineering** (Refer to SECTION II for details)
 - All other engineering initiatives have been completed, except for:
 - Changes to the interconnection strategy have forced a project delay.
 - There is a change in the interconnection scope given the identified conditions on the PREPA right of way.
 - Project Team paid for the interconnection studies and additional interconnection studies requested by LUMA several weeks ago.

LUMA Comment - Facility Study completed and delivered to PREPA 1-25-2023, still pending System Impacts Studies. Expected 2nd week of February.

- Interconnection facilities (PREPA Facilities) – Waiting for the complete analysis and scope approval a from LUMA.

LUMA Comment - Facility Study completed and delivered to PREPA 1-25-2023, still pending System Impacts Studies. Expected 2nd week of February.

- This process has been severely delayed for reasons outside of the control of the Project Team.
- Continued delays on Project Team RFIs have also impacted completion of certain HV activities.

LUMA Comment - RFIs are in progress since

the Facilities Studies were completed on 01/25. Interconnection Agreement Is pending execution for LUMA to provide Interconnection Services.

- Section III: Procurement (Refer to SECTION III for details)
 - Delivery of certain project components has continued. The value of the equipment is around \$120 Million.
- Section IV: Construction: (Refer to SECTION IV for details)
 - Additional resources were added to the Project Execution Team members.
 - Continued delays on Project Team RFIs have also impacted completion of certain HV activities.
LUMA Comment - LUMA performed interconnection studies according to LUMA-provided schedule. Ciro One's referenced delays are in relation to its own schedule, of which, LUMA is not privy.
- Section V: Project Milestones & Notices Requirements (Refer to SECTION V)
 - Recurrent Interconnection Studies Meetings are being held.
 - There are projected delays on the FNTP, COD, Substantial Completion and Final Completion milestones, based on the delays caused by the Critical Issues.
 - Continued with civil, structural & electrical construction.
- Item #3. Corporate Responsibility / Community Involvement
 - Project team has started engaging with local organizations and entities to
 - define the Corporate Responsibility / Community Involvement plan initiatives.
 - The engagement of local vendors and employees was updated.
 - 45% labor from the area, 99% local labor.
 - Project Team continued the training initiatives of workforce.
- Item #4. Next Steps: Action Items: Section was updated based on pending initiatives and next steps.

II. Critical Issues: Outstanding issues that are causing delays in the project timeline.

- The critical issues that have had an adverse impact on project timelines and overall schedule are as follows:
 - Interconnection Studies Payment approval.
LUMA Comment - Facility Study completed and delivered to PREPA 1-25-2023, still pending System Impacts Studies. Expected 2nd week of February.
 - Interconnection Studies completion – Still pending (severe delay) – This has impacted design, orders, deliveries and will impact project completion schedule.
LUMA Comment - Facility Study completed and delivered to PREPA 1-25-2023, still pending System Impacts Studies. Expected 2nd week of February.

- Transmission Line Path – See Updates section below.
- Point of Interconnection (POI) Scope of Work (SOW) – See Updates section below.
- Hurricane Fiona.
- Response to Project Team RFIs (all project areas).
-
- Updates:
 - The next critical path is the completion of the new interconnection strategy (as reported in previous Monthly Reports).
LUMA Comment - Facility Study completed and delivered to PREPA 1-25-2023, still pending System Impacts Studies. Expected 2nd week of February.
 - The COS has been collaborating with the LUMA and PREPA teams to get this process completed in a timely manner. However, this process is severely delayed and will impact the project timelines.
 - The SOW of the updated IC strategy is still pending.
 - Waiting for the “sectionalizer” (switchyard) analysis and scope completion.
- Project team needs timely responses to RFIs.
LUMA Comment - RFIs shall be completed following the execution of Interconnection Agreement.
- A potential delay notification has been issued (weather, process delays, etc.)

Note: The Interconnection Design is delayed. Waiting for the 30% design package from LUMA (and related consultants) to be able to complete this task.

LUMA Comment - Facility Study completed and delivered to PREPA 1-25-2023, still pending System Impacts Studies. Expected 2nd week of February.

2. Review the status of each significant element of the Project Schedule:

I. Permitting:

- Overview:

The CIRO One Salinas, LLC. project was fully permitted and considered shovel ready. All permits, studies and endorsements are being evaluated to ensure compliance with all new laws, applicable code changes, and regulations. The process is guided by the engineering review being performed by the Project Team (*see section II. Engineering*).

LUMA Comment - OGPE Construction Permit requires Evaluation and approval of SRI (SOLICITUD RECOMENDACION INFRAESTRUCTURA) to receive endorsement.

- Table: Tasks and Milestones include (but are not limited to):

Permit/Approval	Permit Authority	Status	Comments
Location Approval	Planning Board	✓	
Environmental Approval	ARPE, OGPE, DNER	✓	
Nationwide Permit (NWP) 14	USACOE	✓	
Endorsements	<ul style="list-style-type: none"> • Municipality of Salinas, • Hwy and Transportation Authority, • OGPE, • ICP, • PREPA, • Puerto Rico Telecommunications Regulatory Board, • PRASA, • Dept of Agriculture 	✓	Endorsements will be revised after engineering review has been completed.
NPDES General Permit	US EPA	✓	
Construction Related Permits	OGPE	✓	<ul style="list-style-type: none"> • Includes General Consolidated Permits, • Incidental Soil Movement Permits, and • Construction Permits

II. Engineering:

- Overview:

[...]

-Tasks and Milestones include (but are not limited to):

[Table with status of designs and studies is included]

Note: The Interconnection Design is delayed. Waiting for the 30% design package from LUMA (and related consultants) to be able to complete this task.

LUMA Comment - Facility Study completed and delivered to PREPA 1-25-2023, still pending System Impacts Studies. Expected 2nd week of February.

[...]

V. Project Milestones & Notice Requirements:

Below find critical milestone dates and related Notice requirements:

Milestone	PPOA Required Date	COS Target Date	Progress	Comments
Kick-off meeting between PREPA, LUMA, and COS Project Team.	N/A	09/27/21	✓	LUMA comment: Recurring Meetings are Being Held Between the Parties.
Interconnection Studies Meeting	After Interconnection Studies Payment	03/24/2022	✓	LUMA comment: Recurring Meetings are Being Held Between the Parties.
Mobilization	N/A	Q2 2022	✓	Project Timeline is Being Revised to Set Mobilization Date (Status: on-target). LUMA Comment - LUMA did not receive request for Construction Mobilization
FNTP	8 months after Assumption Order*	06/14/22	✓	Estimated to be 30 days after mobilization date (subject to PREPA/LUMA deliverable - Pending PREPA/LUMA validation.
Mechanical Completion		TBD	●	Projected timelines consider completion dates earlier than PPOA requirements.
Commercial Operation Date	24 months after FNTP	TBD	●	
Substantial Completion		TBD	●	
Final Completion		TBD	●	

* Based on Assumption Order Date of 12/08/21.

Note #1: COS Project Team is having weekly meetings with PREPA and LUMA personnel to advance the interconnection scope and other project related initiatives. Delays of the FNTP have been caused by issues outside of the project team. Note#2: All Timelines are currently under review.