

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

**NEPR**

**Received:**

**Mar 1, 2023**

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**IN RE: ELECTRIC VEHICLE CHARGING  
INFRASTRUCTURE DEPLOYMENT**

**CASE NO. NEPR-MI-2021-0013**

**SUBJECT: Explanation Regarding Rate  
Implementation Support RFP, in Compliance with  
Resolution and Order of February 14, 2023**

**MOTION SUBMITTING EXPLANATION REGARDING RATE IMPLEMENTATION  
SUPPORT RFP, IN COMPLIANCE WITH RESOLUTION AND ORDER OF  
FEBRUARY 14, 2023**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES** now **LUMA Energy ServCo, LLC** (“LUMA”), through the undersigned legal counsel, and respectfully states and requests the following:

**I. Procedural Background**

1. On January 13, 2023, this Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (the “January 13<sup>th</sup> Order”) making various determinations regarding the Draft Phase I Electric Vehicle Plan (“Phase I EV Plan”) filed by LUMA on September 1, 2022<sup>1</sup> and the Revised Draft Electric Vehicle Rate Design

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<sup>1</sup> See LUMA’s *Motion Submitting Draft Phase I EV Plan and Request to Postpone Compliance Technical Hearing No. 3 and Concomitant Deadline to Submit Revised Phase I EV Plan* of that date (“September 1 Motion”) and its Exhibit 1. On September 2, 2022, LUMA resubmitted the Phase I EV Plan document with certain technical repairs and requested this Energy Bureau to accept this corrected version in substitution of the version submitted on September 1, 2022 (see LUMA’s *Motion Re-Submitting Exhibit 1 Filed on September 1, 2022 with Technical Repairs and Requesting Substitution of Original Exhibit* of that date) which substitution was accepted by this Energy Bureau by Resolution and Order of September 7, 2022. The term “Phase I EV Plan” as used in this Motion refers to this corrected version.

Proposal (“Interim EV TOU Rate”) filed by LUMA on July 21, 2022<sup>2</sup>, as well as issuing associated orders.<sup>3</sup>

2. In the January 13<sup>th</sup> Order the Energy Bureau orders LUMA to file a revised Phase I EV Plan by April 30, 2023, approves the Interim EV TOU Rate subject to modifications set forth in the January 13<sup>th</sup> Order, and orders LUMA to finish development of and launch the Interim EV TOU Rate by September 30, 2023. *See id.* at pages 9, 10 and 14. The Energy Bureau also orders LUMA to take several actions associated with the Phase I EV Plan and the Interim EV TOU Rate, including, among others and in pertinent part, to: (a) submit by February 10, 2023 a Project Schedule for implementation of the Interim EV TOU Rate (*see id.* at pages 11 and 14) (the “Project Schedule”); (b) report every thirty (30) days on the progress with the data collection and billing to integrate the Interim EV Rate (“Billing Integration Reports”) and; (c) “to the extent necessary to implement the Interim EV TOU Rate in full” issue a request for proposals no later than February 15, 2023 “inviting any requisite external vendors and partners to submit bids to provide services to LUMA” (the “Rate Implementation Support RFP”) (*see id.* at page 11).

3. On February 9, 2022, LUMA filed a *Motion Requesting Brief Extension to File Project Schedule Required by Resolution and Order of January 13, 2023 and Submitting Progress Report Due By February 13, 2022 and Information on Status of RFP Due by February 15, 2023 under Such Resolution and Order* (“February 9<sup>th</sup> Motion”), in which LUMA: (a) requested this honorable Energy Bureau to grant an extension of the deadline to submit the Project Schedule until February 17, 2023 (*see id.* at pages 3-4); (b) informed that there were no concrete steps to be

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<sup>2</sup> See LUMA’s *Motion Submitting Revised EV Rate Design Proposal* of that date and its Exhibit 1.

<sup>3</sup> On that same date, the Energy Bureau also issued a *Resolution Nunc Pro Tunc* correcting *motu proprio* a clerical error related to two deadlines set forth in the January 13<sup>th</sup> Order. The discussion of the January 13<sup>th</sup> Order in this motion considers these corrections.

reported at the time regarding billing integration efforts (*see id.* at pages 4-5); (c) and requested the Energy Bureau to take notice that the Rate Implementation Support RFP required under the January 13<sup>th</sup> Order “to the extent necessary to implement the Interim EV TOU Rate in full” was determined by LUMA to be unnecessary for such purposes and would therefore not be issued (*see id.* at page 5). With respect to the latter, LUMA explained that it “anticipates that implementation of the Interim EV TOU Rate would primarily involve expansion of the scope of its continuous system improvements, including the development of internal codes and procedures and training of personnel to execute these”. *See id.*

4. By Resolution and Order notified on February 14, 2023 (“February 14<sup>th</sup> Resolution and Order”), the Energy Bureau: (i) approved LUMA’s request to extend the deadline to file the Project Schedule (*see* February 14<sup>th</sup> Resolution and Order at page 2); (ii) ordered LUMA to commence presenting the Billing Implementation Reports on March 13, 2023 (*see id.*); and (iii) ordered LUMA to file on or before fifteen (15) days “a detailed explanation of its request to not issue the [Rate Implementation Support RFP] ordered by the Energy Bureau” (*id.*).

5. On February 17, 2023, LUMA submitted to the Energy Bureau the Project Schedule addressing the tasks to meet the various requirements relating to the Phase I EV Plan and the development and launch of the Interim EV TOU Rate, via an Exhibit 1 which included this schedule as well as a preamble with LUMA’s observations, comments and explanations (“February 17<sup>th</sup> Exhibit 1”). *See Motion Submitting Project Schedule in Compliance with Resolution and Order of January 13, 2023 and Requesting Modification of Certain Deadlines Thereunder* of that date (“February 17<sup>th</sup> Motion”). In the February 17<sup>th</sup> Motion, LUMA also requested the Energy Bureau the modification of certain deadlines and timeframes in the January

13<sup>th</sup> Order to take into account the information provided in such motion and the February 17<sup>th</sup> Exhibit 1. *See id.* at pages 5 to 9.

## **II. Submittal of Explanation Regarding Rate Implementation Support RFP**

6. In the February 17<sup>th</sup> Motion, LUMA informed that, for the reasons indicated in the February 9<sup>th</sup> Motion, the Project Schedule in the February 17<sup>th</sup> Exhibit 1 did not include the Rate Implementation Support RFP and that LUMA would be submitting a detailed explanation of why this RFP was determined to be unnecessary, as required and by the deadline established in the February 14<sup>th</sup> Resolution and Order. *See id.* at page 5. Nonetheless, the February 17<sup>th</sup> Exhibit 1, in its Section 5.2, included an explanation regarding the Rate Implementation Support that touched on this subject. Specifically, in the February 17<sup>th</sup> Exhibit 1, LUMA explained that once the aggregated vehicle charging data from a third-party provider is sent to LUMA:

LUMA's system will receive the data through established secure transmission protocols and then a customer bill would receive the aggregated time of use consumption data and the bill would generate the detail for charges. These changes would utilize LUMA's existing expert contractor for billing and related systems to modify or enhance the system to update rate and billing details and integrate with third-party aggregator information. This contractor is an existing provider and has historical and detailed system experience that is important to be able to implement planned changes with a fast-paced timeline.

*See id.* at pages 6-7.

7. LUMA hereby submits an expanded explanation regarding this subject and reiterating that LUMA expects that the bulk of the tariff implementation support would be done with a combination of internal and external resources already under contract. *See Exhibit 1.*

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the information provided herein and *Exhibit 1*, and **deem** LUMA in compliance with the February 14<sup>th</sup> Resolution and Order with respect to the explanation that the

Rate Implementation Support RFP is not necessary for the implementation of the Interim TOU EV Rate.

## **RESPECTFULLY SUBMITTED**

In San Juan, Puerto Rico, this 1<sup>st</sup> of March 2023.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau and that we will send an electronic courtesy copy of this motion to the attorney for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law. LUMA understands that other participants or stakeholders in this proceeding will be notified as a result of the publicity of the filings in this process. Notwithstanding, LUMA will send a courtesy copy of the filing to the following stakeholders: agalloza@aggpr.com; alberto.cortes@warrendelcaribe.com; aldo@skootel.com; angel.d.rodriguez@outlook.com; antonio@velocicharge.com; apietrantoni@pmalaw.com; azayas@azeng.net; bigwheelcorp@gmail.com; blazquezmalu@gmail.com; brightsunpr@gmail.com; carlosxcdeno@gmail.com; clrivera@caguasexpressway.com; flota@caguasexpressway.com; cnegrette@solrenew.com; CR.Tejera@ddec.pr.gov; dacosta@aggpr.com; daniel.perez@totalenergies.pr; dcordero@group-em.com; direxec@ciapr.org; divine.energy@hotmail.com; ecruz@pmalaw.com; eduardo.pinera@toyota.com; Edwin.Acevedo@ddec.pr.gov; emelyies.torres@toyota.com; epenenergypr@gmail.com; erica.cosme@gsonnell.com; Fberrios@peritoselectricistas.org; francisco.berrios@hotmail.com; franciscojrullan@yahoo.com; gerard.berlinski@toyota.com; gerardo\_cosme@solartekpr.net; gperez@solrenew.com; hamely@motorambar.net; ialsina@plazalasamericas.com; idiaz@glenninternational.com; info@carlosmatta.com; israel.diaz@warren-ecm.com; jack@pantekpartners.com; jameauxl@aim.com; jan.rodriguez@toyota.com; javrua@sesapr.org; jbouza@caguasexpressway.com; jcardona@aggpr.com; jrnartinez@pmalaw.com; jorrodriguez@motorambar.net; jortiz@caguasexpressway.com; jose.maeso@crowley.com; jpibernus@motorambar.com; JSantana@rnotorarnbar.com; jtosado@motorambar.net; juan.diaz.galarza@guidehouse.com; jvazquez905@grnail.com; jwilliams@solrenew.com; kenan.d.davila@sargentlundy.com; kkoch@tesla.com; l.marcano@aconer.org; lsundeen@tesla.com; luisgmoreno@gmail.com; Marangelly.Cruz@toyota.com; marilyn.maldonado@toyota.com; mlandron@plazaad.com; mpietrantoni@pmalaw.com; nannette.berrios@solpetroleum.com; nmontes@ccmpr.com; nrodriguez@senado.pr.gov; Ochavez@Padigm.com; odette@grupofernandezpr.com; omundo@plazalasamericas.com; pablo.rivera@hitachi-powergrids.com; patlopez0ü@gmail.com; dany.oliva@toyota.com; pjcleanenergy@gmail.com; rdiaz@glenninternational.com; repagan@burnsmcd.com; rry@tcm.law; Ruben.Gonzalez@pumaenergy.com; rvega@guidehouse.com; salvadorlopez5@hotmail.com; shehaly.rosado@ddec.pr.gov; Veronica@pantekpartners.com; Victor.Aponte@toyota.com; victor.martinez@totalenergies.pr; wilfredsonllc@gmail.com; zlopez@efonalledas.com; mara.cruz@toyota.com; lizette.cotto@toyota.com.



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*Exhibit 1*

*Explanation Regarding Lack of Need for Rate Implementation Support RFP*



# Electric Vehicles Rate Implementation Support RFP

NEPR-MI-2021-0013  
March 1, 2023



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## 1.0 Introduction & Context

On January 13, 2023, the Energy Bureau issued a Resolution and Order (January 13, R&O)<sup>1</sup> making a series of observations and conclusions, issuing various directives, and setting deadlines relating to the filed Draft Phase 1 EV Plan<sup>2</sup> (Phase 1 EV Plan) and the Revised Rate Design<sup>3</sup>. Among these, the Energy Bureau ordered LUMA “to the extent necessary to implement the Interim EV TOU Rate in full”, issue by February 15, 2023, an RFP inviting any requisite external vendors and partners to submit bids to provide services to LUMA. With respect to the RFP, the January 13, R&O requires that:

“To the extent necessary to implement the Interim EV TOU Rate in full, LUMA shall issue an RFP inviting any requisite external vendors and partners to submit bids to provide services to LUMA. LUMA shall issue the RFP no later than February 15, 2023, and give vendors until March 15, 2023, to submit their proposals.”

In the February 9, 2023, Motion requesting a brief extension to file the Project Schedule<sup>4</sup>, LUMA informed the Energy Bureau that it would not be necessary to issue the Rate Implementation Support RFP (which the January 13 R&O only requires it be issued “to the extent necessary to implement the Interim EV TOU Rate in full”). The implementation of the Interim EV TOU Rate will primarily involve expansion of the scope of LUMA’s continuous system improvements, including the development of internal codes and procedures, as well as training of personnel to execute these.

In compliance with the January 13, R&O, supra, and as per the extension granted in the February 14, Resolution and Order<sup>5</sup> (February 14, R&O), on February 17, 2023, LUMA submitted before the Energy Bureau the Project Schedule. The Project Schedule addresses the tasks to meet the various requirements relating to the Phase 1 EV Plan and the development and launch of the Interim EV TOU Rate as well as the approach proposed for the EV TOU project without the issuance of the RFP. The approach proposed by LUMA is outlined in **section 5.2 EV TOU Tariff Implementation Support** of the Project Schedule and further described in this document.

This document also provides a detailed explanation of LUMA’s request not to issue the RFP, in compliance with the Energy Bureau’s February 14 directive.

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<sup>1</sup> See Energy Bureau’s Resolution and Order of January 13, 2023.

<sup>2</sup> LUMA Energy’s Phase 1 Electric Vehicles Plan [Motion Re-submitting Exhibit 1 Filed on September 1, 2022 with Technical Repairs and Requesting Substitution of Original Exhibit](#)

<sup>3</sup> LUMA Energy’s Revised Rate Design - [Motion Submitting Revised EV Rate Design Proposal](#)

<sup>4</sup> LUMA Energy’s Motion Request for a Brief Extension to File Project Schedule [Motion Requesting Brief Extension to File Project Schedule Required by Resolution and Order of January 13, 2023 and Submitting Progress Report due Feb 13, 2022 and Information on Status of RFP Due Feb 15, 2023, Respectively, Under Such Resolution and Order](#)

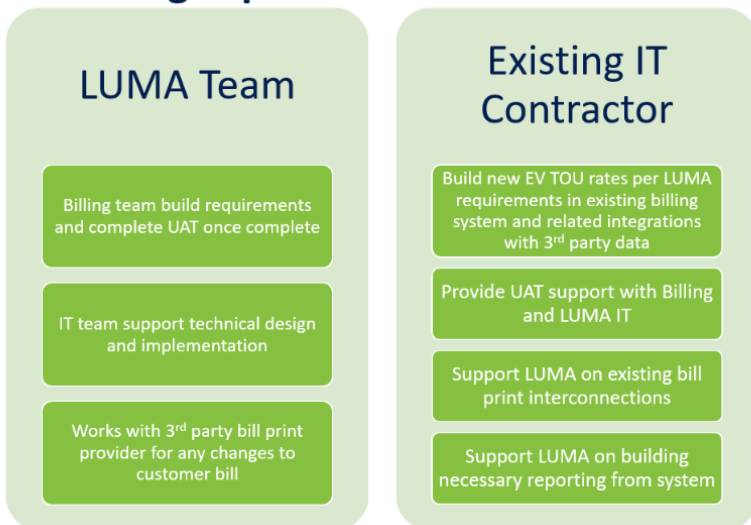
<sup>5</sup> See Energy Bureau’s Resolution and Order of February 14, 2023.

## 2.0 Rate Implementation Support Overview

Below is a visual representation of the functions related to enhancements necessary to the existing LUMA customer care and billing system to facilitate the ability for customer EV TOU integrations. These integrations are important to be worked through existing expertise as described in the image below.

### EV TOU Request for Proposal overview

#### Existing Expertise – no RFP needed



#### New Expertise or Service Needed



#### 3<sup>rd</sup> Party Data Aggregator

- Provides data to LUMA
- Tests integrations with LUMA IT and Existing IT Contractor
- Coordinates with LUMA IT, Billing and LUMA's existing IT Contractor

## 3.0 EV TOU tariff Implementation Support

The approach proposed for the EV TOU tariff Implementation project is to utilize the existing billing and IT systems to facilitate a near-term opportunity for the tariff to be implemented without significant investment in a Meter Data Management System and Advance Metering Infrastructure (AMI) meters as a pre-requisite.

LUMA proposes moving forward with a rate that utilizes aggregated vehicle charging data from a third-party provider to be sent to LUMA (as discussed in **Error! Reference source not found.** of the Project Schedule). Once the data is aggregated and presented in the necessary file format, LUMA's system will receive the data through established secure transmission protocols and then a customer bill would receive the aggregated time of use consumption data and the bill would generate the detail for charges. These changes would utilize an existing LUMA IT contractor for billing and related systems to modify or enhance the system to update rate and billing details and integrate with third-party aggregator information. This contractor is an existing provider and has the historical and detailed system experience that is important to be able to implement planned changes with a fast-paced timeline. Third-party data aggregation expertise is not currently available to LUMA and will require new expertise and services.

It is also important to note that:

1. This methodology of receiving billing determinants from a third-party is innovative even from a mainland utility system perspective. This innovation will be supported through a vendor (or, possibly, vendors) that will be selected specifically to provide this service and that have experience in conducting these programs. However, this approach is new and there are unknowns that may arise throughout the project.
2. Throughout 2023 and potentially into 2024, LUMA anticipates undertaking several modifications to its billing system for other items such as PREPA Bankruptcy Plan of Adjustment charges, Retail Wheeling, and Energy Efficiency rider. LUMA is also currently undertaking significant efforts as part of the System Remediation Plan (SRP) to fix the existing billing system and related processes to resolve inherited deficiencies. Additional resources can be added to address the changes required by the Energy Bureau, however, testing and validation of the many system changes required are a concern for LUMA. Making additional modifications at the same time as those already planned in the SRP poses additional schedule, execution, and cost risks.
3. For consideration, these various new requirements represent significant changes to systems that LUMA is still remediating.
4. As noted, LUMA expects that the bulk of the tariff implementation support would be done with a combination of internal and external resources already under contract.

As LUMA identifies and explores the multiple IT and billing system enhancements necessary to implement the EV TOU tariff, there may be alternative approaches available for certain enhancements. As appropriate, LUMA will evaluate these alternatives and choose the option that provides the best value (or benefit/cost ratio) to LUMA, and its customers based on the evaluation criteria. If any of these evaluations are required, LUMA anticipates completing them as part of Task 19 of the Project Schedule: Identify necessary procedures system changes to implement EV TOU tariff.