

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

IN RE: THE DEPLOYMENT OF ELECTRIC
VEHICLE CHARGING INFRASTRUCTURE

CASE NO.: NEPR-MI-2021-0013

SUBJECT: Draft Phase I EV Plan and
Revised EV Rate Design Motion to Amend
Certain Deadlines

RESOLUTION AND ORDER

I. Introduction and Background

On January 13, 2023, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“January 13 Resolution”) regarding the Draft Phase I Electric Vehicle Plan¹ and the Revised Draft for the Electric Vehicle Rate Design Proposal² submitted by LUMA.³

Regarding the proposed EV TOU Rate Design, on the January 13 Resolution, the Energy Bureau ordered LUMA:

1. To file a report every thirty (30) days after the date of notification of the January 13 Resolution, on the progress of the data collection and billing to integrate the Interim EV Rate;
2. To issue an RFP to provide services to LUMA, for the implementation of the EV TOU Rate, no later than February 15, 2023, and;
3. To submit by February 10, 2023, a project schedule that: (i) details each task that LUMA has identified as being important to align with the rollout of the EV TOU Rate, (ii) articulates precisely what other partners, programs, initiatives, etc. must be engaged to move forward with the EV Plan, and when it expects to engage with them, (iii) specifies how LUMA will conduct the RFP for data collection and billing integration methods and costs, and (iv) specifies a timeline for LUMA’s cost-benefit analysis as it decides how to implement the requisite enhancements to its IT and billing systems.

On February 9, 2023, LUMA filed a document titled *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, 2023, and Information on Status of RFP due by February 15, 2023, Respectively, Under Such Resolution* (“February 9 Motion”). Through the February 9 Motion, LUMA informs: (1) that it needs seven (7) additional days (until February 17, 2023) to complete and submit the Project Schedule, (2) the Project Schedule has not been finalized, so the billing integration efforts are still in the planning stage and LUMA expects to report more concrete progress once it has finalized and implemented the Project Schedule, and (3) LUMA will not need to issue an RFP since the implementation of the EV TOU Rate will 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.⁴

¹ See, In re: The Deployment of Electric Vehicle Charging Infrastructure, Case No.: NEPR-MI-2021-0013, *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*, filed by LUMA on September 1, 2022.

² See, *Motion Submitting Revised EV Rate Design Proposal*, filed by LUMA on July 21, 2022.

³ LUMA Energy ServCo, LLC (“LUMA”).

⁴ February 9 Motion, pp. 3 – 5.



On February 14, 2023 the Energy Bureau issued a Resolution and Order (“February 14 Resolution”) in which the Energy Bureau: (i) approved the seven (7) additional days request for Luma to file the Progress Schedule, (ii) ordered LUMA to present a report beginning on March 13, 2023, and every 30 days thereafter with progress on data collection and billing to integrate the Interim EV Rate, and (iii) ordered LUMA to file a detailed explanation of its request to not issue the RFP ordered by the Energy Bureau on the January 13 Resolution.⁵

On February 17, 2023, LUMA filed a document titled *Motion Submitting Project Schedule in Compliance with Resolution and Order of January 13, 2023 and Requesting Modification for Certain Deadlines Thereunder* (“February 17 Motion”). Through the February 17 Motion LUMA submitted an Exhibit 1, the Project Schedule, and indicates that it will address the task to meet the requirements relating to the Phase I EV Plan and the development and launch of the Interim EV TOU Rate.

Through the February 17 Motion, LUMA also, request the Energy Bureau to modify the following deadlines set out in the January 13 Motion:⁶

1. The deadline to issue the Charging Consumption Data Request for Proposals (“RFP”) from “immediately” to late March 2023;
2. The timeframe to conduct the outreach research and analysis and to submit the Customer Outreach Memorandum to the Energy Bureau from 6 months to 9 months;
3. The timeframe for Customer Outreach Implementation to allow for its completion by the end of September 2023 rather than within the next 9 months; and
4. The deadline to begin the billing integrating the Interim EV TOU Rate to the end of November 2023 or sixty (60) days following the date when customer enrollment has reached a minimum threshold number of customers, whichever occurs later, rather than requiring the deadline to begin September 30, 2023.

On March 1, 2023, LUMA filed before the Energy Bureau a document titled *Motion Submitting Explanation Regarding Rate Implementation Support RFP, in Compliance with Resolution and Order of February 14, 2023* (“March 1 Motion”). Through the March 1 Motion, LUMA submits an explanation regarding the Rate Implementation Support RFP and reiterating that LUMA expects that the bulk of the tariff implementation support would be done with internal and external resources already under contract.⁷

On March 13, LUMA filed a document titled *Motion to Submit Billing Integration Report and Request to Modify Reporting Frequency* (“March 13 Motion”). Through the March 13 Motion LUMA submitted as Exhibit 1, the *LUMA’s Billing Integration Report: Data Collection and Billing to Integrate the Interim EV Time of Use (TOU) Rate*. LUMA requests the Energy Bureau to consider reducing the frequency for submitting these reports from monthly to quarterly periods.⁸

⁵ February 14 Motion, p.2.

⁶ January 13 Motion, pp.10-14.

⁷ March 1 Motion, page 4 and Exhibit 1.

⁸ March 13 Motion, p.3.



II. Discussion and Analysis

a. February 17 Motion

Upon review of the February 17 Motion, the Energy Bureau **DETERMINES** the following:

1. The Energy Bureau **ACCEPTS** and **APPROVES** the Project Schedule.
2. The Energy Bureau **ACKNOWLEDGES** LUMA explanation for its need for accommodations due to a clearer sense of the steps to meet *key milestones*, and the need to engage third party support to extend its current capacity to do so.⁹
3. The Energy Bureau **GRANTS** LUMA's request to modify certain deadlines or timeframes subject to maintaining the same timelines set for **key milestones of filings** (i.e., the Final Phase I EV Plan and the Interim TOU EV Rate Launch). The Energy Bureau **APPROVES** LUMA's requested deadline changes as follow:
 - a. For the Charging Consumption Data RFP, the Energy Bureau **GRANTS** LUMA its request to extend until **March 31, 2023**.
 - b. To conduct the Outreach Research and Analysis and submit the Customer Outreach Memorandum, the Energy Bureau **GRANTS** LUMA an extension until **December 31, 2023**.
 - c. For the Customer Outreach Implementation, the Energy Bureau **GRANTS** LUMA request to begin by **September 30, 2023**.
 - d. To begin the Billing Integrating Interim EV TOU Rate, the Energy Bureau, **GRANTS** LUMA until **November 30, 2023** or **sixty (60) days** following the date when customer enrollment has reached a minimum threshold number of customers, whichever occurs later. If LUMA prefers to set this timing against what it refers to as a "threshold number of customer enrollments," LUMA will need to justify that threshold level and explain why a threshold is necessary. To offer the TOU rate, LUMA will need to have an associated billing process in place regardless of the number of customers.

b. March 1 Motion

In the March 1 Motion LUMA submitted an explanation regarding the Rate Implementation Support RFP. LUMA explained that through the Progress Schedule filed before the Energy Bureau on the February 17 Motion, it will address the tasks to meet the requirements relating to the Phase I 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 issuing an RFP.

On the Exhibit 1 of the March 1 Motion, LUMA informed:

"The approach proposed for the EV TOU tariff Implementation Project is to utilize the existing billing and IT system 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 utilize aggregated vehicle charging data form a third-party provider to be sent to LUMA. 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

⁹ February 17 Motion ¶¶ 10-13



charges. These charges 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".¹⁰

Upon review of the March 1 Motion, the Energy Bureau **DEEMS** LUMA in compliance with the February 14 Resolution, regarding the explanation for not issuing an RFP for the implementation of the Interim TOU EV Rate.

c. March 13 Motion

On March 13 Motion, LUMA submitted the Billing Integration Report as Exhibit 1. LUMA indicated that the Billing Integration Report includes information on progress on activities related to data collection and billing to integrate the Interim EV TOU Rate.¹¹

LUMA also, request the Energy Bureau to consider reducing the frequency for submitting such reports from a monthly to a quarterly period. LUMA sustain their request alleging to be more closely aligned or consistent with other progress reports LUMA must provide in this and other dockets, and to provide for more efficient reporting. LUMA propose to submit the quarterly reports within the first forty-five (45) days of the end of each quarter, as done in other dockets.¹²

The Energy Bureau **ACKNOWLEDGES** that LUMA's program is starting up, and it is reasonable to expect its progress to move in small increments. The Energy Bureau **REITERATES** that a more frequent reporting schedule, (i.e., monthly versus quarterly), is better suited to reflect LUMA's progress.

The Energy Bureau stated on the January 13 Resolution:

"EV adoption is relatively new in Puerto Rico, as is LUMA's role in electrification of the transportation sector. The Energy Bureau finds that more extensive reporting is necessary than what would normally be considered for a more typical utility program. This is particularly important with respect to ensuring transparency and the need for useful data. Specifically, as LUMA's efforts proceed, it is important that the utility provide the Energy Bureau performance information to demonstrate its progress to ensure that the Energy Bureau can take meaningful corrective action and that the Energy Bureau can do so in a sufficiently timely manner to be impactful".¹³

The Energy Bureau **DENIES** LUMA's request to reduce the frequency for filing the reports. As the Energy Bureau becomes more familiar with LUMA's Billing Integration Reports and the program achieves some progress, the Energy Bureau could consider relaxing the current reporting requirement.

III. Conclusion

The Energy Bureau **ORDERS** LUMA to comply with every part of Section II of this Resolution and Order.

Be it notified and published.

¹⁰ March 1 Motion, Exhibit 1, p.4

¹¹ March 13 Motion, p.3, ¶7.

¹² March 13 Motion, ¶¶ 8-11

¹³ January 13 Resolution pp. 5-6.





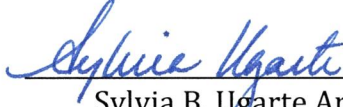
Edison Avilés Deliz
Chairman



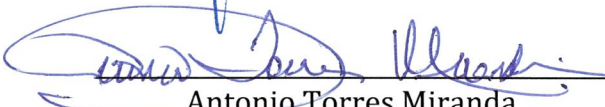
Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



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 March 29, 2023. I also certify that on March 29, 2023 a copy of this Order was notified by electronic mail to the following: laura.rozas@us.dlpiper.com, ana.rodriguerivera@us.dlpiper.com. I also certify that today, March 29, 2023, I have proceeded with the filing of the Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today March 29, 2023.



Sonia Seda Gaztambide
Clerk

