

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

NEPR

Received:

Apr 10, 2023

9:06 PM

**IN RE:**  
TARIFA PERMANENTE DE LA  
AUTORIDAD DE ENERGÍA ELÉCTRICA  
DE PUERTO RICO

**CASE NO. NEPR-MI-2020-0001**

**SUBJECT: Motion Submitting Report on  
Streetlight Repairs for March 2023 and Request  
for Modification of Reporting Frequency**

**MOTION SUBMITTING REPORT ON STREETLIGHT REPAIRS FOR MARCH  
2023 AND REQUEST FOR MODIFICATION OF REPORTING FREQUENCY**

**TO THE PUERTO RICO ENERGY BUREAU:**

COME NOW LUMA Energy, LLC<sup>1</sup>, and LUMA Energy ServCo, LLC<sup>2</sup>, (jointly referred to as “LUMA”), through the undersigned legal counsel and respectfully submit the following:

**I. Submittal of March 2023 Report**

1. On June 28, 2020, this Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order (“June 28<sup>th</sup> Resolution and Order”) making, among others, determinations regarding the factors for the annual adjustment riders for the July 2020 to June 2021 period. In pertinent part, in the June 28<sup>th</sup> Resolution and Order the Energy Bureau approved the reconciliation amount and annual factor for the annual SUBA-HH rider for the mentioned fiscal year period. *See* June 28<sup>th</sup> Resolution and Order, Section IV, paragraph 2. The Energy Bureau explained that the SUBA-HH rider is designed to recover costs associated with various subsidies, including

---

<sup>1</sup> Register No. 439372.

<sup>2</sup> Register No. 439373.

municipal streetlighting. *See id.* The Energy Bureau also ordered the Puerto Rico Electric Power Authority (now LUMA) to submit, “no later than the tenth (10<sup>th</sup>) day of the following month, a detailed report regarding the public lighting light emitting diode (LED) or renewable luminaires installed (i.e., new or in replacement of traditional luminaires) during the previous month so that the Energy Bureau can verify compliance with Act 17-2009 and can compile the necessary information for the next reconciliation and calculation of the factor of the SUBA-HH rider”. *See id.*, Section VIII, paragraph 3 (footnote omitted) (translation ours).

2. Since it commenced operating the T&D system, LUMA has been filing the monthly reports on streetlight repairs in compliance with the mentioned requirement of the June 28<sup>th</sup> Resolution and Order. In compliance with this requirement, LUMA hereby submits the report on streetlight repairs with the data for the month of March 2023, attached hereto as *Exhibit 1*.

## **II. Request for Change in Reporting Frequency**

3. LUMA respectfully requests the Energy Bureau to reduce the frequency for submitting the streetlight repairs report from monthly to quarterly so that it is more closely aligned with the frequency for reconciliation and calculation of the factor for the SUBA-HH rider and other progress reports that LUMA is required to provide in other dockets, as well as to provide for more efficient reporting.

4. Specifically, the Energy Bureau indicated in the June 28<sup>th</sup> Resolution and Order that the purpose of the streetlight repairs reporting requirement is for the Energy Bureau to compile the necessary information for the next reconciliation and calculation of the factor of the SUBA-HH rider and to verify compliance with Act 17-2009. *See* June 28<sup>th</sup> Resolution and Order, Section VIII, paragraph 3. The SUBA-HH factor is a factor calculated and reconciled annually. *See id.*,

Section IV, paragraph 2. Therefore, the monthly streetlight reporting requirement is more frequent than the rider it supports. As for compliance with Act 17, this law establishes as a public policy the rapid conversion of streetlighting to LED or renewable lights (*see* Act 17-2019, Section 1.5(7)(b)) and, as one of the initial energy public policy objectives that 100% of these lights be replaced with LED or renewable lights by 2030 (*see id.* Section 1.6(12)). It is respectfully submitted that quarterly reporting can effectively support the compilation of the necessary information for the yearly reconciliation and calculation of the SUBA-HH Rider as well as any necessary verification of compliance with Act 17-2019.<sup>3</sup>

5. In other dockets, quarterly reporting is more prevalent, such as in the following cases: In Case No. NEPR-MI-2022-0001, *In Re: Energy Efficiency and Demand Response Transition Period Plan*, the most frequent recurring progress reporting requirement is quarterly and the report is due within approximately sixty (60) days after the end of the quarter (*see* Resolution and Order of January 13, 2023 issued in that case, page 18); in Case No. NEPR-MI-2020-0019, *In Re: System Remediation Plan*, the most frequent recurring progress reporting requirement is quarterly (*see* Resolution and Order of August 25, 2021 issued in that case, page 3) and the due date is forty-five (45) days after the end of the quarter (*see* Resolution and Order of November 4, 2021 issued in that case, page 2); in Case No. NEPR-MI-2021-0004, *In Re: Review of LUMA's Initial Budgets*, the most frequent recurring progress reporting requirement is quarterly (*see* Resolution and Order of May 31, 2021 issued in that case, page 36) and the same post-quarter

---

<sup>3</sup> Although the proposed SUBA-HH factor and reconciliation must be filed on May 31 of each year and the reconciliation should be for the preceding period from May 1 to April 30, any required data on streetlighting repairs may be updated and presented up to the period of April 30 in the annual factor and reconciliation filing; the quarterly reporting cadence should not affect this.

forty-five (45) day filing deadline as in case NEPR-MI2020-0019 was adopted; and in Case No. NEPR-MI-2021-0002, *In Re: Review of Puerto Rico Electric Power Authority's 10 Year Infrastructure Plan*, the most frequent recurring progress reporting requirement is quarterly (*see* Resolution and Order of June 16, 2021 issued in case No. NEPR-MI-2021-0004, page 6 (wherein federal funding activity reporting was established on a quarterly basis to avoid “duplicity of reporting” with Case No. NEPR-MI-2021-002)) and the same post-quarter forty-five (45) day filing deadline as in the two afore-cited cases was adopted.

6. LUMA respectfully submits that alignment and consistency of the reporting in this case with the quarterly cadence for the other dockets is preferable than separate and more frequent reporting. Comprehensive quarterly reporting creates efficiencies in the time and efforts of the LUMA teams to prepare the reports. In addition, quarterly reporting allows for the use of better-quality information and a more complete picture of processes. In contrast, monthly reporting may not reflect a fuller picture of progress achieved in the process of data collection.

7. Consistent with the quarterly reporting in other dockets, as part of this request, LUMA also requests that the Energy Bureau authorize the quarterly reports be submitted within the first forty-five (45) days of the end of each quarter or, in the alternative, at least ten (10) days following the end of each quarter.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **deem** LUMA in compliance with the June 28, 2020 Energy Bureau order regarding the submittal of the monthly streetlight repair reports for the month of March 2023, and **grant** LUMA’s request to change the frequency of the streetlight repairs reporting from monthly to quarterly as described in this Motion.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 10<sup>th</sup> day of April 2023.

I hereby certify that I filed this motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this motion to the attorney for PREPA, Joannely Marrero-Cruz, [jmarrero@diazvaz.com](mailto:jmarrero@diazvaz.com) and to the Independent Office of Consumer Protection by submittal to Hannia Rivera, [hrivera@oipc.pr.com](mailto:hrivera@oipc.pr.com).



**DLA Piper (Puerto Rico) LLC**  
500 Calle de la Tanca, Suite 401  
San Juan, PR 00901-1969  
Tel. 787-945-9147  
Fax 939-697-6147

*/s/ Laura T. Rozas*

Laura T. Rozas

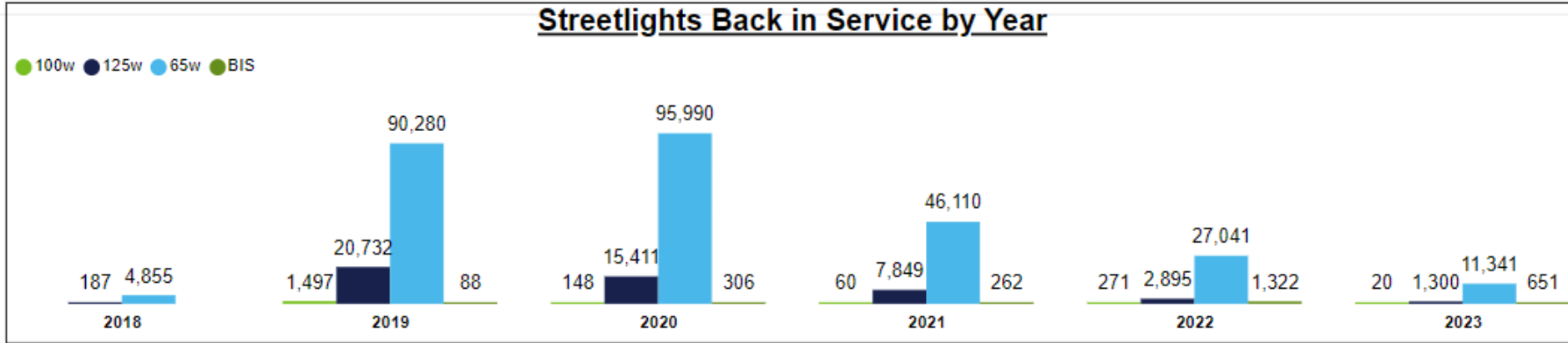
RUA Núm. 10,398

[laura.rozas@us.dlapiper.com](mailto:laura.rozas@us.dlapiper.com)

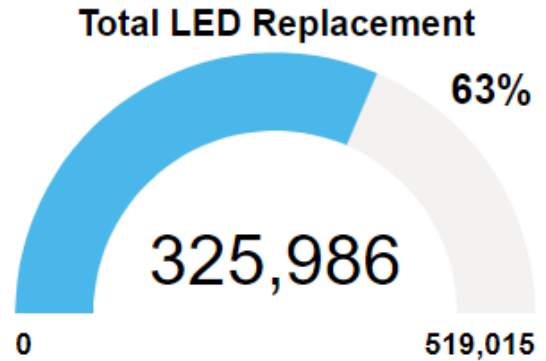
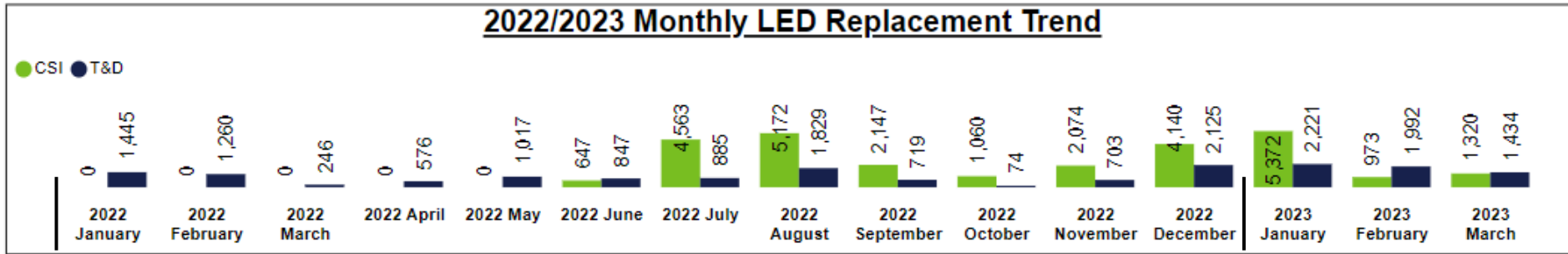
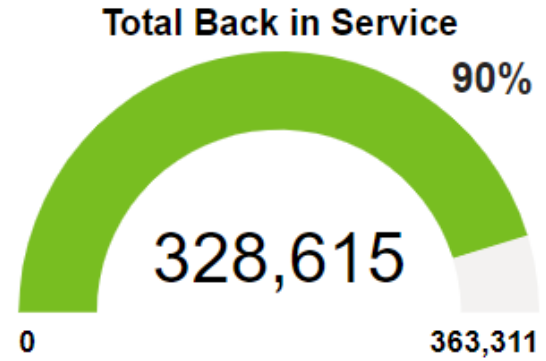
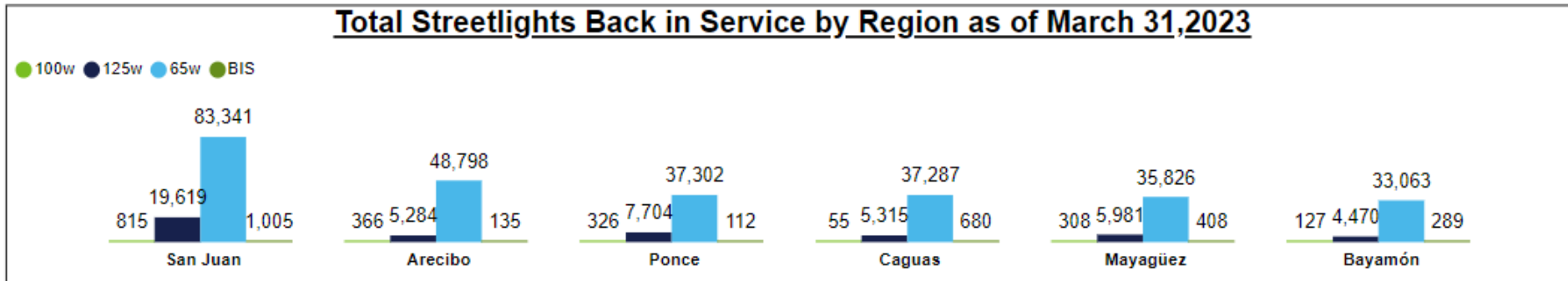
*Exhibit 1*  
March 2023 Monthly Streetlight Report

# STREETLIGHTS SPECIAL REPORT

Report Date: March 31, 2023



**Inventory Information\***  
 Inventory (CC&B): 519,015  
 Damaged (70%): 363,311  
 \*Pending Completion of Assessments



**Notes:**  
 BIS - streetlights that were fixed and brought back in service.  
 CSI - Community Streetlight Initiative