

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

IN RE: REVIEW OF LUMA'S INITIAL BUDGETS

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Determination of LUMA Request for Extension of Time to Submit FY2024 Proposed Annual Budgets and Establishment of Procedural Calendar

RESOLUTION AND ORDER

I. Introduction

On April 3, 2023, LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred as, "LUMA") filed with the Energy Bureau, a document titled *Request for Extension of Time to Submit FY2024 Proposed Annual Budgets* ("April 3 Request"), through which, LUMA requests that the Energy Bureau extend by fifteen (15) days the date by which it is required to submit the Puerto Rico Electric Power Authority ("PREPA") FY 2024 Proposed Annual Budgets. The proposed due date would, thereby, be extended from the current due date of April 15, 2023, until May 1, 2023.

LUMA contends in the April 3 Request that the extension is necessary because although it engaged in discussions with the Puerto Rico Public-Private Partnership Authority ("P3A"), Genera PL LLC ("GENERA") and PREPA since February 24, 2023, it has not received from the P3A certain necessary Budget Allocation information.¹

Accompanying the April 3 Request, LUMA provided a Fiscal Year ("FY") 2024 Budget Allocation Update and Extension Request ("Extension Request") it submitted to the P3A, in which LUMA requested an extension of thirty (30) days from the time the P3A approves the proposed budget allocation, for LUMA to submit the FY 2024 Proposed Annual Budgets.²

II. Discussion

The Energy Bureau highlights the importance of timely evaluation and approval of PREPA's FY2024 Annual Budgets. The timely evaluation, however, depends in part upon the development of a consolidated budget proposal that reflects an appropriate budget allocation between PREPA's components.

Accordingly, the Energy Bureau seeks to ensure that the parties have a reasonable opportunity to develop and submit to the Energy Bureau a consolidated FY 2024 Proposed Annual Budgets.

The Energy Bureau recognizes the potential impediment to this process that the delay described by LUMA may pose and, therefore, **GRANTS** LUMA's request for an extension of fifteen days for its submission to the Energy Bureau of the FY 2024 Proposed Annual Budgets.

The Energy Bureau **ORDERS** PREPA to expeditiously provide to LUMA and GENERA, the necessary and pertinent budgetary information to enable LUMA and GENERA to timely complete the FY2024 Proposed Annual Budgets.

In addition to the foregoing, the Energy Bureau deems it appropriate currently to establish the following Procedural Calendar for the instant case:

¹ April 3 Rrequest, p. 2.

² April 3 Request, Exhibit 1, Fiscal Year ("FY") 2024 Budget Allocation Update and Extension Request.



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Date	Event
May 1, 2023	LUMA submits FY 2024 Proposed Annual Budgets with supporting workpapers for all PREPA's components
May 5, 2023	PREB issues Requirements of Information (ROI)
May 8, 2023	LUMA files summary of the FY2024 Proposed Annual Budgets in the Spanish Language to be available to the public
May 17, 2023	LUMA/PREPA files Presentation for Virtual Technical Conference
May 19, 2023	ROI Responses Due
May 25, 2023 10:00 a.m. – 4:00 p.m.	Virtual Technical Conference
May 31, 2023	LUMA/PREPA file revised and/or additional information required by the Energy Bureau
June 5, 2023 10:00 a.m. -5:00 p.m.	Virtual Public Hearing
June 9, 2023	Public Comments Due
July 1, 2023	FY2024 Annual Budget Approved by the Energy Bureau Effective Date

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III. Conclusion

For the reasons set forth above, the Energy Bureau **GRANTS** LUMA's request for an extension of fifteen (15) days for its submission to the Energy Bureau of the FY 2024 Proposed Annual Budgets.

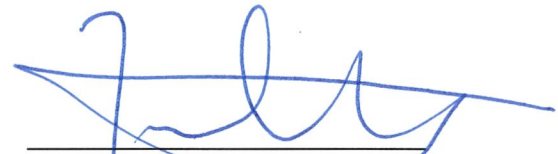
The Energy Bureau **ORDERS** PREPA to expeditiously provide to LUMA and GENERA, the necessary and pertinent budgetary information to enable LUMA and GENERA to appropriately fulfill their obligations regarding the development of the FY2024 Proposed Annual Budgets.

The Energy Bureau **WARNS** LUMA and PREPA that:

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- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
 - (ii) any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
 - (iii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000), at the discretion of the Energy Bureau.

Be it notified and published.




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 April 11, 2023. I also certify that on April 11, 2023, a copy of this Resolution and Order was notified by electronic mail to the following: jaime.elkoury@promesa.gov; margarita.mercado@us.dlapiper.com; ana.rodriguezirivera@us.dlapiper.com; mvazquez@diazvaz.law; jmarrero@diazvaz.law; brannen@genera-services.com; kbolanos@genera-services.com; regulatory@genera-pr.com. I also certify that on April 11, 2023, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, on April 11, 2023.


Sonia Seda Gaztambide
Clerk