

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

IN RE: PREPA'S 10 YEAR PLAN
COMPETITIVE INFRASTRUCTURE
PROCUREMENT PROCESS

CASE NO.: NEPR-MI-2022-0005

SUBJECT: Resolution regarding *Motion to Inform Status Report on the Emergency Generation and Black Start Generation Procurement in Compliance with the January 23, 2023 Order*, filed by the Puerto Rico Electric Power Authority.

RESOLUTION

On December 5, 2022, the Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("December 5 Order") approving the Puerto Rico Electric Power Authority's ("PREPA") request for an RFP process for the procurement of black start systems at Costa Sur and Yabucoa. The December 5 Order had specific conditions on the capacity of the resource to be procured and the types of resources eligible to participate in the solicitation and provide black start service. The December 5 Order also included relevant background on the submissions made by PREPA since the issuance of the IRP Order.¹

On January 23, 2023, the Energy Bureau issued a Resolution and Order ("January 23 Order") through which it conditionally approved PREPA's RFP process for the procurement of black start systems at Jobos, Dagua, and Palo Seco subject to various conditions, including that PREPA would report to the Energy Bureau on the status of emergency generation and black start generation procurement.

In compliance with the January 23 Order, on March 16, 2023, PREPA filed before the Energy Bureau a document titled *Motion to Inform Status Report on the Emergency Generation and Black Start Generation Procurement in Compliance with the January 23, 2023 Order* ("March 16 Motion"). PREPA included as Annex A to the March 16 Motion a document titled *RFP 3784, Power Advocate Event 138790 New Black Start Units Yabucoa and Costa Sur Power Stations* ("RFP 3784 Status Report") about the black start generation procurement. As Annex B, PREPA included a document titled *RFP 3800, Power Advocate Event 139303 New Peaker Units for the Dagua, Jobos, and Palo Seco Power Stations* ("RFP 3800 Status Report") about the emergency generation procurement for February 2023. PREPA also requested that the Energy Bureau determine that the status reports included as Annex A and B are confidential and maintain them under seal until the competitive procurement process is completed.²

Through this Resolution, the Energy Bureau **TAKES NOTICE** of the March 16 Motion. Also, upon review of PREPA's arguments and pursuant to the applicable law, the Energy Bureau **GRANTS** confidential designation and treatment to Annex A and B attached to the March 16 Motion. Hence, both annexes will remain under seal while the procurement process is ongoing.

Finally, since the generation units being procured in RFP 3784 and RFP 3800 shall eventually be under the operation and maintenance of Genera PR LLC as per the LG OMA³, the Energy Bureau **ENCOURAGES** Genera PR LLC to assume, an active role and jointly engage with PREPA in the RFP process to promote a cooperative working relationship intended to ensure

¹ See Final Resolution and Order on the Puerto Rico Electric Power Authority's Integrated Resource Plan, In re: Review of the Puerto Rico Electric Power Authority Integrated Resource Plan, Case No. CEPR-AP-2018-0001, August 24, 2020 ("IRP Order").


² March 16 Motion, p. 2, ¶ 6.

³ Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement, between PREPA, the Puerto Rico Public-Private Partnerships Authority ("P3") and Genera PR LLC, January 24, 2023 ("LG OMA").



an efficient and orderly transfer of the care, custody, and control of the Legacy Generation Assets between both parties.

Be it notified and published.



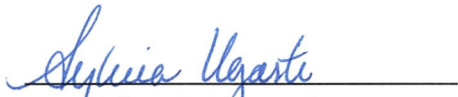
Edison Avilés Deliz
Chairman



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 14, 2023. I also certify that on April 14, 2023 a copy of this Resolution was notified by electronic mail to mvazquez@diazvaz.law; jmarrero@diazvaz.law; brannen@genera-services.com; kbolanos@genera-services.com; regulatory@genera-pr.com; and I have moved forward filing the Resolution issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today, April 14, 2023.


Sonia Seda Gaztambide
Clerk