

**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 Consolidated
FY2024 Proposed Annual Budgets and
Amend the Procedural Calendar

RESOLUTION AND ORDER

I. Introduction

On April 11, 2023, the Energy Bureau of the Puerto Rico Public Regulatory Board ("Energy Bureau") issued a Resolution and Order ("April 11 Resolution") in which, among others, it established the procedural calendar in the instant case.

On April 28, 2023, LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred as, "LUMA") filed a document titled *Urgent Request for Additional Extension of Time to Submit Consolidated FY2024 Proposed Annual Budgets and for Modification of Procedural Calendar* ("April 28 Request"), through which, LUMA requests that the Energy Bureau extend the filing date of the consolidated FY2023 Proposed Annual Budgets from May 1, 2023 to May 8, 2023 to allow the Puerto Rico Public-Private Partnership Authority ("P3A") to notify its Budget Allocation Determination.¹ LUMA also presented a proposed procedural calendar for the Energy Bureau's consideration.² LUMA indicates that both the Puerto Rico Electric Power Authority ("PREPA") and Genera PR LLC ("Genera") confirmed agreement with the extension request and proposed procedural calendar.³

Through the April 28 Request, LUMA alleges that as of the date of the April 28 Request, the consolidated FY2024 Proposed Annual Budgets remain under review and subject to modifications depending on the final budget allocation determined by P3A.⁴

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.

II. Conclusion

For the reasons set forth above, the Energy Bureau **GRANTS** LUMA's request for extension until May 8, 2023, for of the consolidated FY 2024 Proposed Annual Budgets.

The Energy Bureau **WARNS** all the parties that their full cooperation is required in order to present a consolidated FY2023 Proposed Annual Budgets that encompasses the

¹ April 28 Request, p. 4, ¶ 12.

² *Id.*, p. 5, ¶ 15.

³ *Id.*, p. 5, ¶ 16.

⁴ *Id.*, p. 3, ¶ 10.



requirements of the Energy Bureau. The Energy Bureau **REMINDS** the parties that it is not bound by the T&D OMA⁵, the Generation OMA⁶ or the PGHOA⁷.

The Energy Bureau deems it appropriate to amend the establish Procedural Calendar for the instant case as follows:

Date	Event
May 8, 2023	LUMA submits FY 2024 Proposed Annual Budgets with supporting workpapers for all PREPA's components
May 15, 2023	PREB issues Requirements of Information (ROI)
May 17, 2023	LUMA files summary of the FY2024 Proposed Annual Budgets in the Spanish Language to be available to the public
May 26, 2023	LUMA/PREPA files Presentation for Virtual Technical Conference
May 30, 2023	ROI Responses Due
June 9, 2023 10:00 a.m. – 4:00 p.m.	Virtual Technical Conference
June 15, 2023	LUMA/PREPA file revised and/or additional information required by the Energy Bureau
June 20, 2023 10:00 a.m. -5:00 p.m.	Virtual Public Hearing
June 23, 2023	Public Comments Due
June 30, 2023	FY2024 Annual Budget Approved by the Energy Bureau Effective Date

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

- (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.

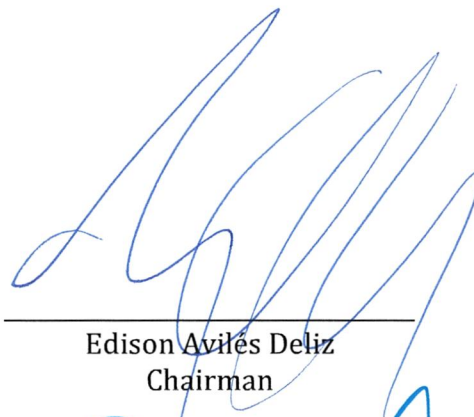
Be it notified and published.



⁵ Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement, dated June 22, 2020.

⁶ Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement, dated January 24, 2023.

⁷ Puerto Rico PREPA-GenCo-HydroCo Operating Agreement which forms part of the Generation OMA identified as Annex VIII.



Edison Avilés Deliz
Chairman



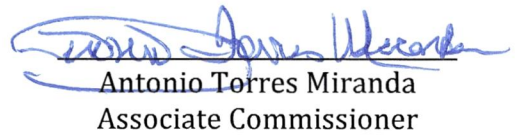
Lillian Mateo Santos
Associate Commissioner



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 May 3, 2023. I also certify that on May 3, 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.rodriguezrivera@us.dlapiper.com; mvazquez@diazvaz.law; jmarrero@diazvaz.law; brannen@genera-services.com; kbolanos@genera-services.com; regulatory@genera-pr.com; and 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 May 3, 2023.



Sonia Seda Gaztambide
Clerk

