

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

NEPR

Received:

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IN RE: REVIEW OF LUMA'S INITIAL
BUDGETS

CASE NO. NEPR-MI-2021-0004

**SUBJECT: Request for Extension to File FY2023 Q3
Report**

REQUEST FOR BRIEF EXTENSION OF TIME TO FILE FY2023 Q3 REPORT

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC ("ManagementCo"), and LUMA Energy ServCo, LLC ("ServCo"), (jointly referred to as "LUMA"), and respectfully state and request the following:

1. On May 31, 2021, this honorable Puerto Rico Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") issued and published a Resolution and Order approving LUMA's Initial Budgets ("May 31st Resolution and Order").

2. In the May 31st Resolution and Order, the Energy Bureau listed certain "requirements for LUMA to fulfill during the Interim Period and going forward" including, among others, annual explanations of the differences between accounts expenses and approved budgets and efficiencies, quarterly reports on Initial Budgets spending amounts, and reporting on federal funding activity. *See* May 31st Resolution and Order at page 36, paragraphs 1 through 4; *see also* Resolution and Order of July 16, 2021 at page 6 (modifying the federal funding reporting requirements stated in the May 31st Resolution and Order) ("July 16th Order").

3. In compliance with the May 31st Resolution and Order as amended by the July 16th Resolution and Order, LUMA submitted four quarterly reports for the Fiscal Year 2022 on

November 15, 2021; February 15, 2022, May 16, 2022, and September 8, 2022; and two quarterly reports for Fiscal Year 2023 on November 30, 2022 and February 14, 2023, respectively (jointly, “the Quarterly Reports”). The Quarterly Reports cover the information regarding the T&D System Initial Budget spending amounts and the information on federal funding activity required in the May 31st Resolution and Order, as modified by the July 16th Resolution and Order. Additionally, LUMA also submitted the Quarterly Reports in the dockets of Case No. NEPR-MI-2020-0019, *In Re: Review of the Puerto Rico Electric Power Authority’s System Remediation Plan*, and Case No. NEPR-MI-2021-0002, *In Re: Review of Puerto Rico Electric Power Authority’s 10 Year Infrastructure Plan*.

4. Relatedly, on May 8, 2023, this honorable Energy Bureau issued a Resolution and Order whereby it granted LUMA’s *Urgent Request for Additional Extension of Time to Submit Consolidated FY2024 Proposed Annual Budgets and for Modification of Procedural Calendar* filed on April 28, 2023 and extended the deadline for the submission for the FY2024 Proposed Annual Budgets until May 15, 2023.¹

5. The Report for the Third Quarter of Fiscal Year 2023 (“Q3 Report”) is due on the same date, that is, forty-five (45) days after Q3 closed on March 31, 2023. As explained herewith, LUMA needs a brief extension of time until May 22, 2023, to submit the Q3 Report.

6. As this Energy Bureau is aware, the preparation of the FY2024 Proposed Annual Budgets has involved efforts with Public-Private Partnerships Authority (“P3A”), the Puerto Rico Electric Power Authority (“PREPA”) and Genera PR LLC that have extended for the past three months and culminated in a Budget Allocation Determination issued by the P3A on May 1, 2023. To that end, the parties involved in the process continue to work towards developing a consolidated

¹ Through its Urgent Request, LUMA requested that the deadline be set for May 16, 2023.

budget for the Energy Bureau's consideration. Such efforts not only represent a considerable time investment but also the full attention of the dedicated operational team that is also in charge of producing the Q3 Report.

7. In light of the above, LUMA respectfully requests that the Energy Bureau extend, until May 22, 2023, the deadline for LUMA to file its Q3 Report. This request for additional time to submit the Q3 Report is submitted in good faith, considering delays in usual LUMA processes to complete the Quarterly Reports which derived from the manner in which the preparation of the FY2024 Proposed Annual Budgets has developed up to this point.

8. The intent behind this request is to allow LUMA to provide the Energy Bureau accurate, quality, and compliant information on Q3 Results.

WHEREFORE, LUMA respectfully requests that the honorable Bureau **take notice** of the aforementioned for all purposes; and **grant** LUMA an extension up to and including May 22, 2023, to submit the Q3 Report.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 10th day of May 2023.

I hereby certify that this motion was filed using the electronic filing system of this Energy Bureau. I also certify that copy of this motion will be notified to the Puerto Rico Electric Power Authority, through its attorneys of record: jmarrero@diazvaz.law and mvazquez@diazvaz.law and to Genera PR LLC, through brannen@genera-services.com; kbolanos@genera-services.law; regulatory@genera-services.law.



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