

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

NEPR Received: May 10, 2023 5:52 PM
--

IN RE:

REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S
SYSTEM REMEDIATION PLAN

CASE NO.: NEPR-MI-2020-0019

SUBJECT: Request for Extension to File
FY2023 Q3 Report

REQUEST FOR 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 June 23, 2021, this honorable Energy Bureau issued a Resolution and Order approving LUMA's proposed SRP (“June 23rd Order”). In Section IV, paragraphs 1 through 3 of the June 23rd Order, this honorable Energy Bureau directed that starting on September 15, 2021, LUMA shall file reports every two months on the implementation of the SRP that shall include:

- i. Actual spending amounts, broken down by spending initiative/portfolio, and reflecting in detail any variances from the System Remediation Plan;
- ii. A detail[ed] timeline per portfolio with sufficient detail to allow the Energy Bureau to assess project status for System Remediation Plan capital expenditures and operational initiatives; and
- iii. Any capital expenditure or operational initiatives that are behind schedule, compared to the initial System Remediation Plan timeframe and a detail[ed]

explanation as to the cause of the delay and the corrective actions implemented to prevent further delays, as applicable.

2. On August 25, 2021, the Energy Bureau issued a Resolution and Order (“August 25th Order”) modifying the bimonthly reporting requirement to a quarterly basis and establishing a filing due date for these reports of thirty (30) days following the close of the reported quarter.” See August 25th Order at p. 3. Then, on November 4, 2021, this Energy Bureau issued a Resolution and Order (the “November 4th Order”) establishing a filing due date for these reports of forty-five (45) days after each quarter closes. See November 4th Order at p. 2.

3. In compliance with the June 23rd Order as amended by the August 25th and November 4th Orders, 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”).

4. The Report for the Third Quarter of Fiscal Year 2023 (“Q3 Report”) is due on May 15, 2023, 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.

5. On May 8, 2023, this honorable Energy Bureau issued a Resolution and Order in the case entitled *In re: LUMA’s Initial Budgets*, Case No. NEPR-MI-2021-0004, 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 of the FY2024 Proposed Annual Budgets until May 15, 2023.¹

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

6. As this Energy Bureau is aware, the preparation of the FY2024 Proposed Annual Budgets has involved efforts with the 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 budget for the Energy Bureau’s consideration. Such efforts not only represent a considerable time investment but also require the full attention of LUMA’s 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 in person with the Puerto Rico Energy Bureau and that a stamped 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.



DLA Piper (Puerto Rico) LLC
500 Calle de la Tanca, Suite 401
San Juan, PR 00901-1969
Tel. 787-945-9107
Fax 939-697-6147

/s/ Ana Margarita Rodríguez Rivera
Ana Margarita Rodríguez Rivera
RUA Núm. 16,195
Ana.rodriquezrivera@us.dlapiper.com