

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

IN RE: IMPLEMENTATION OF THE
PUERTO RICO ELECTRIC POWER
AUTHORITY INTEGRATED RESOURCE
PLAN AND MODIFIED ACTION PLAN

CASE NO.: NEPR-MI-2020-0012

SUBJECT: Request for Confidential
Designation and Treatment

RESOLUTION

On April 28, 2023, the Puerto Rico Electric Power Authority (“PREPA”) filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) a document titled *Motion in Compliance with the April 24, 2023, Resolution and Order* (“April 28 Motion”). As part of its filing, PREPA requested confidential designation and treatment to the documents attached to the April 28 Motion, Annexes A and B.

On May 2, 2023, PREPA filed before the Energy Bureau a document titled *Motion to Supplement PREPA’s April 28 Motion in Compliance with the April 24th, 2023, Resolution and Order* (“May 2 Motion”). Through said Motion, PREPA informs that they have received further information from a Resource Provider on the Levelized Cost of Energy and Levelized Cost of Storage values for their projects for the Energy Bureau’s review and evaluation. PREPA asks the Energy Bureau to receive the information in Annex A as a supplement to the April 28 Motion. As part of its filing, PREPA requested confidential designation and treatment to the documents attached to the May 2 Motion, Annex A.

PREPA alleges that the information in Annexes A and B attached to the April 28 Motion and Annex A attached to the May 2 Motion reveal information about a deliberative process, incorporates trade or business secrets considered confidential under applicable law and have been requested by Resource Providers to be maintained in a confidential manner. Therefore, PREPA requests that the information in all three Annexes be maintained confidential.

Act 57-2014¹ establishes that any person having the obligation to submit information to the Energy Bureau, can request privilege or confidential treatment to any information that the party submitting understands deserves such protection.² Specifically, Act 57-2014 requires the Energy Bureau to treat as confidential the information submitted provided that “the Energy Bureau, after the appropriate evaluation, believes such information should be protected”.³ In this case, the Energy Bureau “shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted.”⁴

After a review of PREPA’s arguments and the applicable law, the Energy Bureau **GRANTS** confidential designation and treatment to Annexes A and B attached to the April 28 Motion and Annex A attached to the May 2 Motion, submitted under Article 6.15 of Act 57-2014.

Be it notified and published.

¹ Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended.


² Section 6.15 of Act 57-2014, as amended.


³ *Id.*

⁴ *Id.*




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 12, 2023. Chairman Edison Avilés Deliz did not intervene. I also certify that on May 12, 2023, a copy of this Resolution was notified by electronic mail to the following: laura.rozas@us.dlapiper.com, ana.rodriguezrivera@us.dlapiper.com; jmarrero@diazvaz.law and mvazquez@diazvaz.law. I also certify that today, May 12, 2023, I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today May 12, 2023.


Sonia Seda Gaztambide
Clerk

