

**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: Determination on PREPA's May
12 and May 16, 2023 Request for
Confidential Designation and Treatment.

RESOLUTION

On May 12, 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 to Submit Additional Energy Storage Service Agreements (ESSAs) for the Energy Bureau's Evaluation and Approval* ("May 12 Motion"). As part of its filing, PREPA requested confidential designation and treatment of the documents attached to the May 12 Motion, identified as Annex A.¹

On May 16, 2023, PREPA filed before the Energy Bureau a document titled *Motion to Submit Additional Amended June 30 PPOAS* ("May 16 Motion"). As part of its filing, PREPA requested confidential designation and treatment of the documents attached to the May 16 Motion, identified as Annex A.²

PREPA alleges that the information in Annex A attached to the May 12 Motion and Annex A attached to the May 16 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 both Annexes be maintained confidential.

Act 57-2014³ 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.⁴ 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".⁵ 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."⁶

After a review of PREPA's arguments and the applicable law, the Energy Bureau **GRANTS** confidential designation and treatment to Annex A attached to the May 12 Motion and Annex A attached to the May 16 Motion, submitted under Article 6.15 of Act 57-2014.

Be notified and published.

¹ May 12 Motion, p.4, ¶ 8.

² May 16 Motion, p.5, ¶ 12.

³ Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended.

⁴ Section 6.15 of Act 57-2014, as amended.


⁵ *Id.*

⁶ *Id.*





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 23, 2023. Chairman Edison Avilés Deliz and Associate Commissioner Lillian Mateo Santos did not intervene. I also certify that on May 23, 2023, a copy of this Resolution was notified by electronic mail to laura.rozas@us.dlapiper.com, ana.rodriguezrivera@us.dlapiper.com; jmarrero@diazvaz.law and mvazquez@diazvaz.law; and 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, on May 23, 2023.



Sonia Seda Gaztambide
Clerk

