

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

NEPR Received: May 26, 2023 2:26 PM
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IN RE: REVIEW OF LUMA’S INITIAL BUDGETS

CASE NO.: NEPR-MI-2021-0004

SUBJECT: The Puerto Rico Electric Power Authority’s Renewed Request for Extension of Time to File the FY2023 Q3 Report

**THE PUERTO RICO ELECTRIC POWER AUTHORITY’S RENEWED REQUEST
FOR EXTENSION OF TIME TO FILE THE FY2023 Q3 REPORT**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW the Puerto Rico Electric Power Authority (“PREPA”), through its counsel of record, and respectfully submits and prays as follows:

1. On February 27, 2023, the Energy Bureau for the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a *Resolution and Order* (“February 27 Order”) through which the Energy Bureau made a determination on the FY2023 annual budget and also included the pre-filing requirements for the FY2024 Annual Budgets.

2. The February 27 Order also included the following directive for Genera-PR, LLC (“Genera”):

- (i) file quarterly reports, beginning in Q3 FY 2023, detailing actual vs. budgeted Generation expenditures, including a breakout of NME expenditures, and to explain any variances between planned and actual; iii) describe and explain the cause of the variances, and to describe the impact on the expenditure programs listed in the approved budget, to the extent there are variances or in cases where NME funds are diverted to address maintenance and repair initiatives not listed in the approved budget.

February 27 Order at p. 28

3. After some procedural events, on May 16, 2023, the Energy Bureau, issued a *Resolution and Order* (“May 16 Order”), stating that since Genera's Commencement Date was extended to July 1, 2023, PREPA is the responsible party for filing t Third Quarter of Fiscal Year Report for Generation Report (“Q3 report”). Additionally, the Energy Bureau ordered LUMA and PREPA to submit the Q3 Report on or before May 22, 2023.

4. In parallel, on May 16, 2023, LUMA filed a document titled *Submission of Consolidated Annual Budget for Fiscal Year 2024 and Annual T&D Projections through Fiscal Year 2026* ("May 16 Motion"). The May 16 Motion included the FY2024 Budget Proposal for the Puerto Rico Energy System.

5. In response, on May 18, 2023, the Energy Bureau issued another *Resolution and Order* in the case of caption titled *Request for supporting documentation reflecting the Submission of Consolidated Annual Budgets for Fiscal Year 2024* (“May 18 Order”). The May 18 Order determined the Energy Bureau needed further information and supporting documentation to evaluate the FY2024 Budget Proposal. In what is pertinent to PREPA, the Energy Bureau directed PREPA to provide an Operating and Capital Expenditures Budget that reflected LUMA’s *"Annual Budget Summary"* for the proposed HydroCo¹ and HoldCo² budgets. After some procedural requests, the modified proposed HydroCo and HoldCo budgets were filed last night in compliance with the May 18 Order.

6. In regard to the Q3 Report, on May 22, 2023, PREPA filed a document titled *Puerto Rico Electric Power Authority’s Request for Additional Extension of Time to File the FY2023 Q3*

¹ The budget proposal for the hydroelectric generating units and the public irrigation facilities (the "Proposed HydroCo Budget")

² The budget proposal for PREPA and its subsidiaries other than GenCo and HydroCo (the, "Proposed HoldCo Budget")

Report, whereby PREPA's informed the Energy Bureau that due to employee attrition, PREPA's limited officials from the Operations and Finance offices, who provide the data and information in the case of caption were focused on complying with the May 18 Order, as well as fulfill their day to day work commitments, while also participating in numerous internal conferences and this week's Governing Board committees and meetings. Consequently, PREPA requested until today May 26, 2023, to submit the FY2023 Q3 Report.

7. PREPA respectfully informs the Energy Bureau that although it has compiled the necessary data and information to comply with the February 27 Order, as of today, the analysis and validation required for the Q3 Report is not complete. Consequently, PREPA requests the Honorable Energy Bureau to grant an additional three (3) business days to comply with the May 16 Order, i.e., until Thursday, June 1, 2023.

8. This Request for Extension is made in good faith, with no intention of delaying the Energy Bureau's processes, and due only to the fact that PREPA's limited personnel have been working tirelessly to comply with the alternate Energy Bureau's orders in this case of caption.

WHEREFORE, PREPA respectfully requests the Energy Bureau to **NOTE** the above; and **GRANT** an additional extension of time, until June 1, 2023, to submit the Q3 Report in compliance with the February 27 Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 26th day of May 2023.

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CERTIFICATE OF SERVICE

It is hereby certified that, on this same date, I have filed the above motion with the Office of the Clerk of the Energy Bureau using its Electronic Filing System at <https://radicacion.energia.pr.gov/login>, and a courtesy copy of the filing was sent to LUMA through its legal representatives at margarita.mercado@us.dlapiper.com and laura.rozas@us.dlapiper.com and to Genera-PR, LLC through its legal representatives jfr@sbgblaw.com; alopez@sbgblaw.com; legal@genera-pr.com; regulatory@genera-pr.com.

In San Juan, Puerto Rico, this 26th day of May 2023.

/s Joannely Marrero-Cruz
Joannely Marrero Cruz