

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

<b>NEPR</b>  <b>Received:</b>  <b>Jun 2, 2023</b>  <b>11:57 AM</b>
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**IN RE:** REVIEW OF LUMA’S INITIAL BUDGETS

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Motion to Submit the Puerto Rico Electric Power Authority’s FY2023 Q3 Report

**MOTION TO SUBMIT THE PUERTO RICO ELECTRIC  
POWER AUTHORITY’S 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 the Third Quarter of Fiscal Year Report for Generation Report (“Q3 report”).

4. In compliance with the February 27 and the May 16 orders, PREPA herein submits to the Energy Bureau the Q3 Report. Annex A. In regard to the variances between the planned and actual expenses, PREPA is currently working on a transfer of Necessary Maintenance Expenses, which will be reflected in the Fourth Quarter of Fiscal Year Generation Report (“Q4 report”). Also, the increment in costs is largely driven by the increase in material costs, and for example, in the case of San Juan unit 5 the requested or allocated funds in PREPA’s budget were initially greater and were later reduced.

5. PREPA remains available to answer any request for information issued by the Energy Bureau to further clarify the Q3 Report.

**WHEREFORE**, PREPA respectfully requests the Energy Bureau to **NOTE** the above; and, **FIND** PREPA in compliance with the February 27 and May 16 Orders.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 2<sup>nd</sup> day of June 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](mailto:margarita.mercado@us.dlapiper.com) and [laura.rozas@us.dlapiper.com](mailto:laura.rozas@us.dlapiper.com) and to Genera-PR, LLC through its legal representatives [jfr@sbgblaw.com](mailto:jfr@sbgblaw.com); [alopez@sbgblaw.com](mailto:alopez@sbgblaw.com); [legal@genera-pr.com](mailto:legal@genera-pr.com); [regulatory@genera-pr.com](mailto:regulatory@genera-pr.com).

In San Juan, Puerto Rico, this 2<sup>nd</sup> day of June 2023.

*/s Joannely Marrero-Cruz*  
Joannely Marrero Cruz

**Annex A**

*[Native version emailed to PREB for uploading to their website]*