



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

**IN RE:** PUERTO RICO ELECTRIC POWER  
AUTHORITY'S EMERGENCY RESPONSE  
PLAN



**CASE NO.:** NEPR-MI-2019-0006

**SUBJECT:** Filing of initial Genera PR Legacy  
Generation Emergency Response Plan.


**RESOLUTION AND ORDER**

  
  
Pursuant to the provisions of Act 57-2014,<sup>1</sup> the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") has jurisdiction over the Puerto Rico Electric Power Authority ("PREPA") and other electric service companies. Act 57-2014, clearly states it is public policy that all consumers have the right to a reliable and stable electric service.<sup>2</sup> Act 17-2019<sup>3</sup> broadened the Energy Bureau's authority and reinforced the foregoing public policy by declaring that "(t)he electric power system should be reliable and accessible, promote industrial, commercial, and community development, improve the quality of life at just and reasonable cost, and promote the economic development of the Island." In carrying out its jurisdiction, the Energy Bureau opened this instant docket for submittals of emergency plans for the electric system consistent with Section 6 of Act No. 83 of May 2, 1941 ("Act 83"), as amended.

**Background**

  
  
On January 24, 2023, the Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnership Authority ("P3A"), and Genera PR LLC ("Genera PR") entered into the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement ("Genera OMA") that provides for the operation and maintenance services ("O&M Services") of certain baseload generation plants and combustion turbine peaking units defined therein as "Legacy Generation Assets."<sup>4</sup> As an electric service company and the operator of the Legacy Generation Assets, Genera PR is subject to compliance with applicable statutory and regulatory requirements.

In regard to the Emergency Response Plan under the Genera OMA, Section 4(e) provides:

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e. Legacy Generation Emergency Response Plan. As soon as reasonably practicable, but not less than ninety (90) days, following the Effective Date, Operator shall develop in consultation with T&D Operator and submit to Administrator and PREB, for their information and approval, a plan of action that takes effect from the Service Commencement Date and outlines the procedures and actions necessary for responding to any Emergency affecting or reasonably likely emergency that could affect the Legacy Generation Assets after the Service Commencement Date (the "Legacy Generation Emergency Response Plan"), including fire, weather, environmental, health, safety and other potential emergency conditions, which Legacy Generation

On June 1, 2023, Genera PR submitted to the Energy Bureau, via email, the Emergency Response Plan developed pursuant to Section 4(e) of the Genera OMA.

<sup>1</sup> Puerto Rico Energy Transformation and RELIEF Act, as amended.

<sup>2</sup> *Id.*

<sup>3</sup> Known as the Puerto Rico Energy Public Policy Act.

<sup>4</sup> The execution copy of the OMA is available at [executed-consolidated-om-agreement-td.pdf \(pr.gov\)](#). (Last verified June 2, 2023).



## Conclusion

The Energy Bureau **ORDERS** Genera PR to file with the Energy Bureau no later than one (1) business day from the date of this Resolution and Order in the instant docket the Emergency Response Plan previously emailed to the Energy Bureau for its review.

The Energy Bureau **WARNS** Genera PR that:

- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
- (ii) any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
- (iii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000), at the discretion of the Energy Bureau.


Be it notified and published.

  
Edison Avilés Deliz  
Chairman

  
Lillian Mateo Santos  
Associate Commissioner

  
Ferdinand A. Ramos Soegaard  
Associate Commissioner

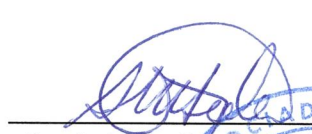
  
Sylvia B. Ugarte Araujo  
Associate Commissioner

  
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 June 6, 2023. I also certify that June 6, 2023a copy of this Resolution was notified by electronic mail to brannen@genera-services.com; kbolanos@genera-pr.com; regulatory@genera-pr.com; laura.rozas@us.dlapiper.com; ana.rodriguezrivera@us.dlapiper.com; jmarrero@diazvaz.law. I also certify that today, June 6, 2023, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today June 6, 2023.

  
Sonia Seda Gaztambide  
Clerk

