

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

**IN RE:** LUMA'S RESPONSE TO HURRICANE  
FIONA

**CASE NO.:** NEPR-MI-2022-0003

**SUBJECT:** LUMA's Updates on Stabilization  
Plan and Request for Confidential  
Treatment.

**RESOLUTION AND ORDER**

On October 12, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("October 12 Order"), ordering LUMA<sup>1</sup> to develop a stabilization plan, as a direct response to Hurricane Fiona, in coordination with the Federal Emergency Management Agency ("FEMA") and the Puerto Rico Electric Power Authority ("PREPA") to address any baseload generation inadequacy or shortfall that affects the dispatch availability and has the potential to cause load shedding or blackout event of the electric system ("Stabilization Plan"). The October 12 Order directed LUMA to submit on the 1<sup>st</sup> and 15<sup>th</sup> day of each month from the notice of the October 12 Order, an updated report addressing the efforts conducted by LUMA to assure the completion of the Stabilization Plan.<sup>2</sup>

On April 3, 2023, LUMA filed before the Energy Bureau a document title *Motion Submitting Tenth Update on Stabilization Plan and for Temporary Emergency Generation Capacity* ("April 3 Motion"), in which LUMA submitted the Tenth Update of the Stabilization Plan. In its April 3 Motion, LUMA requested confidential designation and treatment of parts of a document attached to the April 3 Motion. The document that has redacted parts is identified as Exhibit 1.

LUMA alleges that the document in Exhibit 1 has Critical Energy Infrastructure Information (CEII), and it should be protected from public disclosure. LUMA requests the Energy Bureau to grant confidential designation and treatment to the redacted parts of Exhibit 1.

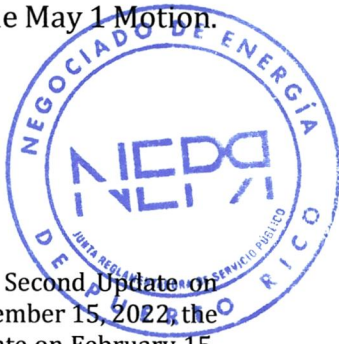
On April 17, 2023, LUMA filed before the Energy Bureau a document title *Motion Submitting Eleventh Update on Stabilization Plan and for Temporary Emergency Generation Capacity and Request for Confidential Treatment of Portions Thereof* ("April 17 Motion"), in which LUMA submitted the Eleventh Update of the Stabilization Plan. In its April 17 Motion, LUMA requested confidential designation and treatment of parts of a document attached. The document that has redacted parts and certain pictures under the seal of confidentiality is identified as Exhibit 1.

LUMA alleges that the document in Exhibit 1 has Critical Energy Infrastructure Information (CEII), and it should be protected from public disclosure. LUMA requests the Energy Bureau to grant confidential designation and treatment to the redacted parts of Exhibit 1.

On May 1, 2023, LUMA filed before the Energy Bureau a document title *Motion Submitting Twelfth Update on Stabilization Plan and for Temporary Emergency Generation Capacity and Request for Confidential Treatment of Portions Thereof* ("May 1 Motion"), in which LUMA submitted the Twelfth Update of the Stabilization Plan. In its May 1 Motion, LUMA requested confidential designation and treatment of parts of a document attached to the May 1 Motion. The document that has redacted parts is identified as Exhibit 1.

<sup>1</sup> LUMA Energy, LLC and LUMA Servco, LLC (collectively, "LUMA").

<sup>2</sup> LUMA submitted the First Update on the Stabilization Plan on October 31, 2022, the Second Update on November 15, 2022, the Third Update on December 1, 2022, and the Fourth Update on December 15, 2022, the Fifth update on January 17, 2023, the Sixth Update on February 1, 2023, the Seventh Update on February 15, 2023, the Eighth Update on March 1, 2023, the Ninth Update on March 15, 2023.





LUMA alleges that the document in Exhibit 1 has Critical Energy Infrastructure Information (CEII), and it should be protected from public disclosure. LUMA requests the Energy Bureau to grant confidential designation and treatment to the redacted parts of Exhibit 1.

On May 15, 2023, LUMA filed before the Energy Bureau a document title *Motion Submitting Thirteenth Update on Stabilization Plan and for Temporary Emergency Generation Capacity and Request for Confidential Treatment of Portions Thereof* ("May 15 Motion"), in which LUMA submitted the Thirteenth Update of the Stabilization Plan. In its May 15 Motion, LUMA requested confidential designation and treatment of parts of a document attached to the May 15 Motion. The document that has redacted parts is identified as Exhibit 1.

LUMA alleges that the document in Exhibit 1 has Critical Energy Infrastructure Information (CEII), and it should be protected from public disclosure. LUMA requests the Energy Bureau to grant confidential designation and treatment to the redacted parts of Exhibit 1.

On June 1, 2023, LUMA filed before the Energy Bureau a document title *Motion Submitting Fourteenth Update on Stabilization Plan and for Temporary Emergency Generation Capacity and Request for Confidential Treatment of Portions Thereof* ("June 1 Motion"), in which LUMA submitted the Fourteenth Update of the Stabilization Plan. In its June 1 Motion, LUMA requested confidential designation and treatment of parts of a document attached to the June 1 Motion. The document that has redacted parts is identified as Exhibit 1.

LUMA alleges that the document in Exhibit 1 has Critical Energy Infrastructure Information (CEII), and it should be protected from public disclosure. LUMA requests the Energy Bureau to grant confidential designation and treatment to the redacted parts of Exhibit 1.

On June 15, 2023, LUMA filed before the Energy Bureau a document title *Motion Submitting Fifteenth Update on Stabilization Plan and for Temporary Emergency Generation Capacity and Request for Confidential Treatment of Portions Thereof* ("June 15 Motion"), in which LUMA submitted the Fifteenth Update of the Stabilization Plan. In its June 15 Motion, LUMA requested confidential designation and treatment of parts of a document attached to the June 15. The document that has redacted parts is identified as Exhibit 1.

LUMA alleges that the document in Exhibit 1 has Critical Energy Infrastructure Information (CEII), and it should be protected from public disclosure. LUMA requests the Energy Bureau to grant confidential designation and treatment to the redacted parts of Exhibit 1.

Act 57-2014<sup>3</sup> 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.<sup>4</sup> 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".<sup>5</sup> In such 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."<sup>6</sup>

Upon review of LUMA's arguments and the applicable law, the Energy Bureau **GRANTS** confidential designation and treatment to the redacted parts of Exhibit 1 attached to the April 3 Motion, Exhibit 1 attached to the April 17 Motion, Exhibit 1 attached to the May 1 Motion, Exhibit 1 attached to the May 15 Motion, Exhibit 1 attached to the June 1 Motion and Exhibit 1 attached to the June 15 Motion, under Article 6.15 of Act 57-2014.

<sup>3</sup> Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended.

<sup>4</sup> Section 6.15 of Act 57-2014, as amended.

<sup>5</sup> *Id.*

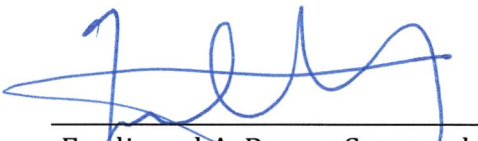
<sup>6</sup> *Id.*



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 28, 2023. I also certify that June 30, 2023a copy of this Resolution and Order was notified by electronic mail to margarita.mercado@us.dlapiper.com; jmarrero@diazvaz.law; ana.rodriquezrivera@us.dlapiper.com; I also certify that today, June 30, 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 30, 2023.

  
Sonia Seda Gaztambide  
Clerk

