

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

MIGUELINA MERCEDES  
**PETITIONER**

v.

SUNNOVA ENERGY INTERNATIONAL, INC.  
**RESPONDENT**

**CASE NO.:** NEPR-QR-2023-0052

**SUBJECT:** Final Resolution and Order.



**FINAL RESOLUTION AND ORDER**

On April 13, 2023, Miguelina Mercedes (the "Petitioner") filed a *Complaint* before the Puerto Rico Energy Bureau ("Energy Bureau") against Sunnova Energy International, Inc. ("Sunnova"), through which it sought to be relieved of an alleged invalid contract. On April 14, 2023, the Energy Bureau issued the Summons, in accordance with Section 3.03 of Regulation 8543.<sup>1</sup>

Section 3.05(A)(1) of Regulation 8543 states that on or before the period of fifteen (15) days after having filed the claim giving rise to the adjudicative action or proceeding before the Energy Bureau, the summons issued by the Energy Bureau shall be sent to the petitioned company via certified mail, along with a true and exact copy of the filed claim, including all annexes, if any. Further, Section 3.05(A)(4) of Regulation 8543 specifies that on or before the period of ten (10) days of having notified the petitioned electric service company of the claim initiated against them, petitioner shall inform the Energy Bureau of this through motion. In addition, Section 12.01 of Regulation 8543 states that the Energy Bureau may issue any order or resolution it deems necessary to compel compliance with any law and to enforce its rules, regulations, orders, and decisions.

Not having complied with the terms previously identified, on June 1, 2023, the Energy Bureau granted the petitioner fifteen (15) days to show cause as to why the present Complaint should not be dismissed, in accordance with Section 12.01 of Regulation 8543 ("June 1 Order"). The referenced Order was notified on June 2, 2023. Hence, the petitioner had until June 19, 2023 to comply with the order to show cause issued by the Energy Bureau.<sup>2</sup>

The petitioner has not yet complied with the June 1 Order. Therefore, as a result of the petitioner's noncompliance, the Energy Bureau **DISMISSES** the present case and **ORDERS** its closing and filing.

Any party adversely affected by this Final Resolution and Order may file a motion for reconsideration before the Energy Bureau, pursuant to Section 11.01 of Regulation 8543 and the applicable provisions of Act 38-2017, as amended, known as the Uniform Administrative Procedure Act of the Government of Puerto Rico ("LPAU", for its Spanish acronym). Said motion must be filed within twenty (20) days from the notification date of this Final Resolution and Order. Such request must be filed at the Energy Bureau Clerk's Office, located at the World Plaza Building, 268 Muñoz Rivera Ave., San Juan, PR 00918. Copy of the motion as filed must be sent by email to all parties notified of this Final Resolution and Order within the twenty (20) days established herein.

The Energy Bureau shall have fifteen (15) days from the date on which such motion is filed to consider it. Should the Energy Bureau reject it forthright or fails to act upon it within said period of fifteen (15) days, the term to seek judicial review shall begin on the date in which the Energy Bureau notifies such denial or the date in which said fifteen (15) day term expires,

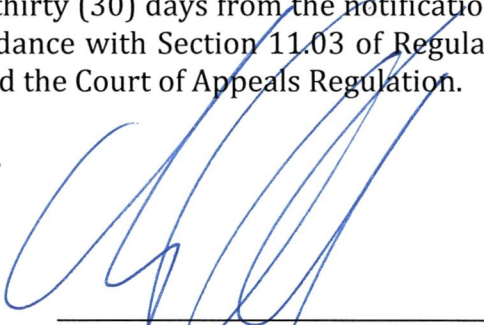
<sup>1</sup> *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, approved on December 18, 2014 ("Regulation 8543").

<sup>2</sup> The period granted to the petitioner ended on Saturday, June 17, 2023. Thus, said period was extended until Monday, June 19, 2023, in accordance with Section 1.09 of Regulation 8543.


whichever occurs first. If the Energy Bureau considers the motion, the term to seek judicial shall commence from the notification date of such determination. Such resolution shall be issued and filed in the record within ninety (90) days after the motion for reconsideration has been filed. If the Energy Bureau considers the motion to reconsider but takes no action regarding said motion within ninety (90) days of its filing, it shall lose jurisdiction on the motion and the term to seek judicial review shall commence upon the expiration of said ninety (90) day term, unless the Energy Bureau, for just cause and within those ninety (90) days, extends the term to resolve for a period that shall not exceed thirty (30) days.

In the alternative, any affected party may file a petition for review before the Court of Appeals within a term of thirty (30) days from the notification date of this Final Resolution and Order. This in accordance with Section 11.03 of Regulation 8543, and the applicable provisions of the LPAU and the Court of Appeals Regulation.

Be 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 so agreed on June 27, 2023. I further certify that on June 30, 2023, I have proceeded with the filing of this Final Resolution and Order in relation to Case No. NEPR-QR-2023-0052, and that it was notified by email to: [mmiguelina@hotmail.com](mailto:mmiguelina@hotmail.com), and by regular mail to:

**Miguelina Mercedes**  
378 Pennsylvania Ave., Apt. 2B  
Brooklyn, NY 11207-4148

For the record, I sign this in San Juan, Puerto Rico, today, June 30, 2023.

  
Sonia M. Seda Gaztambide  
Clerk

