

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

**NEPR**

**Received:**

**Jul 7, 2023**

**4:01 PM**

**IN RE:** REVIEW OF LUMA'S INITIAL BUDGETS

**CASE NO.:** NEPR-MI-2021-0004

**SUBJECT:** Second Motion to Submit PREPA's Contracts for Professional and Technical Services in Compliance with Portion of the June 25 Order and Urgent Request for Approval

**SECOND MOTION TO SUBMIT PREPA'S CONTRACTS FOR PROFESSIONAL AND TECHNICAL SERVICES IN COMPLIANCE WITH PORTION OF THE JUNE 25 ORDER AND URGENT REQUEST FOR APPROVAL**

**COMES NOW** the Puerto Rico Electric Power Authority ("PREPA"), through its counsel of record, and respectfully submits and requests as follows:

1. On May 16, 2023, LUMA <sup>1</sup> filed a document titled *Submission of Consolidated Annual Budgets for Fiscal Year 2024 and Proposed Annual T&D Projections Through Fiscal Year 2026* ("May 16 Motion") for the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau" or "PREB") review and approval. The May 16 Motion included the following budget components: (i) the proposed T&D budget developed by LUMA, (ii) the proposed generation budget developed by Genera PR, LLC ("Genera") on behalf of the PREPA, for the PREPA subsidiary GENCO LLC ("GenCo"), and (iii) the proposed Budget developed by PREPA for its holding company, HoldCo, and its subsidiaries PREPA HydroCo LLC ("HydroCo") and PREPA PropertyCo, LLC ("PropertyCo").

2. On June 25, 2023, after a series of procedural events, including a technical conference and various submissions including responses to the Energy Bureau's requests for information, the Energy Bureau entered *Resolution and Order* issuing a determination on the FY24 Annual Budgets

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<sup>1</sup> LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as, "LUMA").

for the electric utility system including the budgets for LUMA Energy, LLC and LUMA ServCo, LLC (collectively, “LUMA”), Genera-PR, LLC (“Genera”) and PREPA ( “June 25 Order”).

3. The June 25 Order included a series of orders to PREPA. In what is pertinent to this motion, the Energy Bureau ordered PREPA to “To file with the Energy Bureau for review and approval, any new contract or amendment to an existing contract, prior to executing or making any award of such contract or amendment”. See June 25 Order at p. 31.

4. Pursuant to the June 25 Order, PREPA herein submits to the Energy Bureau a list of twenty-four (24) contracts between PREPA and multiple contractors. See, Annex A. PREPA also includes the following link to a sharefile with copies of each listed contract for the Energy Bureau’s review and approval:

[0157-20230707- Second Group of PREPA Contracts for PREB Approval](#)

5. PREPA respectfully submits that these contracts were executed before submittal to the Energy Bureau due to error or inadvertence of PREPA’s legal affairs office who acted in the ordinary course of business of PREPA’s procurement processes, to not disrupt the services required by PREPA. PREPA respectfully requests this Energy Bureau to accept this motion, review and approve the contracts submitted herein and not fine or sanction PREPA, as there was no intention of disregarding the Energy Bureau’s June 25 Order. This list of 24 contracts is the last of the contracts executed for FY 2024 prior to submittal to PREB.

6. PREPA restates its commitment to comply with all PREB’s directives. Going forward, PREPA will include the action item to submit all new or amendments to any PREPA contract to PREB prior to their respective execution in its internal processes for contract execution.

7. It is imperative for PREPA that the Energy Bureau review and approve the contracts attached to this motion in Annex A, as these contractors provide PREPA legal, security, technical,

and financial services in connection to PREPA's day-to-day operational activities, which are required for PREPA's continued operations.

**WHEREFORE**, PREPA respectfully requests the Energy Bureau to take **NOTICE** of the information provided in compliance with the June 25 Order and **APPROVE** the twenty-four (24) contracts as submitted for review and approval.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 7<sup>th</sup> day of July 2023.

*/s Maralíz Vázquez-Marrero*  
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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 7<sup>th</sup> day of July 2023.

/s Joannely Marrero-Cruz  
Joannely Marrero Cruz

Annex A

CONTRACTOR	SERVICES TO PROVIDE	PROPOSED AMOUNT
Cavanaugh Macdonald Consulting LLC (2024-P00003)	The Consultant will assist PREPA, among other matters, providing actuarial consulting services to PREPA and Employee's Retirement System	\$ 107,800.00
CCG Consultants LLC. (2024-P00008)	The Consultant will assist PREPA, among other matters, providing consulting services and solutions to possible security risks in PREPA facilities.	\$ 100,000.00
CPM PR, LLC. (2023-P00022)	The Consultant will assist PREPA, among other matters, providing professional and consulting services in compliance with the Environmental Planning and Historic Preservation Program Management Support of the Federal Emergency Management Agency.	Time extension
EDR Solutions LLC. (2024-P00007)	The Consultant will assist PREPA, among other matters, providing communication services, news analysis, media and social media management, and public relations services.	\$ 300,000.00
Elda Magaly Rodriguez Cora (2024-P00004)	The Consultant will assist PREPA, among other matters, providing professional services required in connection with disciplinary cases arising under Article XLI, Disciplinary Procedure, Collective Bargaining Agreement between UTIER and PREPA.	\$ 35,000.00
Fusionworks Inc. (2024-P00010)	The Consultant will assist PREPA, among other matters, providing financial advisory services.	\$ 478,200.00
Galindez, LLC. (2024-P00006)	The Consultant will assist PREPA, among other matters, by providing financial advisory services.	\$ 999,300.00
Génesis Security Services Inc. (2023-P00077)	The contractor will provide PREPA with security services at its facilities in the southern area.	\$ 5,642,612.56
Génesis Security Services Inc. (2023-P00084A)	The contractor will provide PREPA with security services at its facilities in the northern area.	\$ 5,907,265.73
Global Consultas Asociados (2023-P00009)	The Consultant will assist PREPA, among other matters, providing legal representation in eminent domain cases, appraisals and surveying of properties, and acquisition of land rights.	\$ 240,000.00
Guzman Co. CPA's LLC. (2024-P00005)	The Consultant will assist PREPA, among other matters, providing professional consulting services to support PREPA in its Accounting reconciliation processes	\$ 1,300,000.00
José Enrique Ruiz Vázquez	Lease of warehouse building.	\$ 159,999.96

Nexvel Consulting LLC. (2024-P00002)	The Consultant will assist PREPA, among other matters, providing professional services in the preparation of financial statements and cash management statements.	\$ 259,200.00
Prime Counselors PSC. (2022-P00106A)	The Consultant will assist PREPA, among other matters, providing legal services, legal opinions, review and drafting of laws	\$ 230,000.00
Ramon Mendoza Rosario (2022-P00102A)	The Consultant will assist PREPA, among other matters, providing legal services.	\$ 75,000.00
Ricoh Puerto Rico	General Services Administration Contract - Equipment Lease Agreement	\$ 115,037.18
Ruth Hilda Garcia Cintron (2024-P00001)	The Consultant will assist PREPA, among other matters, providing support in the review and approval of payment to beneficiaries of retirees.	\$ 69,088.50
Sargent & Lundy (2023-P00083B)	The Consultant will assist PREPA, among other matters, providing technical advisory services to perform Environmental Site Assessments - Phase 1 Studies.	Time Extension
Sargent & Lundy Puerto Rico LLC (2024-P00012)	The Consultant will assist PREPA, among other matters, providing professional strategic and technical advisory services to assist PREPA during the Renewable Energy Generation and Energy Storage Resources - Tranche 1 Process.	\$ 500,000.00
Sargent & Lundy Puerto Rico LLC. (2023-P00011)	The Consultant will assist PREPA, among other matters, providing the required technical advisory staff to fully support services for financial and contract support and execution of the GASB 83 retirement obligations.	\$ 500,000.00
Sargent Lundy Puerto Rico LLC. (2022-P00007D)	The Consultant will assist PREPA, among other matters, in providing preparation and submission of specific deliverables related to implementing a Section 404 Hazard Mitigation Project, Section 406 Hazard Mitigation Work or a Section 428 Project.	\$ 1,485,000.00
Siemens Industry Inc. (2023-P00091A)	The Consultant will assist PREPA, among other matters, providing necessary and appropriate professional technical advisory, engineering support, and consulting services to support PREPA's electrical system.	\$ 1,000,000.00
Victor Manuel Ruiz Perez (2022-P00103A)	The Consultant will assist PREPA, among other matters, providing technical advice in the field of electrical engineering and appearances before the Courts.	\$ 170,000.00
Witt O'Brien's PR LLC. (2023-P00108A)	The Consultant will assist PREPA, among other matters, providing appropriate professional technical advisory, and consulting services to support PREPA in Disaster Recovery Project Formulation in compliance with FEMA.	\$ 2,000,000.00