

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

**NEPR**

**Received:**

**Jul 10, 2023**

**10:53 PM**

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

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

**SUBJECT:** Motion to Submit Hydro Co's NME Works Proposed for Federal Funding in Compliance with Portion of the June 25 Order

**MOTION TO SUBMIT HYDRO CO'S NME WORKS PROPOSED FOR FEDERAL FUNDING IN COMPLIANCE WITH PORTION OF THE JUNE 25 ORDER**

**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") 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

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

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 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 File with the Energy Bureau,

on or before fifteen (15) days from the issuance of the Resolution and Order, true and exact copies of any documents, information, scopes of works, application packages or petitions (approved or in draft) which are seeking federal funding for works to be conducted by HydroCo (both hydroelectric unites or sites and irrigation infrastructure or sites) in order for the Energy Bureau to validate the prudence of the NME budgets hereby **conditionally approved** by the Energy Bureau.

4. In compliance with the June 25 Resolution and Order, PREPA herein submits to the Energy Bureau exact copies of all documents pertaining to the hydroelectric fleet for which PREPA has or will submit approval for federal funding. *See*, Exhibit A. Exhibit A includes information on the dams, reservoir dredging projects, hydroelectric systems<sup>2</sup>.

**WHEREFORE**, PREPA respectfully requests the Energy Bureau to take **NOTICE** of the information provided in compliance with the June 25 Order and **APPROVE** the HydroCo NME budget.

**RESPECTFULLY SUBMITTED.**

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<sup>2</sup> Documents included as Exhibit A, have been submitted in a redacted manner due to containing Critical Energy Infrastructure Information (CEII), in compliance with the Energy Bureau's Policy on Management of Confidential Information as established in case CEPR-MI-2016-0009 dated August 31, 2016, PREPA will submit a Memorandum of Law in Support of Confidentiality Request on or before the next ten (10) days.

In San Juan, Puerto Rico, this 10<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 10<sup>th</sup> day of July 2023.

*/s Joannely Marrero-Cruz*  
Joannely Marrero Cruz

Exhibit A

**I. Hydro- FY2024 NME Budget**