

**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 Update on Stabilization
Plan and Request for Confidential
Treatment of Portions Thereof.

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 LUMA¹ 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 1st and 15th 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.

On July 3, 2023, LUMA filed before the Energy Bureau a document title *Motion Submitting Sixteenth Update on Stabilization Plan and for Temporary Emergency Generation Capacity and Request for Confidential treatment of Portions Thereof* ("July 3 Motion"), in which LUMA submitted the Sixteenth Update of the Stabilization Plan. In its July 3 Motion, LUMA requested confidential designation and treatment of certain sections of Exhibit 1 of the July 3 Motion.

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

Act 57-2014² 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.³ 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".⁴ 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."⁵

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

Be it notified and published.

¹ LUMA Energy, LLC and LUMA ServCo, LLC (collectively, "LUMA").

² Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended.

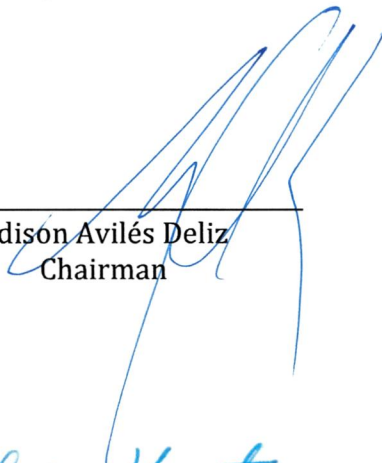
³ Section 6.15 of Act 57-2014, as amended.

⁴ *Id.*

⁵ *Id.*



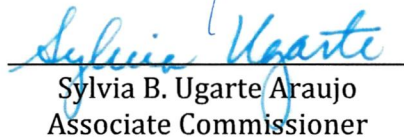
Be it notified and published.



Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on July 12 2023. Associate Commissioner Ferdinand A. Ramos Soegaard did not intervene. Also certify that on July 12 2023, I proceeded with the filing of this Resolution and Order and was notified by email to: margarita.mercado@us.dlapiper.com; jmarrero@diazvaz.law; ana.rodriguezrivera@us.dlapiper.com.

For the record, signed in San Juan, Puerto Rico, today, July 12, 2023.



Sonia Seda Gaztambide
Clerk

