

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

IN RE: 10-YEAR PLAN FEDERALLY
FUNDED COMPETITIVE PROCESS

CASE NO.: NEPR-MI-2022-0005

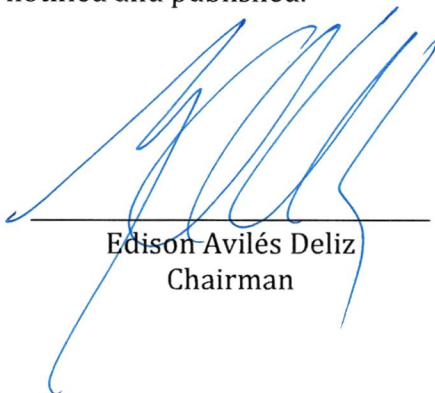
SUBJECT: Resolution and Order regarding *Motion Requesting Order to Affirm Genera PR's Exclusive Responsibility in Managing and Decision-Making for Ongoing Public Procurement Processes and Facilitation of Related Documentation Transfer*, filed by Genera PR, LLC.

RESOLUTION AND ORDER

On July 6, 2023, Genera PR, LLC ("Genera") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion Requesting Order to Affirm Genera PR's Exclusive Responsibility in Managing and Decision-Making for Ongoing Public Procurement Processes and Facilitation of Related Documentation Transfer* ("July 6 Motion"). Through its July 6 Motion, Genera requested that the Energy Bureau issue an order clarifying its exclusive responsibility in managing, leading, and deciding on matters pertaining the black-start and emergency units being procured in requests for proposals ("RFPs") 3784 and 3800, pursuant to Sections 4.7(b), 5.1, and 5.8(c) of the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("LGA OMA").¹ Additionally, Genera requested the Energy Bureau to order HoldCo to transfer all documentation related to the RFPs to Genera promptly.²

Upon review of the July 6 Motion, the Energy Bureau **DETERMINES** that, given the LGA OMA and the transition of responsibilities assumed on July 1, 2023, Genera is the sole entity responsible for managing, leading, and deciding on RFPs 3784 and RFP 3800. The Energy Bureau **WARNS** Genera that, as these are ongoing RFPs in advanced stages, it must move forward with completing this process without delay. Genera cannot issue new RFPs nor amend existing RFPs, unless a duly justified request to that effect is approved by the Energy Bureau. The Energy Bureau **ORDERS** the Puerto Rico Electric Power Authority ("PREPA") to transfer on or before **Thursday, July 20, 2023**, all documentation related to both RFPs to Genera's designated representative as per identified in the July 6 Motion.

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

¹ July 6 Motion, pp. 7, 10, ¶¶ 19, 27.

² *Id.*, p. 10, ¶ 27.



CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on July 13, 2023. Associate Commissioner Ferdinand A. Ramos Soegaard did not intervene. Also certify that on July 13, 2023, I have proceeded with the filing of this Resolution and Order and was notified by email to mvazquez@diazvaz.law; jmarrero@diazvaz.law; brannen@genera-services.com; kbolanos@genera-pr.com; regulatory@genera-pr.com; jfr@sbgblaw.com; alopez@sbgblaw.com. I also certify that on July 13, 2023, I have -moved forward with filing the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign in San Juan, Puerto Rico, today, July 13, 2023.



Sonia Seda Gaztambide
Clerk

