

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

IN RE:

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN-
DECEMBER 2020

CASE NO. NEPR-MI-2021-0002

**SUBJECT: Motion in Compliance with Resolution
and Order of July 10, 2023**

NEPR

Received:

Jul 17, 2023

10:29 PM

MOTION IN COMPLIANCE WITH RESOLUTION AND ORDER OF JULY 10, 2023

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”), and **LUMA Energy Servco, LLC** (“ServCo”) (jointly referred to as the “Operator” or “LUMA”), through the undersigned counsel, and respectfully state and request the following:

1. On March 26, 2021, this Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order in the instant proceeding (the “March 26th Order”), ordering—in pertinent part—that the Puerto Rico Electric Power Authority (“PREPA”) submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency (“FEMA”) funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency (“COR3”), FEMA or any other federal agency. *See* March 26th Order on pages 18-19. This Energy Bureau thereafter determined that this directive applied to both PREPA and LUMA. *See* Resolution and Order of August 20, 2021 (“August 20th Order”) on page 3.

2. On June 28, 2023, LUMA filed an *Informative Motion on Proposal Under Program 40101(c): Grid Resiliency Grants of the U.S. Department of Energy* (“June 28th Motion”). LUMA included its proposal of the Underground Transmission Hardening for Enhanced Resilience project

and requested the Energy Bureau to take notice of its plans to submit the aforementioned proposal under Program 40101(c) of the U.S. Department of Energy. Further, LUMA included a project budget breakdown by role, assigning a portion to LUMA's Portion Cost-Share.

3. On July 10, 2023, the Energy Bureau entered a Resolution and Order (“July 10th Order”) directing LUMA to provide, within the next five (5) days, the following information:

- (i) submit to the Energy Bureau the sources for the LUMA Portion Cost-Share as described in Table 1 of the Resolution and Order,
- (ii) explain if such a budget is included as part of the FY 24 Budget, and
- (iii) explain how foresees that such a budget could be allocated for FY25, FY26, FY27, and FY28.

4. In compliance with the July 10th Order, LUMA hereby submits as Exhibit 1 to this Motion its responses to the requests for information issued by the Energy Bureau.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, and **deem** LUMA complied with the July 10th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, the 17th of July 2023.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau and that we will send an electronic copy of this Motion to counsel for PREPA Joannely Marrero, jmarrero@diazvaz.law.



DLA Piper (Puerto Rico) LLC

500 Calle de la Tanca, Suite 401

San Juan, PR 00901-1969

Tel. 787-945-9107

Fax 939-697-6147

/s/ Margarita Mercado Echegaray

Margarita Mercado Echegaray

RUA NÚM. 16,266

margarita.mercado@us.dlapiper.com

/s/ Yahaira De la Rosa Algarín

Yahaira De la Rosa Algarín

RUA NÚM. 18,061

yahaira.delarosa@us.dlapiper.com

Exhibit 1



Underground Transmission Hardening for Enhanced Resilience

NEPR-MI-2021-0002

Responses to July 10, 2023, Requests

July 17, 2023

List of Responses and Attachments

Response ID	Document Type	Response Subject
RFI-LUMA-MI-2021-0002-20230710-PREB-#001	Response	Budget breakdown of the project

Underground Transmission Hardening for Enhanced Resilience

NEPR-MI-2021-0002

Response: RFI-LUMA-MI-2021-0002-20230710-PREB-#001

SUBJECT

Budget Breakdown of the Project

REQUESTS

- I. Submit to the Energy Bureau the sources for the LUMA portion Cost-Share as described in Table 1 of this Resolution and Order,
- II. Explain if such budget is included as part of the FY24 budget, and
- III. Explain how LUMA foresees that such budget could be allocated for FY25, FY26, FY27, and FY28

RESPONSES

- I. The LUMA portion Cost-Share referred to in Table 1 of LUMA's proposal represents the cost-share that is responsibility of the Government of Puerto Rico for Department of Energy grants, similar to the Government of Puerto Rico's cost-share responsibility when other sources of federal funding are used. LUMA is working closely with the Government of Puerto Rico to determine availability of funding to be used to cover the respective cost-share if grants are awarded.
- II. Considering grants had not yet been awarded when the FY24 budget was developed, the project's budget was not included within the FY24 Budget proposal.
- III. Below is an initial estimate of how the funds could be allocated for FY24-FY28, dependent on receiving the grant, and the ensuing determinations by the Department of Energy.

RESPONSES TO JULY 10, 2023, RESOLUTION REQUESTS

Fiscal Year	Federal	Cost Share
FY2024	\$11M	\$11M
FY2025	\$13M	\$13M
FY2026	\$29M	\$29M
FY2027	\$23M	\$23M
FY2028	\$13M	\$13m
TOTAL	\$89M	\$89M