

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

NEPR Received: Jul 24, 2023 11:31 PM

IN RE:

REVIEW OF LUMA’S INITIAL BUDGET

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Urgent Request for Extension of Time to Submit Response in Compliance with Resolution and Order dated June 25, 2023

URGENT REQUEST FOR EXTENSION OF TIME TO SUBMIT RESPONSE IN COMPLIANCE WITH RESOLUTION AND ORDER DATED JUNE 25, 2023

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ through its counsels of record, and respectfully state and request the following:

1. On May 16, 2023, LUMA² filed a document with the Energy Bureau of the Puerto Rico Service Regulatory Board (“Energy Bureau”) titled *Submission of Consolidated Annual Budgets for Fiscal Year 2024 and Proposed Annual T&D Projections Through Fiscal Year 2026* (“May 16 Motion”), in which LUMA submitted the proposed T&D Budgets developed by LUMA, the proposed GenCo Budgets revised by Genera on behalf of PREPA for the PREPA subsidiary GenCo LLC, and the proposed budget developed by PREPA for its holding company, HoldCo, and its subsidiaries PREPA HydroCo LLC and PREPA Property Co, LLC.³

¹Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority (“P3 Authority”) and Genera, Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before PREB concerning any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

² LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as “LUMA”).

³ The May 16 Motion included a document titled *Annual Budgets, Fiscal Years 2024 to 2026* (“Proposed Consolidated FY24 Budget”), which contained the aforementioned budget components and other expenditures.

2. After several procedural events, on June 25, 2023, the Energy Bureau issued a Resolution and Order titled *Determination on the FY24 Annual Budgets for the Electric Utility System – LUMA, Genera, and PREPA* ("June 25th Order") through which it modified the Proposed Consolidated Fiscal Year 2024 Budget submitted by LUMA and approved the modified budgets subject to compliance with various orders included in the June 25th Order.

3. In the June 25th Order, the Energy Bureau issued several orders to Genera, each with varying deadlines.⁴ Pertinent to this motion, the Energy Bureau ordered Genera to:

[D]evelop a list of needed spare parts not currently in inventory or not included in the approved FY24 GenCo budget as stated in this Resolution and Order, and to develop estimated budget and procurement targets and timelines for establishing a spare parts inventory that will improve overall availability and performance of the legacy thermal generators. This list shall be provided to the Energy Bureau **within thirty (30) days of the date of issuance [of] this Resolution and Order**, and Genera is further ORDERED to address needed spare parts inventory in the upcoming rate case filing.⁵

4. Genera has diligently worked on the requested spare parts list since the Energy Bureau issued the June 25th Order. Despite its efforts, Genera will require an extension of time, **until August 2, 2023**, to submit the requested spare parts list. Genera respectfully informs the Energy Bureau that the extension is requested in good faith and with the sole purpose of allowing Genera to fully comply with the June 25th Order regarding the spare parts list. As previously mentioned, the June 25th order includes multiple directives directed to Genera, which require the input and collaboration of various components of Genera's operations. These include company officers who have been faced with the difficult task of managing certain significant situations that have occurred since Genera's Service Commencement Date of July 1, 2023.

⁴ See June 25th Order, pp. 16 – 21.

⁵ See June 25th Order, p. 18.

WHEREFORE, Genera respectfully requests that this Honorable Energy Bureau **take notice** of the above for all purposes and **grant** Genera an extension of time, until August 2, 2023, to comply with the June 25th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 24th day of July 2023.

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CERTIFICATE OF SERVICE

We hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that we will send an electronic copy of this motion to Joannely Marrero-Cruz, at jmarrero@diazvaz.law; Maralíz Vázquez-Marrero, at mvazquez@diazvaz.law; Margarita Mercado Echegaray, at margarita.mercado@us.dlapiper.com; and Ana Margarita Rodríguez Rivera, at ana.rodriguezrivera@us.dlapiper.com.

In San Juan, Puerto Rico, this 24th day of July 2023.

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez