

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

<b>NEPR</b>
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IN RE: REVISIÓN DEL PROGRAMA  
COMPRESIVO DE MANEJO DE  
VEGETACIÓN DE LA AUTORIDAD DE  
ENERGÍA ELÉCTRICA

**CASE NO. NEPR-MI-2019-0005**

**SUBJECT: Motion Submitting Comments to  
Attachment H of Resolution and Order dated  
June 25, 2023 in Docket No. NEPR-MI-2021-  
0004**

**MOTION SUBMITTING COMMENTS TO ATTACHMENT H OF  
RESOLUTION AND ORDER DATED JUNE 25, 2023 IN DOCKET NO.  
NEPR-MI-2021-0004**

**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 May 15, 2023, LUMA submitted to this Energy Bureau in the proceeding captioned *In Re: Review of LUMA’s Initial Budgets*, Case No. NEPR-MI-2021-0004, the proposed Budgets for the Puerto Rico Energy System which are comprised of the proposed budget for the Transmission and Distribution System (“Proposed Annual T&D Budgets”), developed by LUMA; the budget proposal for the legacy thermal generation units (the “GenCo Budget”), the budget proposal for the hydroelectric generating units and the public irrigation facilities (the “HydroCo Budget”) and the budget proposal for PREPA and its subsidiaries other than GenCo and HydroCo (the, “HoldCo Budget”) (collectively referred to as the “System Annual Budgets”). *See Submission of Consolidated Annual Budgets for Fiscal Year 2024 and Annual T&D Projections through Fiscal Year 2026* filed in that proceeding (“FY2024 Consolidated Budgets Submission”).

2. After several procedural developments, on June 25, 2023, the Energy Bureau entered a Resolution and Order whereby it modified and approved the FY24 Consolidated Budgets Submission subject to compliance with certain directives detailed in the Resolution and Order (the “June 25<sup>th</sup> Resolution and Order”).

3. In what is pertinent here, the Energy Bureau approved a Vegetation Management budget of \$179.8 million. *See* June 25<sup>th</sup> Resolution and Order, page 7. Further, this Energy Bureau directed LUMA to “report monthly during FY24, and thereafter, on the status of obtaining and utilizing federal funds and on implementation of the Federally Funded and Operation and Maintenance Funded Vegetation Management program, using the DRAFT Templates form provided as Attachment H.” *See id.*, page 9. The Energy Bureau also ordered LUMA to provide comments to Attachment H within 30 days of issuance of the June 25<sup>th</sup> Resolution and Order. *See*, June 25<sup>th</sup> Resolution and Order at pages 9 and 33 (item 6, Attachment A).<sup>1</sup>

4. In compliance with Item 6 of Attachment A of the June 25<sup>th</sup> Resolution and Order, LUMA hereby submits as *Exhibit 1* its comments to Attachment H of the June 25<sup>th</sup> Resolution and Order. *Exhibit 1* includes LUMA’s comments to Attachment H organized by Reporting Requirement.<sup>2</sup> LUMA also includes as Attachment 1 to *Exhibit 1*, an *Excel* file with a revised Reporting Template for the Energy Bureau’s consideration. Furthermore, LUMA respectfully

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<sup>1</sup> While at page 9 of the June 25<sup>th</sup> Resolution and Order, the Energy Bureau states that the comments should be submitted within 15 days of the entry of the Order, at item 6 of Attachment A (at page 33) of the Resolution and Order the Energy Bureau directs LUMA to file the comments within 30 days of the issuance of this Resolution and Order, by July 25, 2023. Because July 25, 2023 was a legal holiday, the deadline to submit comments in compliance with the June 25<sup>th</sup> Resolution and Order moved to July 26, 2023. *See* Section 1.09, Energy Bureau Regulation 8543, Regulation on Adjudicative, Notice of Non-Compliance, Rate Review and Investigations Proceedings.

<sup>2</sup> In alignment with the determination in the June 25<sup>th</sup> Resolution and Order that matters regarding implementation of the Vegetation Management Improvement Program would be addressed in this Vegetation Management Docket, LUMA is submitting in this docket its comments to the reporting template included as Attachment H of the June 25<sup>th</sup> Resolution and Order. Today, LUMA will submit an informative motion in Case No. NEPR-MI-2021-0004, to attest compliance with that portion of the June 25<sup>th</sup> Resolution and Order that required LUMA to submit comments to the reporting templated included as Attachment H of the June 25<sup>th</sup> Resolution and Order.

request that the Vegetation Management Report be filed on a quarterly basis, 45 days after the end of each quarter instead of monthly as directed by the Energy Bureau in the June 25<sup>th</sup> Resolution and Order. As explained in Exhibit 1, LUMA understands that the quarterly cadence would contribute to a more efficient reporting, showing cumulative progress for a longer period of time.

5. As stated in Exhibit 1, LUMA respectfully requests that this Energy Bureau issue clarifications on several requirements of Attachment H that are identified in *Exhibit 1*. LUMA remains available to expand on this topic in a technical conference.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, **accept** the revised Vegetation Management Reporting Template proposed by LUMA, **provide** that the Vegetation Management Reporting be filed on a quarterly basis, 45 days after the end of each quarter, **issue** the clarifications requested in Exhibit 1, and **deem** LUMA in compliance with Item 6 of Attachment A of the June 25<sup>th</sup> Resolution and Order, which required LUMA to submit comments to the reporting templated included as Attachment H of the June 25<sup>th</sup> Resolution and Order.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico this 26<sup>th</sup> day of July, 2023.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this motion to the attorney for PREPA, Joannely Marrero-Cruz, [jmarrero@diazvaz.law](mailto:jmarrero@diazvaz.law).

*[signatures in the page that follows]*



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*Exhibit 1*  
*Comments to Attachment H of June 25<sup>th</sup> Order*  
*(includes an Excel file submitted separately in native form)*

# Comments on Vegetation Reporting Template

## NEPR-MI-2019-0005

### Response: RFC-LUMA-MI-2021-0004-20230625-PREB-002

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#### **SUBJECT**

Vegetation Management Progress Reporting

#### **REQUEST**

Comment the DRAFT Template form, for reporting on the status of obtaining and using federal funds and on implementation of the Federally Funded and Operation and Maintenance Funded Vegetation Management program, within thirty (30) calendar days of the issuance of this Resolution and Order, for consideration by the Energy Bureau.

#### **RESPONSE**

Please refer to RFC-LUMA-MI-2021-0004-20230625-PREB-002\_Attachment 1 for the reporting template LUMA proposes to submit to the Energy Bureau on a quarterly basis to be filed in Docket NEPR-MI-2019-0005 45 days after the end of the quarter.

Please refer to the table below for LUMA's comments on the reporting requirements and contents of the DRAFT Reporting Template included in Attachment H of the June 25, 2023 Budget Determination Order.

Reporting Requirement	LUMA Comment
<p><b>Monthly Reporting Cadence</b></p>	<p>It is not possible for LUMA to get all of the invoicing information from each contractor consistently to be able to report it on a monthly basis. LUMA conducts a quarterly financial reporting process and is not able to produce financials more frequently. This means that LUMA is unable to provide financial information relating to vegetation clearance on a more frequent basis than quarterly.</p> <p>For other areas of the report not related to invoicing or financial information, monthly reporting would require LUMA to either hire additional resources to conduct this reporting or reassign existing resources from other departments or other work assignments because this work was not contemplated in the FY2024 Annual Budgets. This would require LUMA to delay other work to be able to conduct this reporting.</p> <p>LUMA estimates that producing the report, as proposed in the attached excel template, on a quarterly basis will require an additional 0.5 FTE. Producing the report, as proposed, on a monthly basis, excluding the production of any information relating to invoicing or financials, will require an additional FTE.</p> <p>LUMA would also like to note that it performs vegetation clearing work utilizing both federal and non-federal funding. LUMA understands that these additional reporting costs cannot be reimbursed by FEMA and would need to be funded by O&amp;M.</p>
<p><b>Employees Assigned and their Classifications</b></p>	<p>It is unclear if the information requested here is for contractors or LUMA employees.</p> <p>For contractors, this information is currently available in documents submitted by the contractors, but it is not captured electronically within any LUMA systems. To report this information, LUMA will need to manually transfer the information from the contractors' documentation into a tracking system to be used for reporting. This would require additional resources and funding as this was not contemplated in the FY2024 Annual Budgets.</p> <p>If the information requested is for LUMA employees, a list of employee classifications for employees working in the region or project can be provided. Employees work in teams to ensure the work is completed according to requirements.</p>

Reporting Requirement	LUMA Comment
<b>Urban / Rural site</b>	This information is not currently tracked. Lines/feeders often cross many miles and may be located within both cities and rural areas. In order to provide this information, the route of each line would need to be compared to a map of population density and a determination made for each line to categorize it. LUMA can perform this work and assign a category on a per-line basis.
<b>Findings &amp; Activities Required</b>	LUMA would like further clarification to understand what the PREB is looking for here.
<b>Recommendations for Future VM</b>	LUMA would like further clarification to understand what the PREB is looking for here.
<b>LUMA Inspector</b>	<p>LUMA utilizes work teams to oversee the work of contractors at all phases of the work. There is no single individual who is the inspector for each work site.</p> <p>LUMA would like to propose providing the date that LUMA has confirmed the work has been completed.</p>
<b>Amount Invoiced</b>	Contractors do not invoice on a per powerline basis and LUMA does not automatically track invoiced amounts on a per powerline basis. To report this information for each powerline worked, LUMA will need to review contractor documentation and manually transfer the cost information from the contractors' documents, from multiple contractors in some cases, into a single tracking system to be used for reporting. This would require additional resources and funding as this was not contemplated in the FY2024 Annual Budgets.
<b>LUMA Labor Required (Distribution sheet)</b>	LUMA would like further clarification to understand what the PREB is looking for here.
<b>KVA (Substation sheet)</b>	The MVA rating for a transformer is not relevant to the vegetation work performed.



Reporting Requirement	LUMA Comment
<p><b>Low Voltage Information</b></p>	<p>PREPA did not maintain a complete mapping of low voltage lines and LUMA does not currently track mileage for low voltage lines. The vegetation clearing work performed to date has focused on clearing the lines that have the greatest impact on reliability, which is typically the primary distribution lines. The low voltage, secondary distribution lines include street light service lines and pole to house service drops, among others. These types of lines have a small overall impact on the reliability of the system; and the maintenance miles data associated with secondary.</p> <p>Distribution lines are difficult to identify and track. The cost of such tracking is not justified by the small incremental benefit of this identification and tracking.</p>