

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

**NEPR**

**Received:**

**Aug 11, 2023**

**10:14 PM**

**IN RE:**  
IN RE: PUERTO RICO ELECTRIC POWER  
AUTHORITY PERMANENT RATE

**CASE NO. NEPR-MI-2020-0001**

**SUBJECT: Motion in Compliance with  
Resolution and Order of August 2, 2023**

**MOTION IN COMPLIANCE WITH RESOLUTION AND ORDER OF AUGUST 2, 2023  
TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

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

1. On July 17, 2023, LUMA filed with this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) the reconciliations of the Fuel Charge Adjustment (FCA) and the Purchased Power Charge Adjustment (PPCA) riders costs for the months of May and June 2023, and the calculated factors for the FCA, PPCA, and Fuel Oil Subsidy (FOS) riders to be applied for the period from August 1<sup>st</sup> through September 30<sup>th</sup>, 2023, consistent with the approved and currently existing PREPA Tariff Book and the Final Rate Order. *See Submission of Reconciliations for May and June 2023, Submission of FCA, PPCA, PPCA, and FOS Calculated Factors, and Request for Confidential Treatment* (“July 17<sup>th</sup> Submission”).

2. With the July 17<sup>th</sup> Submission, LUMA filed the Energy Efficiency (“EE”) Rider’s calculated factor in identical form to that filed for approval as Exhibit 2 to the EE Rider Filing of May 19, 2023, in Case No. NEPR-MI-2022-0001, *In Re: Energy Efficiency and Demand Response*

*Transition Period Plan* (the “EE/DR TPP Case”).<sup>1</sup> LUMA requested that the Energy Bureau consider the EE Rider calculated factor in this Permanent Rate docket and direct that all future filings regarding the implementation of the EE Rider, including future calculated factors and reconciliations, be filed in this Permanent Rate docket.

3. After several proceedings, on July 31, 2023, this Energy Bureau issued a Resolution and Order with the subject “Determinación sobre los factores de las Cláusulas de Ajuste Trimestral para el período de agosto a septiembre de 2023,” whereby, among others, it approved the FCA, PPCA reconciliations for the months of May and June 2023, set the FCA, PPCA, and FOS factors to be implemented from August 1, 2023, through September 30, 2023, and issued directives to implement the EE Rider (“July 31<sup>st</sup> Order”).

4. Specifically, in the July 31<sup>st</sup> Order, this Energy Bureau stated that it decided to implement the EE Rider starting August 1, 2023. *See* July 31<sup>st</sup> Order, page 7.

5. In the July 31<sup>st</sup> Order, this Energy Bureau also directed LUMA to include the EE Rider on customer bills at \$0 value for the period of August 1, 2023, through September 30, 2023. *See Id.*

6. On August 1<sup>st</sup>, 2023, LUMA filed a motion requesting that this Energy Bureau release it from complying with the July 31<sup>st</sup> Order that required LUMA to include a \$0 value for the EE Rider in the bills issued to customers for the period of August 1, 2023, through September 30, 2023.

7. On August 2<sup>nd</sup>, 2023, this Energy Bureau issued a Resolution and Order denying LUMA’s request to be exempted from compliance with the July 31<sup>st</sup> Order and ordered LUMA to

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<sup>1</sup> LUMA originally filed the proposed EE Rider factor on April 11, 2023, Case NEPR-MI-2022-0001.

include a line item corresponding to the EE Rider on the customers' bill with a \$0 value no later than August 10, 2023 ("August 2<sup>nd</sup> Order").

8. In compliance with the August 2<sup>nd</sup> Order, LUMA hereby includes, as *Exhibit 1*, proof of compliance of adding a line item corresponding to the EE Rider on the customer bill with a \$0 value.

**WHEREFORE**, LUMA respectfully requests the Energy Bureau to **take notice** of the above and **deem** that LUMA complied with the August 2<sup>nd</sup> Order that required LUMA to include a line item corresponding to the EE Rider on customers' bills.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 11<sup>th</sup> day of August 2023.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to counsel for PREPA Joannely Marrero, jmarrero@diazvaz.law and to the Independent Consumer Protection Office, through Director Hannia Rivera, hrivera@jrsp.pr.gov.



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*/s/ Yahaira De la Rosa Algarín*  
Yahaira De la Rosa Algarín  
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*Exhibit 1*

## Inclusion of EE Rider on Customer Bill

In compliance with the Resolution and Order issued by this Energy Bureau on August 2, 2023 (August 2<sup>nd</sup> R&O), LUMA updated the “Current Charges Detail” section on page 3 of the Customer Bill. The bills were produced August 10, 2023 in Oracle CC&B for LUMA customers billed on and after August 10, 2023. The figures below depict the updated “Current Charges Detail” section in English and Spanish accordingly.

**Figure 1: Current Charges Detail Section in the Spanish Bill**

| DETALLE DE LOS CARGOS CORRIENTES           |                      |                 |
|--|----------------------|-----------------|
| DESCRIPCIÓN                                | TARIFA               | CARGO           |
| <b>Cargos por Servicio</b>                 |                      |                 |
| Cargo por Cliente                          |                      | \$4.00          |
| Cargo por Consumo                          | 425 kWh x \$0.04944  | \$21.01         |
| Cargo por Consumo Adicional                | 205 kWh x \$0.05564  | \$11.41         |
| <b>Subtotal</b>                            |                      | <b>\$36.42</b>  |
| <b>Cláusulas de Reconciliación</b>         |                      |                 |
| Cláusula FCA-Ajuste Cargo de Combustible   | 630 kWh x \$0.094111 | \$59.29         |
| Cláusula PPCA-Ajuste por Compra de Energía | 630 kWh x \$0.027931 | \$17.60         |
| Cláusula CILTA-CELU (Municipios)           | 630 kWh x \$0.007049 | \$4.44          |
| Cláusula SUBA-Subsidios HH                 | 630 kWh x \$0.013717 | \$8.64          |
| Cláusula SUBA-Subsidios NHH                | 630 kWh x \$0.001042 | \$0.66          |
| Cláusula EE-Cargo Eficiencia Energetica    | 630 kWh x \$0.00     | \$0.00          |
| <b>Subtotal</b>                            |                      | <b>\$90.63</b>  |
| <b>Total</b>                               |                      | <b>\$127.05</b> |

**Figure 2. Current Charges Detail Section in English Bill**

| CURRENT CHARGES DETAIL                     |                      |                |
|--|----------------------|----------------|
| DESCRIPTION                                | TARIFF               | CHARGE         |
| <b>Service Charges</b>                     |                      |                |
| Customer Charge                            |                      | \$4.00         |
| Consumption Charge                         | 345 kWh x \$0.04944  | \$17.06        |
| <b>Sub-Total</b>                           |                      | <b>\$21.06</b> |
| <b>Reconciliation Clauses and Riders</b>   |                      |                |
| Generation Fuel Charge                     | 345 kWh x \$0.094111 | \$32.47        |
| Power Purchased from Third Party           | 345 kWh x \$0.027931 | \$9.64         |
| Qualified Municipality Consumption Subsidy | 345 kWh x \$0.007049 | \$2.43         |
| Help to Citizens Subsidy                   | 345 kWh x \$0.013717 | \$4.73         |
| Organizations and Public Project Subsidy   | 345 kWh x \$0.001042 | \$0.36         |
| Rider EE - Energy Efficiency Charge        | 345 kWh x \$0.00     | \$0.00         |
| <b>Sub-Total</b>                           |                      | <b>\$49.63</b> |
| <b>Total</b>                               |                      | <b>\$70.69</b> |