

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

NEPR

Received:

Aug 15, 2023

6:51 PM

IN RE:

TARIFA PERMANENTE DE LA
AUTORIDAD DE ENERGÍA ELÉCTRICA
DE PUERTO RICO

CASE NO.: NEPR-MI-2020-0001

SUBJECT: Motion to Submit Monthly Report
in Compliance with the Resolution and Order
dated June 29, 2022

**MOTION TO SUBMIT MONTHLY REPORT IN COMPLIANCE WITH THE
RESOLUTION AND ORDER DATED JUNE 29, 2022**

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 June 29, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order titled *Determinación sobre los Factores de las Cláusulas de Ajuste Anual para el periodo de julio 2022 a junio 2023; Determinación sobre los Factores de las Cláusulas de Ajuste Trimestral para el periodo julio — septiembre 2022* (“June 29th Order”) whereby it ordered PREPA to, amongst other things, provide:

[E]n o antes del día 15 de cada mes, comenzando con el mes de julio de 2022, presentar ante el Negociado de Energía un informe detallado de los resultados de las acciones tomadas relacionadas a reclamaciones bajo el contrato entre la Autoridad y New Fortress² para el suministro de gas natural en las unidades San Juan 5 y 6. El informe debe incluir todas las instancias o incidentes en que la Autoridad ha tenido que utilizar diesel en lugar de gas natural desde el inicio del contrato con

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority, 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 with respect to any matter related to the performance of any of the Operation & Maintenance (“O&M”) Services provided by Genera under the LGA OMA.

² The Fuel Sale and Purchase Agreement that Genera, as agent of PREPA, manages, has NFEnergía, LLC as the counterpart, not New Fortress Energy.

New Fortress, la causa o causas de cada incidente, las acciones tomadas por New Fortress y/o la Autoridad para corregir dichas causas y la documentación que evidencie las correspondientes reclamaciones realizadas por la Autoridad al amparo del contrato y cualquier otra reclamación relacionada. Además, el informe debe estar acompañado de copia de cualquier documentación (e.g., cartas, correos electrónicos, memoranda, etc.) que apoye los datos contenidos en el mismo incluyendo, pero sin limitarse a, todas las comunicaciones cursadas entre la Autoridad y New Fortress con relación a **nominaciones de gas natural desde el inicio del contrato**.

2. In the June 29th Order, the Energy Bureau further instructed PREPA to:

[E]n o antes del día 15 de cada mes, comenzando con el mes de julio de 2022, presentar ante el Negociado de Energía un informe detallado de los resultados de las acciones tomadas relacionadas a reclamaciones bajo el contrato entre la Autoridad y Naturgy para el suministro de gas natural en las unidades Costa Sur 5 y 6. El informe debe estar acompañado de copia de cualquier documentación (e.g., cartas, correos electrónicos, memoranda, etc.) que apoye los datos contenidos en el mismo. Como parte de su radicación, la Autoridad deberá presentar también un informe detallado respecto al suministro de gas natural en las unidades Costa Sur 5 y 6, incluyendo la razón de consumo entre gas natural y combustible residual, así como la fecha estimada para el restablecimiento del suministro normal de gas natural a dichas unidades.

3. Effective July 1, 2023, responsibility for the O&M Services for the Legacy Generation

Assets transitioned from PREPA to Genera in accordance with the provisions of the LGA OMA.³

Regarding the management of fuel contracts, Section 5.7 of the LGA OMA specifically provides the following:

Management of Fuel and Fuel Contracts. From the Service Commencement Date and for the remainder of the Term thereafter, Operator shall source, procure and manage the nomination, transportation, delivery, supply, quality-testing, storage and handling of Fuel, manage and maintain fuel tanks, perform any required environmental reporting, **and maintain and administer the Fuel Contracts, in accordance with the Contract Standards and the applicable Fuel Budget then in effect.** Any renewal of an existing Fuel Contract and any procurement of a new Fuel Contract shall be subject to approval by Administrator and performed in accordance with Applicable Law and in a manner consistent with the Procurement Manual, provided that procurement requirements that would otherwise apply to Owner under Act No. 83 of May 2, 1941 (including any rules or

³ See Section 4.7(b) of the LGA OMA.

regulations issued thereunder) or Act 38 (including those relating to approval process and judicial review) shall not be applicable.

4. Therefore, in accordance with the obligations under the LGA OMA, Genera hereby submits as Exhibit A the fuel nominations sent to Naturgy Aprovevisionamientos S.A. for EcoEléctrica, LP and Costa Sur units 5 and 6; and, as Exhibit B, the fuel nominations sent to NFEnergía, LLC for San Juan units 5 and 6.

WHEREFORE, Genera respectfully requests that the Energy Bureau **take notice** of the above for all purposes and **deem** Genera in compliance with the June 29th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th day of August 2023.

ECIJA SBGB
PO Box 363068
San Juan, Puerto Rico 00920
Tel. (787) 300.3200
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo
jfr@sbgblaw.com
TSPR 9,669

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez
alopez@sbgblaw.com
TSPR 22,996

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; Margarita Mercado Echegaray, at margarita.mercado@us.dlapiper.com; Yahaira de la Rosa, at yahaira.delarosa@us.delapiper.com; and hrivera@jrsp.pr.gov.

In San Juan, Puerto Rico, this 15th day of August 2023.

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez

Exhibit A

Fuel nominations sent to Naturgy Naturgy Aprovisionamientos S.A. for EcoEléctrica, LP and
Costa Sur units 5 and 6

From: [Jose Luis Carrasco Arroyo](#)
To: [Meugniot Camacho, Jose Joaquín Amador](#); lngpr@naturgy.com
Cc: [Cesar A. Figueroa Diez](#); [Danny Hernandez](#); [Russell Painter](#); [Ferdinand Correa Mendez](#); [Hugal R. Rios Diaz](#); [Manuel Rios Ramirez](#); [Hector L Lopez Castellar](#); [Miguel Beauchamp Ramos](#); [Zulma E Rodriguez Gonzalez](#); [Lorena Torres Miranda](#); [Katuska Bolaños Lugo](#); [Brannen McElmurray](#); [William Rios Mera](#)
Subject: RE: EcoEléctrica & Costa Sur NDS - September, October, November 2023
Date: Saturday, August 5, 2023 11:16:42 AM
Attachments: [image001.png](#)
[NDS Costa Sur 5&6 Sep., Oct. & Nov. 2023.pdf](#)
[NDS Ecoelectrica Sep., Oct. & Nov. 2023 Rev 5-aug-2023.pdf](#)

Hi Joaquín and Naturgy team,

We have made a revision to the September-October-November 2023 NDS for EcoEléctrica. Please attached the revised version as well as the Costa Sur NDS for the relevant term.

Regards,

Eng. José L. Carrasco

Fuels Manager



Cell: 787-439-6111

American International Plaza
250 Muñoz Rivera Ave, Suite 1200
San Juan, PR 00918
www.genera-pr.com

From: Jose Luis Carrasco Arroyo
Sent: Friday, August 4, 2023 11:00 PM
To: Meugniot Camacho, Jose Joaquín Amador <jmeugniot@naturgy.com>; Martin Gomez, Daniel <dmarting@naturgy.com>
Cc: Cesar A. Figueroa Diez <Cesar.Figueroa@genera-pr.com>; Danny Hernandez <daniel@genera-pr.com>; Russell Painter <rpainter@genera-services.com>; Ferdinand Correa Mendez <Ferdinand.Correa@genera-pr.com>; Hugal R. Rios Diaz <Hugal.Rios@genera-pr.com>; Manuel Rios Ramirez <Manuel.Rios@genera-pr.com>; Hector L Lopez Castellar <Hector.Lopez@genera-pr.com>; Miguel Beauchamp Ramos <Miguel.Beauchamp@genera-pr.com>; Zulma E Rodriguez Gonzalez <Zulma.RodriguezG@genera-pr.com>; Lorena Torres Miranda <Lorena.Torres@genera-pr.com>; Katuska Bolaños Lugo <kbolanos@genera-pr.com>; Brannen McElmurray <brannen@genera-services.com>
Subject: EcoEléctrica & Costa Sur NDS - September, October, November 2023

Greetings,

Please see attached the September-October-November 2023 NDS for EcoEléctrica & Costa Sur generating stations.

Regards,

Eng. José L. Carrasco

Fuels Manager



Cell: 787-439-6111

American International Plaza

250 Muñoz Rivera Ave, Suite 1200

San Juan, PR 00918

www.genera-pr.com



AMENDED AND RESTATED
NATURAL GAS SALE AND PURCHASE AGREEMENT
BETWEEN GENERA PR, AS AGENT OF PREPA (BUYER)
AND NATURGY APROVISIONAMIENTOS S.A. (SELLER)

COSTA SUR NINETY DAY PROGRAMME

Month M DAY	Sep-23		
	DAILY MMscf	MMBtu	
Friday, September 01, 2023	56.89	59,167	
Saturday, September 02, 2023	49.97	51,974	
Sunday, September 03, 2023	45.20	47,012	
Monday, September 04, 2023	45.53	47,353	
Tuesday, September 05, 2023	49.50	51,482	
Wednesday, September 06, 2023	47.01	48,895	
Thursday, September 07, 2023	58.58	60,926	
Friday, September 08, 2023	45.08	46,886	
Saturday, September 09, 2023	45.08	46,886	
Sunday, September 10, 2023	45.08	46,886	
Monday, September 11, 2023	45.08	46,886	
Tuesday, September 12, 2023	45.08	46,886	
Wednesday, September 13, 2023	45.29	47,105	
Thursday, September 14, 2023	45.08	46,886	
Friday, September 15, 2023	45.08	46,886	
Saturday, September 16, 2023	45.08	46,886	
Sunday, September 17, 2023	45.08	46,886	
Monday, September 18, 2023	45.08	46,886	
Tuesday, September 19, 2023	45.08	46,886	
Wednesday, September 20, 2023	45.08	46,886	
Thursday, September 21, 2023	45.91	47,745	
Friday, September 22, 2023	45.23	47,039	
Saturday, September 23, 2023	45.08	46,886	
Sunday, September 24, 2023	45.08	46,886	
Monday, September 25, 2023	45.08	46,886	
Tuesday, September 26, 2023	45.08	46,886	
Wednesday, September 27, 2023	45.08	46,886	
Thursday, September 28, 2023	45.08	46,886	
Friday, September 29, 2023	45.08	46,886	
Saturday, September 30, 2023	45.08	46,886	
	1,391	1.446 TBtu	
Date sent	Month M + 1	Oct-23	2.449 TBtu
Friday, August 4, 2023	Month M + 2	Nov-23	2.345 TBtu



AMENDED AND RESTATED
NATURAL GAS SALE AND PURCHASE AGREEMENT
BETWEEN GENERAPR, AS AGENT OF PREPA (BUYER)
AND NATURGY APROVISIONAMIENTOS S.A. (SELLER)

ECOELECTRICA NINETY DAY PROGRAMME

Month M DAY	Sep-23		
	DAILY MMscf	MMBtu	
Friday, September 01, 2023	83.97	87,331	
Saturday, September 02, 2023	85.17	88,577	
Sunday, September 03, 2023	74.12	77,088	
Monday, September 04, 2023	81.63	84,897	
Tuesday, September 05, 2023	83.44	86,781	
Wednesday, September 06, 2023	83.18	86,512	
Thursday, September 07, 2023	82.96	86,283	
Friday, September 08, 2023	76.06	79,099	
Saturday, September 09, 2023	67.81	70,522	
Sunday, September 10, 2023	65.78	68,406	
Monday, September 11, 2023	72.88	75,798	
Tuesday, September 12, 2023	74.92	77,921	
Wednesday, September 13, 2023	80.77	84,005	
Thursday, September 14, 2023	81.89	85,166	
Friday, September 15, 2023	67.89	70,607	
Saturday, September 16, 2023	63.69	66,235	
Sunday, September 17, 2023	63.88	66,440	
Monday, September 18, 2023	67.47	70,171	
Tuesday, September 19, 2023	65.83	68,462	
Wednesday, September 20, 2023	72.58	75,479	
Thursday, September 21, 2023	71.98	74,858	
Friday, September 22, 2023	75.47	78,492	
Saturday, September 23, 2023	68.81	71,561	
Sunday, September 24, 2023	67.17	69,856	
Monday, September 25, 2023	66.14	68,786	
Tuesday, September 26, 2023	64.02	66,579	
Wednesday, September 27, 2023	66.65	69,318	
Thursday, September 28, 2023	65.79	68,426	
Friday, September 29, 2023	64.65	67,236	
Saturday, September 30, 2023	63.69	66,235	
	2,170	2.257 TBtu	
Date sent	Month M + 1	Oct-23	2.109 TBtu
Saturday, August 5, 2023	Month M + 2	Nov-23	1.942 TBtu

Exhibit B

Fuel nominations sent to NFEnergía, LLC for San Juan units 5 and 6

From: [Jose Luis Carrasco Arroyo](#)
To: [Carlos Faris](#)
Cc: [Terence Sawick](#); [Gregory Pilkinton](#); [Radames J Alvarado](#); [Victor L Ortiz Perez](#); [Ferdinand Correa Mendez](#); [Hugal R. Rios Diaz](#); [Lorena Torres Miranda](#); [Cesar A. Figueroa Diez](#); [Brannen McElmurray](#); [Katiuska Bolaños Lugo](#); [Danny Hernandez](#); [Russell Painter](#); [Manuel Rios Ramirez](#)
Subject: San Juan Units 5 & 6 NDS - September, October, November 2023
Date: Friday, August 4, 2023 11:05:24 PM
Attachments: [NDS San Juan Sur 5&6 Sep., Oct. & Nov. 2023.pdf](#)
[image001.png](#)

Greetings,

Please see attached the September-October-November 2023 NDS for San Juan generating station units 5 & 6.

Regards,

Eng. José L. Carrasco

Fuels Manager



Cell: 787-439-6111

American International Plaza
250 Muñoz Rivera Ave, Suite 1200
San Juan, PR 00918

www.genera-pr.com



FUEL SALE AND PURCHASE AGREEMENT
BETWEEN GENERA PR, AS AGENT OF PREPA (BUYER)
AND NEW FORTRESS ENERGY (SELLER)

SAN JUAN 5 & 6 NINETY DAY SCHEDULE

Month M DAY	Sep-23	
	DAILY MMscf	MMBtu
Friday, September 01, 2023	73.09	76,011
Saturday, September 02, 2023	67.85	70,560
Sunday, September 03, 2023	64.74	67,332
Monday, September 04, 2023	65.08	67,684
Tuesday, September 05, 2023	68.57	71,316
Wednesday, September 06, 2023	66.87	69,542
Thursday, September 07, 2023	69.71	72,502
Friday, September 08, 2023	63.81	66,359
Saturday, September 09, 2023	63.72	66,270
Sunday, September 10, 2023	63.85	66,400
Monday, September 11, 2023	63.86	66,415
Tuesday, September 12, 2023	63.61	66,156
Wednesday, September 13, 2023	65.08	67,682
Thursday, September 14, 2023	69.95	72,747
Friday, September 15, 2023	63.85	66,400
Saturday, September 16, 2023	63.85	66,400
Sunday, September 17, 2023	63.85	66,400
Monday, September 18, 2023	63.85	66,400
Tuesday, September 19, 2023	63.85	66,400
Wednesday, September 20, 2023	64.01	66,568
Thursday, September 21, 2023	65.21	67,822
Friday, September 22, 2023	65.45	68,064
Saturday, September 23, 2023	63.81	66,365
Sunday, September 24, 2023	63.76	66,311
Monday, September 25, 2023	63.88	66,439
Tuesday, September 26, 2023	63.87	66,422
Wednesday, September 27, 2023	63.75	66,303
Thursday, September 28, 2023	63.92	66,477
Friday, September 29, 2023	63.85	66,400
Saturday, September 30, 2023	63.85	66,400
	1,954	2.033 TBtu
	Month M + 1	Oct-23 1.418 TBtu
	Month M + 2	Nov-23 1.461 TBtu

Date sent
Friday, August 4, 2023