

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

NEPR Received: Aug 31, 2023 9:22 PM
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**IN RE: THE DEPLOYMENT OF
ELECTRIC VEHICLE INFRASTRUCTURE**

CASE NO. NEPR-MI-2021-0013

**SUBJECT: Motion to Submit Progress Report on
DDEC Study in Compliance with Resolution and
Order of August 11, 2023, And Request for Change in
Reporting Frequency**

**MOTION TO SUBMIT PROGRESS REPORT ON DDEC STUDY IN COMPLIANCE
WITH RESOLUTION AND ORDER OF AUGUST 11, 2023, AND REQUEST FOR
CHANGE IN REPORTING FREQUENCY**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES now **LUMA Energy ServCo, LLC** (“LUMA”), through the undersigned legal counsel, and respectfully states and requests the following:

I. Relevant Background and Procedural History

1. On May 1, 2023, in compliance with the Energy Bureau’s Resolution and Order of January 13, 2023 in this proceeding, LUMA submitted to the Energy Bureau the Final Phase I EV Plan in the form of a document titled Puerto Rico’s Electric Vehicle Adoption Plan (“PR-EVAP”). *See Motion to Submit Final Phase I EV Plan in Compliance with Resolution and Order of January 13, 2023* filed on that date. In what is pertinent to this Motion, in the PR-EVAP, LUMA indicated that it “will work closely with DDEC to commission an accurate analysis to identify impacts on EV load and charging infrastructure buildout on the company's distribution system”. *See id.* Exhibit 1 on page 31.

2. On June 6, 2023, the Energy Bureau issued a Resolution and Order (“June 6th Resolution and Order”) taking notice of the filing of the PR-EVAP and making various findings and determinations and issuing orders relating to the subjects of low-income customers, estimating federal funding, reporting metrics, and cost recovery. In what is pertinent to this motion, the

Energy Bureau indicated that LUMA had not updated its EV load and charging infrastructure buildout analysis “to reflect the potential effects of federal funding” and did not “provide dates for [the study with DDEC] to be completed, or which entity will fund it.” *See* June 6th Resolution and Order on page 3.

3. On July 13, 2023, LUMA submitted a motion to the Energy Bureau (“July 13th Motion”) requesting clarification of various aspects of the June 6th Resolution and Order. *See Motion to Request Clarification of Resolution and Order of June 6, 2023* filed by LUMA on that date. Regarding the EV load and charging infrastructure buildout analysis, LUMA explained that data availability and complexity were significant challenges in producing this analysis, that it will work closely with DDEC to commission an accurate analysis (including a market research study of the sale and demand of electric vehicles and plug-in hybrid electric vehicles in Puerto Rico) and that such analysis will provide data on electric load and will serve as input for LUMA to make accurate forecasts. *See id.* at page 18. LUMA further explained that the mentioned data limitations and complexities placed constraints on LUMA’s ability to conduct a meaningful buildout analysis until such time the mentioned DDEC-commissioned study and analysis are completed. *See id.*

4. LUMA also noted that LUMA “does not have control over the [DDEC study] but has provided the necessary information needed from LUMA and will continue to diligently do so”. *See id.* at pages 18-19. LUMA then requested this honorable Energy Bureau to take notice of the foregoing and grant LUMA a term to be proposed to this Energy Bureau by LUMA after the DDEC completes this study to complete the requested update to the EV load and charging infrastructure buildout analysis to reflect the potential effects of federal funding. *See id.* at page 19. LUMA also informed that this study will be funded by DDEC. *See id.*

5. On August 11, 2023, the Energy Bureau issued a Resolution and Order (“August 11th Resolution and Order”) making various findings and determinations and issuing associated orders in attention to the July 13th Motion. With respect to the DDEC study, the Energy Bureau accepted “LUMA's request to update the EV load and charging infrastructure buildout analysis after DDEC completes this study”. *See* August 11th Resolution and Order on page 4. The Energy Bureau also ordered LUMA to:

(i) inform the Energy Bureau every two (2) weeks, commencing on August 31, 2023 of the progress of the DDEC study, (ii) file a copy of the DDEC study with the Energy Bureau within five (5) days after its completion, and (iii) complete the update to the EV load and charging infrastructure buildout analysis to reflect the potential effects of federal funding, within forty- five (45) days after the DDEC study completion.

See id.

II. Submittal of Status Report and Request for Change in Reporting Frequency

6. In compliance with the August 11th Resolution and Order, LUMA herein submits a report on the progress of the DDEC study to date. *See Exhibit 1.*

7. LUMA also respectfully requests the Energy Bureau to reduce the frequency of these reports to create more efficiencies in the preparation efforts, as well as to achieve more meaningful reports. LUMA suggests two interim reports (one at kick-off and one at close out), and the final report with the final study.

8. The preparation of these status reports requires significant efforts from the LUMA team in charge of the PR-EVAP implementation as well as other modernization and customer focused programs and for the DDEC. This process involves requesting information from DDEC, reviewing the information provided by DDEC and submitting any necessary follow-up questions, preparing LUMA’s report, and conducting internal reviews of this report at different levels of the

organization, before the report is then filed with this Energy Bureau. These efforts are time and resource consuming and deviate from other tasks related to LUMA's implementation of the PR-EVAP and other modernization programs.

9. The proposed more comprehensive reporting creates efficiencies in the time and efforts of the LUMA teams to prepare reports. This decreased frequency also reduces the burden of DDEC in having to respond to frequent inquiries from LUMA. In addition, the submittal of two interim reports and the final report with the study allows for a more complete picture of processes, including any data that is under evaluation. In contrast, bi-weekly reporting may render a less complete understanding of the processes and any associated data. Furthermore, in this case, DDEC is in the very early stages of the study and there will likely not be significant information to report bi-weekly. LUMA commits to, in any event, provide updates to the Energy Bureau on significant changes on the progress of the study outside of the reporting schedule.

WHEREFORE, LUMA respectfully requests the Energy Bureau to **take notice** of the aforementioned; **accept** the LUMA's report in Exhibit 1 in compliance with the progress reporting requirement related to the DDEC study in the August 11th Resolution and Order; and **grant** LUMA's request to modify the frequency to submit instead two interim reports and the final report with the study

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 31st day of August, 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 courtesy copy of this motion to the attorney for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law and to the Independent Office of Consumer Protection by submittal to Hannia Rivera, hrivera@jrsp.pr.gov. LUMA understands that other participants or stakeholders in this proceeding will be notified as a result of the publicity of the filings in this process. Notwithstanding, LUMA will send a courtesy copy of the filing to the following stakeholders: agalloza@aggpr.com; alberto.cortes@warrendelcaribe.com;

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Exhibit 1
Progress Report

DEPARTMENT OF ECONOMIC
DEVELOPMENT
AND COMMERCE

**Department of Economic Development and
Commerce Update on the Electric Vehicle
Infrastructure Market Study**

August 31, 2023
NEPR-MI-2021-0013



DDEC Electric Vehicle Infrastructure Market Study Update

G On target
 Y Pending action
 R Critical action required
 C Complete

Key Activity Summary
<ul style="list-style-type: none"> DDEC Energy Policy Program finalizing all contracting processes with the private consulting firm, GDA Associates. Scheduling planning meetings with GDA and LUMA to coordinate market study focus. Coordinating internal meetings with GDA Associates to develop study framework and design.

Key Milestones	Date	Status
Finalizing Consulting firm contract for market study deployment.	Sept 2023	G
Developing market study design and timetable	Sept-Oct 2023	Y
Market study kickoff (phase 1)	Oct 2023	Y
Market study mid-term report (phase 2)	Nov 2023	Y
Market study close-out (phase 3)	Dec 2023	Y
Market study final report and results (including publication) – (phase 4)	Dec 2023-Jan 2024	Y

Risks / Issues:
<ul style="list-style-type: none"> Delay in the contracting process. Hurricane season and probabilities of potential work suspension.