

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

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY INTEGRATED
RESOURCE PLAN

CASE NO.: NEPR-AP-2023-0004

SUBJECT: Selection of LUMA's Technical
Contractor for the 2024 IRP.

RESOLUTION AND ORDER

On August 8, 2023, the Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") held an initiating technical conference for the 2024 Integrated Resource Plan ("IRP"). The technical conference included a presentation by LUMA on some of the agenda items concerning the technical aspects of the IRP ("August 8 Presentation"). LUMA subsequently filed those materials in this case. Presentation and discussion of other technical items from the agenda were postponed pending the availability of LUMA's selected technical contractor.

On the afternoon of August 8, 2023, a confidential session of the technical conference was held to address IRP contracting issues associated with potential conflict of interest elements between LUMA and its selected technical contractor. The technical conference also addressed the timing of the planned filing of LUMA's IRP on March 1, 2024.

On August 30, 2023 LUMA filed its *Motion Submitting Revised Version of Exhibit I of Final Contract for Technical Consultant and Related Documents, Request for Approval of Final Contract, and Request for Confidential Treatment* ("August 30 Motion"). The Motion included four exhibits filed under seal: Exhibit 1 (Revised Exhibit I), Exhibit 2 (Redline of Revised Exhibit I), Exhibit 3 (Revised Final Contract in Redline, without Exhibit I), and Exhibit 4 (Contractor Certification).

LUMA's changes to the conflict-of-interest materials contained in Exhibit I of the technical contractor contract (included as part of the August 30 Motion) include specific provisions preventing the technical contractor from working on IRP-related issues for any entity in Puerto Rico other than LUMA.

The final contract between LUMA and its selected technical contractor for IRP work contains provisions preventing access to non-public IRP related work by those employees who are explicitly excluded from working on the IRP. The final contract between LUMA and its selected technical contractor also contains provisions preventing the contractor's key personnel who support the IRP work from having access to other work performed by the selected technical contractor in Puerto Rico.

The provisions of the revised contract, including the revised Exhibit I, sufficiently address the conflict-of-interest concerns initially raised by LUMA¹ and further considered by the Energy Bureau in its July 12 Resolution.²

The Energy Bureau **APPROVES** the revised technical contract between LUMA and its selected technical contractor. The Energy Bureau further **ANTICIPATES** an IRP filing by LUMA **on March 1, 2024**.

The Energy Bureau **SCHEDULES** the next Technical Conference, which will include technical support from the selected technical contractor, for **October 31, 2023, from 10:00 am to**

¹ *In re: Review of the Integrated Resource Plan, Case No.: NEPR-AP-2023-0004, Motion Submitting Update on IRP Technical Consultant Contracting Process, Request for Modification of Procedural Timeline and Request for Confidential Treatment* filed by LUMA on March 31, 2023 ("March 2023 Motion").

² Resolution and Order, *In re: Review of the Integrated Resource Plan, Case No.: NEPR-AP-2023-0004*, July 12, 2023.



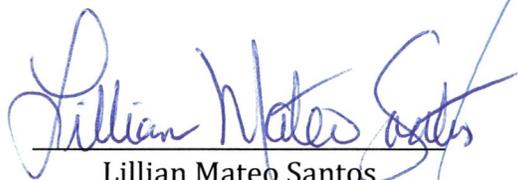
5:00 pm. The focus of that forthcoming Technical Conference will be to address the technical elements excluded from LUMA's August 8 Presentation. Notwithstanding the foregoing, in the coming weeks the Energy Bureau will issue a full revised agenda. The scheduling of subsequent Pre-IRP filing period technical conferences will also be addressed during the **October 31, 2023** Technical Conference.

The Energy Bureau has **APPROVED** the revised technical contract between LUMA and its selected technical contractor. The Energy Bureau **SCHEDULES** the next technical conference, which will include technical support from the selected technical contractor, for **October 31, 2023, from 10:00 am to 5:00 pm.**

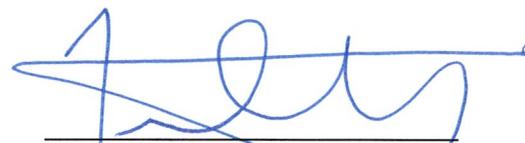
Be it notified and published.



Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner

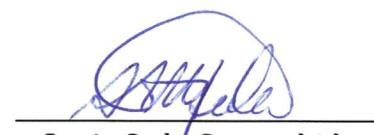


Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on September 7, 2023. Associate Commissioner Ferdinand A. Ramos Soegaard did not intervene. Also certify that on September 7, 2023, I have proceeded with the filing of this Resolution and Order and was notified by email to laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com; mvazquez@diazvaz.law; ana.rodriguezrivera@us.dlapiper.com; jmarrero@diazvaz.law; brannen@genera-services.com; kbolanos@genera-pr.com; regulatory@genera-pr.com. I also certify that on September 7, 2023, I have moved forward with filing the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign in San Juan, Puerto Rico, today, September 7, 2023.



Sonia Seda Gaztambide
Clerk

