

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

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

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

**SUBJECT:** Determination on *Urgent Request for Extension of Time to Submit Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors*, filed by LUMA Energy ServCo, LLC.

**RESOLUTION AND ORDER**

On July 31, 2023, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order through which it established the quarterly factors for the FCA,<sup>1</sup> PPCA,<sup>2</sup> and FOS<sup>3</sup> Riders, to go into effect until September 30, 2023. Further, the Energy Bureau ordered LUMA Energy, LLC and LUMA Energy ServCo, LLC (referred to jointly as "LUMA") to submit, on or before September 15, 2023, at noon, the proposed FCA, PPCA, and FOS Riders to be implemented from October 1, 2023 to December 31, 2023, including the proposed reconciliations for July and August 2023.

On September 12, 2023, LUMA filed a document titled *Urgent Request for Extension of Time to Submit Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors* ("September 12 Motion"), whereby it requested a brief extension of one business day to file the quarterly reconciliations and proposed factors to be in effect from October 1, 2023, due to delays in receiving data and reports needed to conduct such calculations.<sup>4</sup> Specifically, LUMA alleged it was still pending receipt of the generation report from Genera PR, LLC.<sup>5</sup> LUMA also indicated that it was experiencing technical difficulties with the Customer Care & Billing System, which delayed the preparation and completion of the internal billing report.<sup>6</sup>


The Energy Bureau **GRANTS** LUMA until **Monday, September 18, 2023**, to submit the quarterly reconciliations and proposed factors to be implemented on October 1, 2023.

The Energy Bureau **WARNS** LUMA that, noncompliance with this Resolution and Order, **will result** in the imposition of fines pursuant to Article 6.36 of Act 57-2014.<sup>7</sup>

Be it notified and published.

  
Edison Avilés Deliz  
Chairman

  
Lillian Mateo Santos  
Associate Commissioner

  
Ferdinand A. Ramos Soegaard  
Associate Commissioner

<sup>1</sup> Fuel Charge Adjustment Rider ("FCA").

<sup>2</sup> Purchased Power Charge Adjustment Rider ("PPCA").

<sup>3</sup> Fuel Oil Subsidy Rider ("FOS").

<sup>4</sup> September 12 Motion, p. 3, ¶ 9.


<sup>5</sup> *Id.*, ¶ 7.

<sup>6</sup> *Id.*, ¶ 8.

<sup>7</sup> Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended (Act 57-2014").



  
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 13, 2023. Also certify that on September 13, 2023, I have proceeded with the filing of this Resolution and Order, and was notified by email to yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com, julian.angladapagan@us.dlapiper.com; jmarrero@diazvaz.law; hrivera@jrsp.pr.gov; legal@genera-pr.com; regulatory@genera-pr.com; jfr@sbgblaw.com; alopez@sbgblaw.com.

For the record, I sign in San Juan, Puerto Rico, today, September 13, 2023.

  
Sonia Seda Gaztambide  
Clerk

