

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

NEPR Received: Sep 15, 2023 5:15 PM
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IN RE:

10 YEAR PLAN FEDERALLY FUNDED
COMPETITIVE PROCESS

CASE NO.: NEPR-MI-2022-0005

SUBJECT: Motion to Submit Bi-monthly Report on the Status of Emergency Generation and Black-Start Generation Procurement for September 1 to September 15, 2023, in Compliance with Resolution and Order Dated January 23, 2023

**MOTION TO SUBMIT BI-MONTHLY REPORT ON THE STATUS OF EMERGENCY
GENERATION AND BLACK-START GENERATION PROCUREMENT FOR
SEPTEMBER 1 TO SEPTEMBER 15, 2023, IN COMPLIANCE WITH RESOLUTION
AND ORDER DATED JANUARY 23, 2023**

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 submits and prays as follows:

I. Procedural Background

1. On November 10, 2022, PREPA filed a confidential letter under seal to the Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) titled *Request for Approval to Proceed with Request for Proposals (“RFP”) for the New Black-Start Systems at Costa Sur and Yabucoa*, seeking approval for the launch of a Request for Proposal (“RFP”) for black-start generation units at Yabucoa and Costa Sur. The filing included a draft RFP for the black-

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera, Genera is the sole operator and administrator of the Legacy Generation Assets (defined in the LGA OMA) the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

start units, separate technical specifications for an Engineering, Procurement, and Construction contract, and draft contract forms for each location.

2. On December 5, 2022, the Energy Bureau issued a Resolution and Order titled *Resolution and Order regarding Motion Requesting Expedited Approval of the RFP Process for the New Black-Start Systems at Costa Sur and Yabucoa, filed by the Puerto Rico Electric Power Authority* approving PREPA's request of November 10, 2022, for an RFP process to procure black-start systems at Costa Sur and Yabucoa (“RFP 3784”).

3. On December 29, 2022, PREPA submitted to the Energy Bureau a confidential letter regarding a *Request for Approval to Proceed with Request for Proposals for New Emergency Generation Units at Jobos, Daguao and Palo Seco*. The request concerned an RFP for up to 50 MW of generation at the Jobos site, up to 60 MW of generation at the Daguao site, and up to 90 MW of generation at the Palo Seco site.

4. On January 23, 2023, the Energy Bureau issued a Resolution and Order titled *Determination for the Project Application Package for the Seven (7) Additional Peakers to be used as Emergency Generation* (“January 23rd Order”) through which it conditionally approved PREPA's RFP process for the procurement of emergency generation at Jobos, Daguao, and Palo Seco (“RFP 3800”). This approval was subject to various conditions, including that PREPA would report to the Energy Bureau on the status of emergency generation and black-start generation procurement, including interconnection study assumption consistency between contractors, at bimonthly intervals for the first year, and at quarterly intervals thereafter until installation.²

5. Effective July 1, 2023, responsibility for O&M Services for the Legacy Generation Assets transitioned from PREPA to Genera, in accordance with the provisions of the LGA OMA.

² See January 23 Order, p. 5.

From that point forward, Genera has assumed exclusive responsibility for managing, leading, and deciding on RFP 3784 and RFP 3800 matters. The Energy Bureau recognized and affirmed this shift in responsibilities in their Resolutions and Orders dated July 13, 2023,³ and July 17, 2023.⁴

6. In accordance with Genera’s obligation under the LGA OMA, and as recognized by this Energy Bureau in the July 13th Order and July 17th Resolution, and in compliance with the January 23rd Order, Genera hereby submits as *Exhibit A* to this Motion a document titled *Bi-weekly Report – Period of September 1 – 15, 2023* (“Bi-weekly Report”), detailing Genera’s recent progress from September 1 to September 15, 2023 regarding the RFP process.

WHEREFORE, for the reasons stated above, Genera respectfully requests the Energy Bureau to **take notice** of the above and **deem** Genera in compliance with the January 23rd Order.

RESPECTFULLY SUBMITTED.

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

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³ See, Resolution and Order, *In re: 10-Year Plan Federally Funded Competitive Process*, Case No.: NEPR-MI-2022-0005, July 13, 2023 (July 13th Resolution).

⁴ See, Resolution and Order, *In re: 10-Year Plan Federally Funded Competitive Process*, Case No.: NEPR-MI-2022-0005, July 17, 2023 (July 17th Resolution).

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 the attorney for Puerto Rico's Electric Power Authority (PREPA), Joannely Marrero-Cruz, at jmarrero@diazvaz.law; and Maralíz Vázquez-Marrero, at mvazquez@diazvaz.law.

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

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez

Exhibit A

Bi-weekly Report – September 1 – 15, 2023

Docket Number: NEPR-MI-2022-0005

In Re: 10 Year Plan Federally Funded Competitive Processes

Re: Bi-weekly Report for September 1 – 15, 2023

The following is a list of the activities and most significant events that happened in the last two weeks regarding the Project:

- September 8, 2023 – Submitted draft equipment RFP specification to PREB
- Continued equipment RFP development with primary consultant
- Started development of specifications for site surveys, archeological surveys, geotechnical studies, grid evaluation studies and environmental permitting
- Held various meetings with COR3 to update and amend project scope of work and cost estimate