

**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 *Informative Motion and Urgent Request for Brief Additional 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,¹ PPCA,² and FOS³ 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.⁴ Specifically, LUMA alleged it was still pending receipt of the generation report from Genera PR, LLC.⁵ LUMA also indicated that it was experiencing technical difficulties with the Customer Care & Billing System ("CC&B System"), which delayed the preparation and completion of the internal billing report.⁶

On September 13, 2023, the Energy Bureau granted LUMA until Monday, September 18, 2023, to submit the quarterly reconciliations and proposed factors to be implemented on October 1, 2023.

On September 15, 2023, LUMA filed a document titled *Informative Motion and Urgent Request for Brief Additional Extension of Time to Submit Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors* ("September 15 Motion"). In its September 15 Motion, LUMA informed that it received the generation report from Genera on September 13, 2023.⁷ Nonetheless, LUMA stated that, as a result of the situation with CC&B System referenced in the September 12 Motion, the billing reports need to be run again with certain specific scheduling criteria.⁸ According to LUMA, due to the amount of billing data involved, the process to obtain and verify the data within the billing reports will extend more than originally anticipated.⁹ As a result of these circumstances, LUMA requested a brief additional

¹ Fuel Charge Adjustment Rider ("FCA").

² Purchased Power Charge Adjustment Rider ("PPCA").

³ Fuel Oil Subsidy Rider ("FOS").

⁴ September 12 Motion, p. 3, ¶ 9.

⁵ *Id.*, ¶ 7.

⁶ *Id.*, ¶ 8.

⁷ September 15 Motion, p. 3, ¶ 9.

⁸ *Id.*

⁹ *Id.*



extension of time, until September 20, 2023, to submit the quarterly reconciliations and proposed FCA, PPCA, and FOS calculated factors for the period of October 1, 2023 through December 31, 2023.¹⁰

The Energy Bureau **GRANTS** LUMA until **Wednesday, September 20, 2023**, to submit the quarterly reconciliations and proposed factors to be implemented on October 1, 2023.

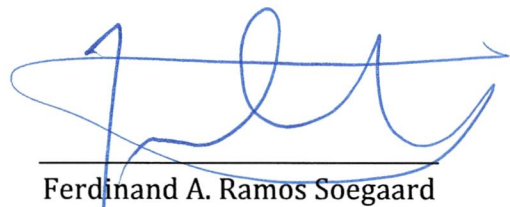
The Energy Bureau **REMINDS** LUMA that each extension of time granted to LUMA reduces the Energy Bureau's evaluation period. Such an evaluation period is essential for the Energy Bureau to complete its analysis to assure the ratepayers prudent and reasonable factors to be applied on October 1, 2023. Therefore, the Energy Bureau shall not consider additional extensions unless unavoidable extreme circumstances are the cause of such extension request.

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 57-2014.¹¹

Be it notified and published.



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 18, 2023. President Edison Avilés Deliz did not intervene. Also certify that on September 18, 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; hriviera@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 18, 2023.


Sonia Seda Gaztambide
Clerk

¹⁰ *Id.*, ¶ 10.

¹¹ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended (Act 57-2014”).