

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

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IN RE: PERFORMANCE METRICS
TARGETS FOR LUMA ENERGY SERVCO,
LLC

CASE NO. NEPR-AP-2020-0025

SUBJECT:

**Motion Submitting Final Evidentiary
Hearing Transcripts**

**MOTION SUBMITTING FINAL
EVIDENTIARY HEARING TRANSCRIPTS**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME now **LUMA Energy, LLC** (“ManagementCo”), and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly referred to as the “Operator” or “LUMA”), and respectfully state and request the following:

1. On February 7-10, 2023, this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) held the Evidentiary Hearing to evaluate the *Request for Approval of Revised Annex IX to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement (OMA)*, filed by LUMA on October 28, 2022.

2. On February 14, 2023, LUMA filed a *Motion Requesting Audio Recording of Evidentiary Hearing*. LUMA petitioned the Energy Bureau to provide the full audio recording of the Evidentiary Hearing in order to prepare a certified transcript of the proceedings. The Energy Bureau granted the request on February 22, 2023.¹

¹ The Secretary of the Energy Bureau provided LUMA with the audio recording of the Evidentiary Hearing on February 17, 2023.

3. LUMA commissioned a transcript of the Evidentiary Hearing, as it was necessary for ease of reference and to have an orderly proceeding. LUMA further expressed it was amenable to sharing the transcript with the Energy Bureau and all parties in order to reach a stipulation to adopt said transcript as the official transcript.

4. On March 29, 2023, the Energy Bureau entered a Resolution and Order in which it extended the deadline to submit the final legal and substantive briefs to April 27, 2023.

5. On April 18, 2023, LUMA filed an *Informative Motion on the Evidentiary Hearing Transcript and Request for the Final Amendment of the Procedural Calendar*, requesting to extend the deadline to file legal briefs until May 11, 2023.

6. In due course, LUMA shared with all parties the certified transcripts of the Evidentiary Hearing for review and use in their final substantive and legal briefs.

7. On May 11, 2023, LUMA filed an *Informative Motion on the Evidentiary Hearing Draft Transcripts and Request to Submit the Same Under Seal*. Therein, LUMA informed the Energy Bureau that the certified transcripts were under review by LUMA and the Puerto Rico Electric Power Authority (“PREPA”).

8. On May 16, 2023, the Energy Bureau issued a Resolution and Order instructing LUMA to submit the final version of the transcripts of the proceedings by June 1, 2023.

9. On June 1, 2023, LUMA filed a *Request for Extension of Time to Submit Final Evidentiary Hearing Transcripts*, wherein it requested that the Energy Bureau grant until June 22, 2023, to submit the certified transcripts, considering that the revision process will take a couple of weeks to complete, given the interchangeable use of English and Spanish during the Evidentiary

Hearing, which ultimately requires producing two sets of transcripts and extends the labor of the court reporters.

10. On June 6, 2023, the Energy Bureau issued a Resolution and Order granting LUMA until June 22, 2023, to submit the final version of the Evidentiary Hearing transcripts.

11. On June 15, 2023, LUMA filed an *Urgent Request to Stay the Deadline to Submit Reply Briefs*. Therein, LUMA requested the Energy Bureau to stay the pending deadlines on reply briefs until a request to take administrative notice submitted by the Local and Environmental Civil Organizations (“LECO”) was addressed, and the Energy Bureau issued a ruling on said request, and also on *LUMA’s Response and Opposition to Resolution and Order of May 25, 2023 Taking Administrative Notice*.

12. On June 16, 2023, the Energy Bureau entered a Resolution staying the deadline to submit the replies to the final briefs until further notice.

13. On June 22, 2023, LUMA filed a *Request to Stay Time to Submit Final Evidentiary Hearing Transcripts*. LUMA requested the Energy Bureau to stay the deadline to submit the final Evidentiary Hearing transcripts due to the need for additional time to submit the final certified versions with this Energy Bureau and for the public record.

14. Thereafter, on August 17, 2023, the Energy Bureau determined that the parties should file their reply briefs no later than twenty-one (21) days from the notification of said Resolution.

15. In compliance with the Energy Bureau's previous determinations, LUMA hereby submits the final Evidentiary Hearing transcripts. The final Evidentiary Hearing transcripts will be filed in separate filings by date in the Energy Bureau's electronic system.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and accept the final Evidentiary Hearing transcripts submitted herein.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this motion to counsel for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law; the Office of the Independent Consumer Protection Office, Hannia Rivera Diaz, hrivera@jrsp.pr.gov, and counsel for the Puerto Rico Institute for Competitiveness and Sustainable Economy ("ICSE"), Fernando Agrait, agraitfe@agrailawpr.com, counsel for the Colegio de Ingenieros y a de Puerto Rico ("CIAPR"), Rhonda Castillo, rhoncat@netscape.net, and counsels for Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc., Enlace Latino de Acción Climatica, Alianza Comunitaria Ambientalista del Sureste, Inc., Coalicion de Organizaciones Anti-Incineración, Inc., Amigos del Río Guaynabo, Inc., CAMBIO, Sierra Club and its Puerto Rico Chapter, and Unión de Trabajadores de la Industria Eléctrica y Riego (jointly, Puerto Rico Local and Environmental Organizations), larroyo@earthjustice.org, rstgo2@gmail.com, notificaciones@bufete-emmanueli.com, pedrosaade5@gmail.com, jessica@bufete-emmanueli.com; rolando@bufete-emmanueli.com, lvez@earthjustice.org, rmurthy@earthjustice.org, jcassel@earthjustice.org.

In San Juan, Puerto Rico, this 21st day of September 2023.



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