

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

IN RE: IMPLEMENTATION OF THE PUERTO RICO ELECTRIC POWER AUTHORITY INTEGRATED RESOURCE PLAN AND MODIFIED ACTION PLAN

CASE NO.: NEPR-MI-2020-0012

SUBJECT: Resolution and Order regarding *Motion to Comply with Resolution and Order of September 15, 2023, as Modified by Resolution and Order of September 20, 2023*, filed by LUMA Energy, LLC and LUMA Energy ServCo, LLC.

RESOLUTION AND ORDER

On February 2, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order approving eighteen (18) renewable energy projects as part of Tranche 1 of the renewable energy procurement contemplated in the Puerto Rico Electric Power Authority ("PREPA") Approved Integrated Resources Plan and Modified Action Plan.¹

On April 4, 2023, the Energy Bureau issued a Resolution and Order ("April 4 Order") through which it ordered PREPA to require Tranche 1 proponents to use the most recent interconnection costs estimates, provided by LUMA Energy, LLC and LUMA Energy ServCo, LLC (referred to jointly as LUMA), to present their Best and Final Offer ("BFO").

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The Energy Bureau determined that any Interconnection Cost Price Discrepancies between the interconnection costs used to determine the BFO and the final interconnection costs, as established by LUMA through the interconnection RFP ("Final Interconnection Costs") would not be assumed by the proponents. The Energy Bureau determined that any price decrease would be noted and the BFO reduced.

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On September 14, 2023, the Fiscal Oversight Management Board ("FOMB") issued a letter approving certain amendments to the Power Purchase and Operation Agreements ("PPOAs") for the Tranche 1 projects.

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Subsequently, on September 15, 2023 the Energy Bureau took administrative notice of the FOMB letter and incorporated it into this proceeding. The Energy Bureau also noted the time constraint posed by the Automatic Termination Date of the PPOAs and deemed necessary and beneficial for the public interest to order LUMA to, within five (5) calendar days, provide certain information ("September 15 ROI").

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On September 22, 2023, LUMA filed a document titled *Motion to Comply with Resolution and Order of September 15, 2023, as Modified by Resolution and Order of September 20, 2023* ("September 22 Motion"). In its September 22 Motion, LUMA provided answers to the requirements of information made by the Energy Bureau in its September 15 ROI. LUMA also submitted a redline version of the Interconnection Agreement to be executed between LUMA and the Tranche 1 proponents to be aligned with the April 4 Order (i.e., the developer will only assume the interconnection costs originally included in the BFO).

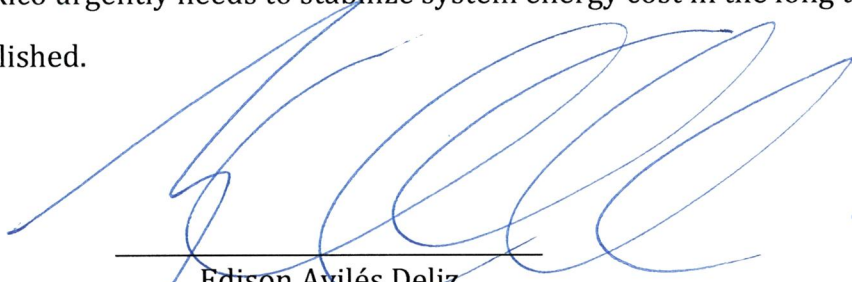
Upon review of the September 22 Motion, the Energy Bureau **DETERMINES** that LUMA complied with the September 15 ROI and **APPROVES** the proposed amendments to the referenced Interconnection Agreements, as stated in the provided redline version. In accordance with the information provided in the September 22 Motion, the Energy Bureau **DEEMS** that there is no impediment to execute the amended Interconnection Agreements

¹ Final Resolution and Order on the Puerto Rico Electric Power Authority's Integrated Resource Plan, *In re: Review of the Integrated Resource Plan of the Puerto Rico Electric Power Authority*, Case No. CEPR-AP-2018-0001, August 24, 2020 ("IRP Order").

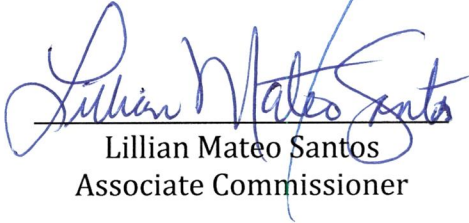


and **EXHORTS** LUMA and the Tranche 1 Proponents to execute the Interconnection Agreements to facilitate the commencement of the construction of the renewable generation facilities that Puerto Rico urgently needs to stabilize system energy cost in the long term.

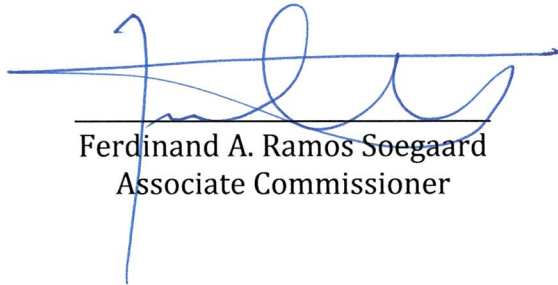
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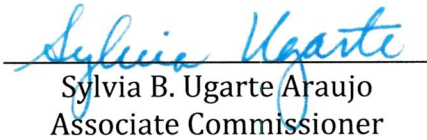
Edison Avilés Deliz
Chairman



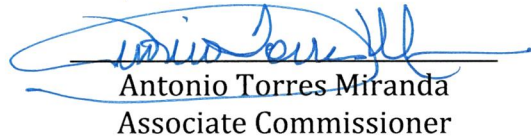
Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on September 26, 2023. I also certify that on September 26, 2023, a copy of this Resolution and Order was notified by electronic mail to laura.rozas@us.dlapiper.com, ana.rodriguezrivera@us.dlapiper.com; jmarrero@diazvaz.law and mvazquez@diazvaz.law; and I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, on September 26, 2023.


Sonia Seda Gaztambide
Clerk