

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

NEPR Received: Sep 27, 2023 8:50 PM
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IN RE:
IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY PERMANENT RATE

CASE NO. NEPR-MI-2020-0001

**SUBJECT: Proposed Agenda for Technical
Conference**

MOTION WITH PROPOSED AGENDA FOR TECHNICAL CONFERENCE

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”), through the undersigned counsel, and respectfully state and request the following:

1. On July 31, 2023, this honorable Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order with the subject *Determinación sobre los factores de las Cláusulas de Ajuste Trimestral para el período de agosto a septiembre de 2023*, whereby, among others, it ordered LUMA to submit, on or before September 15, 2023, at noon, the proposed Fuel Charge Adjustment (FCA), Purchased Power Charge Adjustment (PPCA), and Fuel Oil Subsidy (FOS) factors to be implemented from October 1, 2023 to December 31, 2023 and the proposed FCA and PPCA reconciliations for July and August 2023 (“July 31st Order”).

2. On September 12, 2023, LUMA filed an *Urgent Request for Extension of Time to Submit Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors*, whereby it requested a brief extension of time, until September 18, 2023, to inform the Energy Bureau of the reconciliations for July and August 2023 and the proposed FCA, PPCA and FOS calculated factors to be in effect from October 1, 2023, through December 31, 2023. This Energy Bureau granted LUMA’s Urgent Request through Resolution and Order issued on September 13, 2023.

3. On September 15, 2023, LUMA filed an *Urgent Request for Brief Additional Extension of Time to Submit Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors*, whereby it requested until September 20, 2023, to submit the reconciliations for July and August 2023 and FCA, PPCA and FOS calculated factors to be in effect from October 1, 2023, through December 31, 2023.

4. On September 18, 2023, the Energy Bureau issued a Resolution and Order whereby it granted LUMA until Wednesday, September 20, 2023, to submit the reconciliations for July and August 2023 and proposed factors for implementation on October 1, 2023 (“September 18th Order”).

5. On September 20, 2023, the Energy Bureau issued a Resolution and Order instructing LUMA to include in its proposed factors, the impact of the temporary generation at Palo Seco and San Juan, which fuel costs shall be paid with FEMA funds (“September 20th Order”). Additionally, the Energy Bureau ordered LUMA to include in its filing the calculations of the forecasted savings and cost per kWh savings that such temporary generation would represent to the people of Puerto Rico during the next trimester.

6. On September 20, 2023, LUMA filed a motion styled *Motion Submitting FCA and PPCA Reconciliations for July and August 2023, Submission of FCA, PPCA, FOS, and EE Calculated Factors, Request for Confidential Treatment and Request for Additional Time to Comply with Portion of September 20th Order* (“September 20th Submission”), which included:

- a. Reconciliations for the Fuel Charge Adjustment (FCA) and Purchased Power Charge Adjustment (PPCA) riders for July and August 2023;
- b. FCA, PPCA, Fuel Oil Subsidy (FOS) and EE Rider calculated factors for the period of October 1, 2023 through December 31, 2023;

- c. A proposal on implementation of EE Rider factor in the Model Bill;
- d. A Request for Confidential Treatment of the spreadsheets in excel format and with formulae in the file entitled Confidential submitted with the September 20th Submission; and
- e. A request until Friday September 22, 2023 to comply with that portion of the September 20th Order that required a forecast of savings and costs per kWh regarding the temporary generators.

7. Regarding that portion of the September 20th Order that required forecasts of savings to be produced by the temporary generators, LUMA requested an extension until Friday September 22, 2023 to provide the requested projections of savings.

8. On September 22, 2023, LUMA submitted its response in compliance with that portion of the September 20th Order that required a forecast of savings and costs per kWh savings regarding the temporary generators. *See Motion Submitting Forecast of Savings and Costs per kWh Savings Regarding Temporary Generation, in Compliance with September 20th Order* and Exhibit 1 to same.

9. On September 25, 2023, this Energy Bureau issued a Resolution and Order with requirements of information to LUMA and Genera PR, LLC, and scheduling a Technical Conference for September 28, 2023 at 1:00 pm (“September 25th Order”).

10. In compliance with the September 25th Order, on September 27, 2023, LUMA filed responses to the requirements of information. *See Motion Submitting Responses to Requests for Information in Compliance with September 25th Order.*

11. LUMA hereby respectfully proposes an agenda for the Technical Conference scheduled for September 28, 2023. The proposed agenda includes topics relevant to the September

20th Submission and subject matters identified by this Energy Bureau in the requirements of information issued in the September 25th Order. LUMA respectfully submits that the agenda is offered to facilitate proceedings during the Technical Conference and in furtherance of this Energy Bureau’s consideration of the proposed FCA and PPCA reconciliations for July and August 2023 and the calculated FCA, PPCA and FOS factors that may be implemented starting on October 1st.

12. The proposed agenda is as follows:

Order	Topic
1	Opening Remarks by LUMA
2	Battery Energy Demand Response
3	FEMA Temporary Generation
4	Fuel Optimization Plan Savings in FCA
5	AES Purchased Energy Costs
6	Fuel transfer to Ecoeléctrica
7	Seller shortfalls
8	FEMA & Insurance reimbursements
9	Planned outages

12. It is respectfully informed that LUMA’s witness on Battery Emergency Demand Response Program (BEDRP) and Energy Efficiency, Mr. Lee Wood, is available to appear for the Technical Conference up to 3:00 pm tomorrow, September 28th. LUMA respectfully proposes that, within its discretion, this Energy Bureau addresses those topics prior to 3:00 pm.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **accept** LUMA’s proposed agenda; and **consider** the availability of LUMA’s witness on BEDRP and Energy Efficiency.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 27th day of September 2023.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau and that we will send an electronic copy of this Motion to counsel for PREPA Joannely Marrero, jmarrero@diazvaz.law, counsels for Genera, alopez@sbgblaw.com and jfr@sbgblaw.com and to the Independent Consumer Protection Office, through Director Hannia Rivera, hrivera@jrsp.pr.gov.



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