

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

NEPR

Received:

Sep 29, 2023

6:11 PM

IN RE:

MANEJO DEL MANTENIMIENTO Y REPARACIONES DE LAS UNIDADES DE GENERACIÓN UTILIZADAS POR LA AUTORIDAD DE ENERGÍA ELÉCTRICA DE PUERTO RICO PARA SUPLIR SERVICIO ELÉCTRICO

CASE NO.: NEPR-MI-2021-0014

SUBJECT: Motion to Inform Genera's Compliance Efforts and Request for Feedback on Responses Submitted on July 26, 2023, Motion to Request Comments and Approval on Genera's Preliminary Response to the June 30, 2023, Order

MOTION TO INFORM GENERA'S COMPLIANCE EFFORTS AND REQUEST FOR FEEDBACK ON RESPONSES SUBMITTED ON JULY 26, 2023, MOTION TO REQUEST COMMENTS AND APPROVAL ON GENERA'S PRELIMINARY RESPONSE TO THE JUNE 30, 2023, ORDER

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:

1. On June 30, 2023, the Energy Bureau of the Puerto Rico Service Board ("Energy Bureau") issued a Resolution and Order titled *Genera Consumables, Spare Parts, and Capital Spare Parts Listing*. ("June 30th Order"), whereby it conditionally approved Genera's initial assessment of the inventory of Consumables, Spare Parts, and Capital Spare Parts at the legacy generation filed on June 19, 2023,² **subject** to Genera's updating its revised assessment

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 ("P3 Authority") and Genera PR LLC ("Genera"), Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau concerning any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

² On June 19, 2023, Genera filed a document titled *Motion to Submit Genera PR LLC's Recommendation Letter in Compliance with the June 16, 2023 Order* in which it submitted the recommendation letter in compliance with Section 4.2(j) of the LGA OMA,

incorporating the revisions required in Attachment A of the June 30th Order. Consequently, in the June 30th Order, this Energy Bureau ordered Genera to file its revised assessment of Consumables, Spare Parts, and Capital Spare Parts at the legacy generation units by no later than September 30, 2023.

2. On July 26, 2023, Genera submitted a document titled *Motion to Request Comments on Genera's Preliminary Response to the June 30, 2023, Order* ("July 26th Motion"), through which Genera filed preliminary response to Attachment A of the June 30th Order and requested that the Energy Bureau review it. The purpose of this request was to receive the Energy Bureau's comments, feedback and recommendations to ensure that Genera's forthcoming submission of the final version of the revised assessment of Consumables, Spare Parts, and Capital Spare Parts was progressing appropriately and in alignment with the Energy Bureau's stipulations outlined in the June 30th Order.

3. Although the deadline for the submission of the revised assessment of Consumables, Spare Parts, and Capital Spare Parts at the legacy generation units is by no later than September 30, 2023, Genera is still awaiting feedback from the Energy Bureau on the preliminary responses submitted in the July 26th Motion.

4. Despite taking a proactive and comprehensive approach in drafting the preliminary responses, Genera respectfully considers it's optimal to receive the requested feedback from the Energy Bureau. The rationale for this approach is to mitigate potential misunderstanding or non-compliance that might necessitate further iterations and cause delays in proceedings. Genera aims to provide a comprehensive and complete assessment of the inventory of Consumables, Spare Parts and Capital Spare Parts, and contends that this goal will be best achieved through ongoing cooperation and mutual input with the Energy Bureau.

5. Once Genera has received the requested feedback from the Energy Bureau, it commits to promptly incorporating this input into the revised assessment of Consumables, Spare Parts, and Capital Spare Parts and submitting a finalized version, as requested by the June 30th Order.

WHEREFORE, Genera respectfully requests that the Energy Bureau **take notice** of the aforementioned submissions; **provide** its feedback and recommendations on the preliminary responses submitted by Genera in Exhibit A of the July 26th Motion; and **deem** Genera to be in partial compliance with the June 30th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 29th day of September 2023.

ECIJA SBGB
PO Box 363068
San Juan, Puerto Rico 00920
Tel. (787) 300.3200
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo
jfr@sbgblaw.com
TSPR 9,669

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez
alopez@sbgblaw.com
TSPR 22,996

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 Joannely Marrero-Cruz, at jmarrero@diazvaz.law and Margarita Mercado Echegaray, at margarita.mercado@ur.dlapiper.com.

In San Juan, Puerto Rico, this 29th day of September 2023.

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez