

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

**IN RE:** REVIEW OF LUMA'S INITIAL BUDGETS

**CASE NO.:** NEPR-MI-2021-0004

**SUBJECT:** Resolution and Order pertaining to *Motion Submitting Response to Resolution and Order dated September 27, 2023*, filed by GENERA.

**RESOLUTION AND ORDER**

On June 25, 2023, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("June 25 Resolution") through which it modified the Proposed Consolidated Fiscal Year 2024 ("FY24") Budget submitted by LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively referred to as, "LUMA") and approved the modified budgets subject to compliance with various orders in the June 25 Resolution.

Through the June 25 Resolution, the Energy Bureau ordered the Puerto Rico Electric Power Authority ("PREPA") to file for review and approval, any new contract or amendment to an existing contract, before executing or making any award of such contract or amendment.

On September 1, 2023, PREPA filed a document titled *PREPA's Motion for Reconsideration of Portions of the August 16 Order and in Compliance with the August 14 Request for Information and the August 16 Order* ("September 1 Motion"). Through the September 1 Motion, PREPA responded to a requirement of information issued by the Energy Bureau on August 16, 2023 ("August 16 ROI"). PREPA also requested reconsideration of the August 16 Resolution. Specifically, as it pertains to our ruling that all contracts not approved by the Energy Bureau be terminated immediately.<sup>1</sup> PREPA also requested the Energy Bureau to reconsider its determination that there are no pending contracts for approval before its consideration.<sup>2</sup> PREPA further stated that the cancellation of the Genesis Security Services Inc. Contracts would have devastating effects.<sup>3</sup> According to PREPA, these security services contracts are divided into two contracts for north and south regions and are shared with Genera PR, LLC ("Genera"); whereby Genera holds 70% of these services and PREPA has 30%.<sup>4</sup> PREPA certified that Genera would be responsible for reimbursing PREPA 70% of the amounts contracted for services rendered by Genesis.<sup>5</sup>

On September 27, 2023, the Energy Bureau issued a Resolution and Order ("September 27 Order") in which it ordered Genera to indicate the line item within Genera's budget (as approved in the June 25 Resolution) from which this 70% payment for security<sup>6</sup> will be applied to.

On October 4, 2023, Genera filed a document titled *Motion Submitting Response to Resolution and Order Dated September 27, 2023* ("October 4 Motion"), in which Genera indicates that the line item which Genera will apply the 70% payment for security, corresponds to the non-

<sup>1</sup> September 1 Motion, pp. 22 – 23.

<sup>2</sup> *Id.*, p. 23.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*, Appendix G.

<sup>6</sup> Genesis Security Services Inc.



Labor line item of the approved FY2024 GenCo Operating Budget – Attachment D of the June 25 Resolution.<sup>7</sup>

Upon review, the Energy Bureau **TAKES NOTICE** of the October 4 Motion and **DETERMINES** that Genera complied with the September 27 Resolution.

Be it notified and published.

  
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 certify that the majority of the members of the Puerto Rico Energy Bureau agreed on October 11, 2023. Also certify that on October 11, 2023, I have proceeded with the filing of this Resolution and Order and was notified by email to pre@promesa.gov; margarita.mercado@us.dlapiper.com; ana.rodriguezrivera@us.dlapiper.com; julian.angladapagan@us.dlapiper.com; lionel.santa@prepa.com; mvazquez@diazvaz.law; jmarrero@diazvaz.law; 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, October 11, 2023.

  
Sonia Seda Gaztambide  
Clerk



<sup>7</sup> October 4 Motion, ¶ 6.