

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

NEPR

Received:

Oct 13, 2023

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IN RE:

TARIFA PERMANENTE DE LA
AUTORIDAD DE ENERGÍA ELÉCTRICA
DE PUERTO RICO

CASE NO.: NEPR-MI-2020-0001

SUBJECT: Motion to Submit Monthly Report
in Compliance with the Resolution and Order
dated June 29, 2022

**MOTION TO SUBMIT MONTHLY REPORT IN COMPLIANCE WITH THE
RESOLUTION AND ORDER DATED JUNE 29, 2022**

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 state and request the following:

1. On June 29, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order titled *Determinación sobre los Factores de las Cláusulas de Ajuste Anual para el periodo de julio 2022 a junio 2023; Determinación sobre los Factores de las Cláusulas de Ajuste Trimestral para el periodo julio — septiembre 2022* (“June 29th Order”) whereby it ordered PREPA to, amongst other things, provide:

[E]n o antes del día 15 de cada mes, comenzando con el mes de julio de 2022, presentar ante el Negociado de Energía un informe detallado de los resultados de las acciones tomadas relacionadas a reclamaciones bajo el contrato entre la Autoridad y New Fortress² para el suministro de gas natural en las unidades San Juan 5 y 6. El informe debe incluir todas las instancias o incidentes en que la Autoridad ha tenido que utilizar diesel en lugar de gas natural desde el inicio del contrato con

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority, 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 PREB with respect to any matter related to the performance of any of the Operation & Maintenance (“O&M”) Services provided by Genera under the LGA OMA.

² The Fuel Sale and Purchase Agreement that Genera, as agent of PREPA, manages, has NFEnergía, LLC as the counterpart, not New Fortress Energy.

New Fortress, la causa o causas de cada incidente, las acciones tomadas por New Fortress y/o la Autoridad para corregir dichas causas y la documentación que evidencie las correspondientes reclamaciones realizadas por la Autoridad a! amparo del contrato y cualquier otra reclamación relacionada. Además, el informe debe estar acompañado de copia de cualquier documentación (e.g., cartas, correos electrónicos, memoranda, etc.) que apoye los datos contenidos en el mismo incluyendo, pero sin limitarse a, todas las comunicaciones cursadas entre la Autoridad y New Fortress con relación a **nominaciones de gas natural desde el inicio del contrato**.

2. In the June 29th Order, the Energy Bureau further instructed PREPA to:

[E]n o antes del día 15 de cada mes, comenzando con el mes de julio de 2022, presentar ante el Negociado de Energía un informe detallado de los resultados de las acciones tomadas relacionadas a reclamaciones bajo el contrato entre la Autoridad y Naturgy para el suministro de gas natural en las unidades Costa Sur 5 y 6. El informe debe estar acompañado de copia de cualquier documentación (e.g., cartas, correos electrónicos, memoranda, etc.) que apoye los datos contenidos en el mismo. Como parte de su radicación, la Autoridad deberá presentar también un informe detallado respecto al suministro de gas natural en las unidades Costa Sur 5 y 6, incluyendo la razón de consumo entre gas natural y combustible residual, así como la fecha estimada para el restablecimiento del suministro normal de gas natural a dichas unidades.

3. Effective July 1, 2023, Service Commencement Date, the responsibility for the O&M Services for the Legacy Generation Assets transitioned from PREPA to Genera in accordance with the provisions of the LGA OMA.³ Regarding the management of fuel contracts, Section 5.7 of the LGA OMA specifically provides the following:

Management of Fuel and Fuel Contracts. From the Service Commencement Date and for the remainder of the Term thereafter, Operator shall source, procure and manage the nomination, transportation, delivery, supply, quality-testing, storage and handling of Fuel, manage and maintain fuel tanks, perform any required environmental reporting, **and maintain and administer the Fuel Contracts, in accordance with the Contract Standards and the applicable Fuel Budget then in effect.** Any renewal of an existing Fuel Contract and any procurement of a new Fuel Contract shall be subject to approval by Administrator and performed in accordance with Applicable Law and in a manner consistent with the Procurement Manual, provided that procurement requirements that would otherwise apply to Owner under Act No. 83 of May 2, 1941 (including any rules or

³ See Section 4.7(b) of the LGA OMA.

regulations issued thereunder) or Act 38 (including those relating to approval process and judicial review) shall not be applicable. (Emphasis supplied)

4. Therefore, in accordance with the obligations under the LGA OMA, Genera hereby submits the email communications and fuel nominations sent on October 5, 2023, to Naturgy Aprovevisionamientos S.A. for EcoEléctrica, LP and Costa Sur units 5 and 6, attached herein as Exhibit A; and the email communications and fuel nominations sent to NFEnergía, LLC for San Juan units 5 and, attached as Exhibit B herein.

WHEREFORE, Genera respectfully requests that the Energy Bureau **take notice** of the above for all purposes and **deem** Genera in compliance with the June 29th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 13th day of October 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 Margarita Mercado Echegaray, at margarita.mercado@us.dlapiper.com; Yahaira de la Rosa, at yahaira.delarosa@us.dlapiper.com; and hriviera@jrsp.pr.gov.

In San Juan, Puerto Rico, this 13th day of October 2023.

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez

Exhibit A

Fuel nominations sent to Naturgy Naturgy Aprovevisionamientos S.A. for the supply of natural gas to EcoEléctrica, LP and Costa Sur units 5 and 6

From: [Jose L Carrasco Arroyo](#)
To: [Meugniot Camacho, Jose Joaquín Amador](#); lngpr@naturgy.com
Cc: [Cesar A Figueroa Diez](#); [Danny Hernandez](#); [Russell Painter](#); [Ferdinand Correa Mendez](#); [Hugal R Rios Diaz](#); [Manuel Rios Ramirez](#); [Hector L Lopez Castellar](#); [Miguel Beauchamp Ramos](#); [Zulma E Rodriguez Gonzalez](#); [Lorena Torres Miranda](#); [Katuska Bolanos Lugo](#); [Brannen McElmurray](#); [William Rios Mera](#); [Cristina Ribas Morera](#)
Subject: EcoEléctrica & Costa Sur NDS - November, December 2023 & January 2024
Date: Thursday, October 5, 2023 4:43:56 PM
Attachments: [NDS Costa Sur Nov-Dec 2023 & Jan 2024.pdf](#)
[image001.png](#)
[NDS Ecoléctrica Nov-Dec 2023 & Jan 2024.pdf](#)

Hi Joaquín and Naturgy team,

Please see attached the November-December-2023 & January-2024 NDS for EcoEléctrica & Costa Sur generating stations.

Regards,

Eng. José L. Carrasco

Fuels Manager



Cell: 787-439-6111

American International Plaza
250 Muñoz Rivera Ave, Suite 1200
San Juan, PR 00918
www.genera-pr.com



AMENDED AND RESTATED
NATURAL GAS SALE AND PURCHASE AGREEMENT
BETWEEN GENERA PR, AS AGENT OF PREPA (BUYER)
AND NATURGY APROVISIONAMIENTOS S.A. (SELLER)

COSTA SUR NINETY DAY PROGRAMME

Month M DAY	Nov-23		
	DAILY MMscf	MMBtu	
Wednesday, November 01, 2023	84.04	87,400	
Thursday, November 02, 2023	83.49	86,825	
Friday, November 03, 2023	73.56	76,502	
Saturday, November 04, 2023	76.30	79,350	
Sunday, November 05, 2023	73.53	76,475	
Monday, November 06, 2023	79.76	82,946	
Tuesday, November 07, 2023	79.44	82,616	
Wednesday, November 08, 2023	85.24	88,645	
Thursday, November 09, 2023	86.80	90,275	
Friday, November 10, 2023	83.60	86,948	
Saturday, November 11, 2023	75.90	78,938	
Sunday, November 12, 2023	71.82	74,697	
Monday, November 13, 2023	79.06	82,225	
Tuesday, November 14, 2023	76.30	79,350	
Wednesday, November 15, 2023	75.25	78,258	
Thursday, November 16, 2023	113.34	117,875	
Friday, November 17, 2023	111.13	115,575	
Saturday, November 18, 2023	97.31	101,200	
Sunday, November 19, 2023	94.54	98,325	
Monday, November 20, 2023	118.93	123,686	
Tuesday, November 21, 2023	119.23	124,002	
Wednesday, November 22, 2023	118.07	122,797	
Thursday, November 23, 2023	111.41	115,863	
Friday, November 24, 2023	108.37	112,700	
Saturday, November 25, 2023	101.73	105,800	
Sunday, November 26, 2023	108.04	112,359	
Monday, November 27, 2023	113.34	117,875	
Tuesday, November 28, 2023	110.30	114,713	
Wednesday, November 29, 2023	109.64	114,023	
Thursday, November 30, 2023	108.37	112,700	
	2,828	2.941 TBtu	
Date sent	Month M + 1	Dec-23	3.359 TBtu
Thursday, October 5, 2023	Month M + 2	Jan-24	2.882 TBtu



AMENDED AND RESTATED
NATURAL GAS SALE AND PURCHASE AGREEMENT
BETWEEN GENERAPR, AS AGENT OF PREPA (BUYER)
AND NATURGY APROVISIONAMIENTOS S.A. (SELLER)

ECOELECTRICA NINETY DAY PROGRAMME

Month M DAY	Nov-23	
	DAILY MMscf	MMBtu
Wednesday, November 01, 2023	75.55	78,570
Thursday, November 02, 2023	76.11	79,160
Friday, November 03, 2023	75.21	78,216
Saturday, November 04, 2023	74.74	77,727
Sunday, November 05, 2023	69.09	71,858
Monday, November 06, 2023	71.08	73,920
Tuesday, November 07, 2023	71.45	74,304
Wednesday, November 08, 2023	73.77	76,718
Thursday, November 09, 2023	77.19	80,275
Friday, November 10, 2023	74.58	77,562
Saturday, November 11, 2023	71.68	74,550
Sunday, November 12, 2023	72.09	74,979
Monday, November 13, 2023	74.19	77,156
Tuesday, November 14, 2023	74.11	77,071
Wednesday, November 15, 2023	71.05	73,895
Thursday, November 16, 2023	73.86	76,810
Friday, November 17, 2023	72.94	75,861
Saturday, November 18, 2023	67.42	70,113
Sunday, November 19, 2023	64.27	66,836
Monday, November 20, 2023	68.67	71,418
Tuesday, November 21, 2023	66.01	68,646
Wednesday, November 22, 2023	66.63	69,300
Thursday, November 23, 2023	68.49	71,225
Friday, November 24, 2023	64.60	67,183
Saturday, November 25, 2023	65.89	68,530
Sunday, November 26, 2023	66.63	69,300
Monday, November 27, 2023	74.86	77,852
Tuesday, November 28, 2023	72.44	75,335
Wednesday, November 29, 2023	73.27	76,198
Thursday, November 30, 2023	72.32	75,213

2,140	2.226	TBtu
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Date sent	Month M + 1	Dec-23	2.201	TBtu
Thursday, October 5, 2023	Month M + 2	Jan-24	2.022	TBtu

Exhibit B

Fuel nominations sent to NFEnergía, LLC for the supply of natural gas to San Juan units 5 and 6

From: [Jose L Carrasco Arroyo](#)
To: [Carlos Faris](#)
Cc: [Terence Sawick](#); [Gregory Pilkinton](#); [Radames J Alvarado Bonilla](#); [Victor L Ortiz Perez](#); [Ferdinand Correa Mendez](#); [Hugal R Rios Diaz](#); [Lorena Torres Miranda](#); [Cesar A Figueroa Diez](#); [Brannen McElmurray](#); [Katuska Bolanos Lugo](#); [Danny Hernandez](#); [Russell Painter](#); [Manuel Rios Ramirez](#); [Cristina Ribas Morera](#)
Subject: San Juan Units 5 & 6 NDS - November, December 2023 and January 2024
Date: Thursday, October 5, 2023 4:48:59 PM
Attachments: [NDS SJCC5&6 Nov-Dec 2023 & Jan 2024.pdf](#)
[image001.png](#)

Hi Carlos and NFE Team,

Please see attached the November-December 2023 & January-2024 NDS for San Juan generating station units 5 & 6.

Regards,

Eng. José L. Carrasco

Fuels Manager



Cell: 787-439-6111

American International Plaza
250 Muñoz Rivera Ave, Suite 1200
San Juan, PR 00918
www.genera-pr.com



FUEL SALE AND PURCHASE AGREEMENT
BETWEEN GENERA PR, AS AGENT OF PREPA (BUYER)
AND NEW FORTRESS ENERGY (SELLER)

SAN JUAN 5 & 6 NINETY DAY SCHEDULE

Month M DAY	Nov-23	
	DAILY MMscf	MMBtu
Wednesday, November 01, 2023	33.97	35,328
Thursday, November 02, 2023	34.66	36,044
Friday, November 03, 2023	34.80	36,188
Saturday, November 04, 2023	33.50	34,841
Sunday, November 05, 2023	33.12	34,445
Monday, November 06, 2023	34.57	35,956
Tuesday, November 07, 2023	34.33	35,699
Wednesday, November 08, 2023	64.58	67,164
Thursday, November 09, 2023	65.38	67,992
Friday, November 10, 2023	64.66	67,242
Saturday, November 11, 2023	65.21	67,817
Sunday, November 12, 2023	65.26	67,874
Monday, November 13, 2023	64.76	67,347
Tuesday, November 14, 2023	64.17	66,732
Wednesday, November 15, 2023	65.17	67,773
Thursday, November 16, 2023	62.57	65,072
Friday, November 17, 2023	63.53	66,068
Saturday, November 18, 2023	64.33	66,898
Sunday, November 19, 2023	63.37	65,902
Monday, November 20, 2023	67.54	70,243
Tuesday, November 21, 2023	64.66	67,241
Wednesday, November 22, 2023	66.50	69,164
Thursday, November 23, 2023	64.96	67,562
Friday, November 24, 2023	62.47	64,973
Saturday, November 25, 2023	62.67	65,178
Sunday, November 26, 2023	65.25	67,862
Monday, November 27, 2023	64.88	67,479
Tuesday, November 28, 2023	63.85	66,400
Wednesday, November 29, 2023	64.65	67,239
Thursday, November 30, 2023	62.41	64,906
	1,722	1.791 TBtu

Date sent

Thursday, October 5, 2023

Month M + 1

Dec-23

1.866

TBtu

Month M + 2

Jan-24

1.838

TBtu