

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

IN RE: REQUEST FOR CERTIFICATION
HEWLETT-PACKARD PUERTO RICO B.V
LLC

CASE NO.: NEPR-CT-2021-0004

SUBJECT: August 31 Motion

RESOLUTION AND ORDER

On August 31, 2023, HEWLETT- PACKARD PUERTO RICO B.V LLC ("HEWLETT-PACKARD") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Financial Statements Submission of 2022* ("August 31 Motion"), with the following attached document: (i) *Hewlett- Packard Puerto Rico B.V LLC, Audited Financial Statements, For the Year Ended October 31, 2022* ("Audited Financial Statements"), pursuant to the requirements¹ of Section 4.02(E) of Regulation 8701².

Section 4.02(E) of Regulation 8701 establishes the following:

When the Annual Gross Revenue of an Electric Service Company during a Calendar Year is equal to or less than three million dollars (\$3,000,000.00), the Annual Gross Revenue report must be signed by the authorized representative of the Electric Service Company. The signature of the authorized representative shall constitute a certificate under oath, under penalty of perjury, that such information is correct and complete. In addition, the Electric Utility Company shall submit to the Energy Bureau its financial statements for each Fiscal Year compiled by an Authorized Public Accountant (CPA) authorized to practice such profession in Puerto Rico, or in any jurisdiction of the United States of America. Such compiled financial statements shall be submitted to the Energy Bureau within one hundred and twenty (120) days, counted from the date on which the Electric Service Company's Fiscal Year ends. The provisions of this paragraph shall apply to any successor to the Puerto Rico Electric Power Authority.

According to the administrative record, on April 3, 2023, HEWLETT-PACKARD reported³ a Gross Revenue of five hundred thirteen thousand, four hundred nineteen dollars and thirteen cents (\$513,419.13) for the Natural Year 2022, corresponding to the revenue of the electric services in Puerto Rico.

On the attached documents of the August 31 Motion, HEWLETT-PACKARD reported a Gross Revenue of forty-three million four hundred eighty-six thousand dollars (\$43,486,000)⁴ for the Fiscal Year⁵ ending on October 31, 2022, but the notes of the financial statements did not include: (i) a breakdown of the monthly revenue reported, and (ii) a breakdown of the revenues from the electric services in Puerto Rico.

¹ HEWLETT-PACKARD is subject to the requirements of Section 4.02(E) because the Gross Revenues obtained from the *electric services* it provided, as defined by Regulation 8701 and Act. No. 57-2014 were less than three million dollars (\$3,000,000) during the Natural Year 2022.

² *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, February 17, 2016 ("Regulation 8701"), as amended by Regulation No. 9182, *Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, June 24, 2020 ("Regulation 9182").

³ Docket No. NEPR-CT-2021-0004, *Annual Gross Revenue Certificate, CHP Project – Hewlett-Packard Puerto Rico, B.V.*, April 3, 2023.

⁴ This amount includes revenues from other products and services which are not *electric services*, as defined by Regulation 8701 and Act No. 57-2014.

⁵ HEWLETT-PACKARD fiscal year begins on November 1 and ends on October 31.



Pursuant to Section 4.02(H) of Regulation 8701, the Energy Bureau may require whichever additional information it deems necessary before correcting the amount that the company must pay as the annual fee. HEWLETT-PACKARD **shall** (i) revise its audited Financial Statements Report to present a monthly breakdown of its Gross Revenue for the fiscal year ending on October 31, 2022, including a breakdown of its revenues from the electric services in Puerto Rico; and (ii) report the Gross Revenues generated for the months of November and December 2022 from the electric services provided.

The Energy Bureau **ORDERS** HEWLETT-PACKARD, within fifteen (15) days, from the notification of this Resolution and Order, to (i) revise its audited⁶ Financial Statements Report to present a monthly breakdown its Gross Revenue for the fiscal year ending on October 31, 2022, including a breakdown of its revenues from the electric services in Puerto Rico; and (ii) report the Gross Revenue generated for the months of November and December 2022 from the electric services provided .

The Energy Bureau **WARNS** HEWLETT-PACKARD that non-compliance with Energy Bureau’s orders and regulations may carry the imposition of administrative fines.

Be 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 19 2023. Also certify that on October 19 2023. I have proceeded with the filing of this Resolution and was notified by email to: willie.feliciano@hpe.com .

I sign this in San Juan, Puerto Rico, today, October 19, 2023.



Sonia Seda Gaztambide
Clerk



⁶ HEWLETT-PACKARD decided to file an *audited* Financial Statement Report, but under the provisions of Section 4.02(E) of Regulation 8701 it is only required to file a compiled Financial Statement for the *electric services* provided in Puerto Rico. Gross Revenues of HEWLETT-PACKRD from the *electric services* provided in Puerto Rico during the Natural Year 2022 were less than three million dollars (\$3,000,000).