

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

IN RE: IMPLEMENTATION OF THE PUERTO RICO ELECTRIC POWER AUTHORITY INTEGRATED RESOURCE PLAN AND MODIFIED ACTION PLAN

CASE NO.: NEPR-MI-2020-0012

SUBJECT: PREPA representative for the Selection Committee and a point of contact with PREB-IC .

RESOLUTION AND ORDER

I. Procedural Background

On August 24, 2020, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Final Resolution and Order in Case No. CERP-AP-2018-0001 regarding the Puerto Rico Electric Power Authority's ("PREPA") Integrated Resources Plan ("IRP") through which it approved in part and rejected in part PREPA's Proposed IRP ("Approved IRP").¹ The approved IRP orders the adoption and implementation of a Modified Action Plan which includes the development of competitive solicitation processes for the procurement of new renewable resources and battery energy storage resources in support of meeting Act 17-2019² targets for renewable energy installations.³

The Approved IRP, established a schedule for target quantities of renewable energy and battery storage resources to be required through a Request for Proposal ("RFP") processes and directed PREPA to submit a procurement plan to achieve the set goals.

After the significant delays that occurred during Tranche 1 RFP process being conducted by PREPA, the Energy Bureau determined to take charge of the remained for the six (6) tranches. Therefore, on October 29, 2021 the Energy Bureau issued a Resolution and Order ("October 29 Resolution") in which it determined to utilize an Independent Coordinator ("PREB-IC") to conduct the remaining Tranches RFPs.⁴

On January 27, 2022, the Energy Bureau issued a Resolution and Order ("January 27 Resolution") assigning the responsibilities and duties to the PREB-IC and ordering PREPA and LUMA to fully collaborate with the PREB-IC and provide any needed data and analytical support required to enable successful completion of the RFP process and specifically ordered PREPA and LUMA **to provide a point of contact for this purpose.**⁵

On June 9, 2022, the Energy Bureau issued a Resolution and Order ("June 9 Resolution") establishing PREPA's and LUMA's roles in the RFP Process and also, created the Selection Committee for the evaluation and selection of bids for all the subsequent RFP processes, and ordered PREPA and LUMA **to inform the persons that shall form part of the Selection Committee.**⁶

¹ Final Resolution and Order on the Puerto Rico Electric Power Authority's Integrated Resource Plan, *In Re: Review of the Puerto Rico Electric Power Authority Integrated Resource Plan*, Case No. CEPR-AP-2018-0001, August 24, 2020.

² Known as *Puerto Rico Energy Public Policy Act* ("Act 17-2019")

³ Approved IRP, p. 266.

⁴ See October 29 Resolution, pp. 13-14.

⁵ See January 27, 2022, Resolution, p. 5.

⁶ See June 9, 2022, Resolution pp.4-5.




The PREB-IC has informed the Energy Bureau that on several occasions it has requested from PREPA, to no avail, their point of contact for the RFP process and the person that shall form part of the Selection Committee.

II. Conclusion

The Energy Bureau **ORDERS** PREPA to inform within three (3) calendar days from the notification of this Resolution and Order, (i) the point of contact with the PREB-IC that may address any matter that requires PREPA action, and (ii) PREPA's designated member for the Selection Committee.⁷ PREPA shall designate the latter for all the remaining Tranches.

The Energy Bureau warns PREPA that noncompliance with the Energy Bureau's orders or applicable legal requirements may carry the imposition of administrative fines of up to twenty-five thousand dollars (\$25,000.00) per day, per violation and/or other sanctions that the Energy Bureau may deem appropriate.

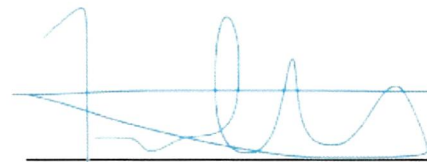
Be it notified and published.



Edison Avilés Deliz
Chairman



Lillian Matea 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 Lionel.santa@prepa.com; laura.rozas@us.dlapiper.com, ana.rodriguezrivera@us.dlapiper.com.

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



Sonia Seda Gaztambide
Clerk



⁷ For Tranche 2, Mr. Jaime Umpierre was selected as the PREPA representative in the Selection Committee as well as the Point of Contact between PREPA and the PREB-IC.