

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

**NEPR**

**Received:**

**Oct 26, 2023**

**10:02 AM**

**IN RE:**

GENERA PR LLC FUEL OPTIMIZATION  
PLAN

**CASE NO.:** NEPR-MI-2023-0004

**SUBJECT:** Motion for Extension of Time to  
Comply with the October 19<sup>th</sup> Order

**MOTION REQUESTING EXTENSION OF TIME TO  
COMPLY WITH THE OCTOBER 19<sup>TH</sup> ORDER**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

COMES NOW GENERA PR, LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),<sup>1</sup> through its counsels of record, and respectfully submits and prays as follows:

1. On July 18, 2023, the Energy Bureau issued a Resolution and Order titled *Commencing Procedure to Evaluate GENERA PR LLC Fuel Optimization Plan* (“July 18<sup>th</sup> Order”), whereby, among other things, the Energy Bureau commenced Case No. NEPR-MI-2023-0004 to review the Fuel Optimization Plan required by the LGA OMA. In the July 18<sup>th</sup> Order, the Energy Bureau ordered Genera to file a final version of the Fuel Optimization Plan agreed upon with P3 Authority and emphasized that the Fuel Optimization Plan must be fully compliant with PREPA’s approved Integrated Resource Plan (“IRP”).

2. After several procedural matters, on September 15, 2023, Genera submitted a document titled *Motion to Submit Genera’s Revised Fuel Optimization Plan in Compliance with*

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<sup>1</sup> 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 (“P3 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 O&M Services provided by Genera under the LGA OMA.

*Resolution and Order Dated July 18, 2023* (“September 15<sup>th</sup> Motion”), which included its revised Fuel Optimization Plan (“Fuel Optimization Plan”). This Fuel Optimization Plan approved by the P3 Authority, was submitted for the approval of the Energy Bureau. The Fuel Optimization Plan outlines the Fuel Cost Savings Initiatives and expected methods for achieving estimated fuel savings during the LGA OMA term.

3. On October 19, 2023, the Energy Bureau issued a Resolution and Order titled *Requirement of Information to GENERA – Evaluation of Genera Fuel Optimization Plan* (“October 19<sup>th</sup> Order”). Regarding the analysis of the Fuel Optimization Plan, the Energy Bureau noted in the October 19<sup>th</sup> Order that:

“The Energy Bureau's expectation of the Fuel Optimization Plan is that it describes each and all specific initiatives that Genera, in the exercise of its expertise, created, as well as the method and expected savings for the purchase of fuel. Consistent with the [LGA OMA], any savings related to Federal programs or market conditions are not savings used to trigger or calculate the incentive payment.”

4. In the October 19<sup>th</sup> Order, the Energy Bureau further discussed its analysis of Genera’s Fuel Optimization Plan, stating that “[t]o ascertain the prudence of the Fuel Optimization Plan as it related to the LGA OMA, the requirements listed in the July 18<sup>th</sup> Order, and applicable laws and regulation of the Government of Puerto Rico, the Energy Bureau determines that supporting material is needed to allow the Energy Bureau to fully assess Genera’s Fuel Optimization Plan”. Consequently, the Energy Bureau ordered Genera to respond, on or before October 27, 2023, at 12:00 PM, to the Requirements of Information (“ROI”) outlined in Attachment A to the October 19<sup>th</sup> Order.

5. The October 19<sup>th</sup> Order contains more than 70 requests for information (excluding the subparts). Since the October 19<sup>th</sup> Order was issued, Genera has been tirelessly working to obtain the information requested through the Order and to provide answers to all the questions

posted. However, the Fuel Savings Initiatives presented in the Fuel Optimization Plan are complex, as are the ROIs posted by the Energy Bureau and the responses to be provided. Genera has been working diligently to provide all the required answers in a timely manner. Nevertheless, given the complexity mentioned above, Genera understands that the responses will not be completed by the deadline ordered by the Energy Bureau.

6. Genera respectfully requests an extension of time to provide the requested information thoroughly and comprehensively. Genera understands the importance of providing the required information as soon as possible but, at the same time, must ensure that the responses are accurate and complete while also highlighting the Fuel Savings Initiatives that will benefit the People of Puerto Rico. Genera asserts that additional time will enable an opportunity for a more detailed explanation and more compelling support for the Fuel Optimization Plan and the savings that Genera will achieve with its implementation.

7. Given the above, Genera respectfully requests a two (2) weeks extension of time, until November 10<sup>th</sup>, 2023, to respond to the ROI included in the October 19<sup>th</sup> Order.

**WHEREFORE**, Genera respectfully requests that the Energy Bureau **take notice** of the above for all purposes and grant a **two (2) weeks extension of time to comply with the** October 19<sup>th</sup> Order.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 26<sup>th</sup> day of October 2023.

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**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.

In San Juan, Puerto Rico, this 26<sup>th</sup> day of October 2023

/s/ Joaquin M. Lago González  
Joaquín M. Lago González