

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

**IN RE:** GENERA PR, LLC FUEL  
OPTIMIZATION PLAN

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

**SUBJECT:** Requirement of Information to  
GENERA – Evaluation of Genera Fuel  
Optimization Plan

**RESOLUTION AND ORDER**

**I. Introduction**

On July 18, 2023, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("July 18 Order") through which it commenced the administrative procedure to review the Fuel Optimization Plan required by the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("GOMA").<sup>1</sup> Section 4.2(t) of the GOMA establishes that the Fuel Optimization Plan shall be commented on by the Puerto Rico Public-Private Partnerships Authority ("P3 Authority") before the review and eventual approval of the Energy Bureau. Thus, the version of the Fuel Optimization Plan that should be submitted to the Energy Bureau must be a thorough and detailed plan version incorporating the comments of the P3 Authority regarding its appropriateness. The Energy Bureau was specific in the July 18 Order that the Fuel Optimization Plan must be fully compliant with PREPA's approved Integrated Resource Plan ("IRP").

On September 15, 2023, Genera PR LLC ("Genera") submitted a document titled *Motion to Submit GENERA's Revised Fuel Optimization Plan in Compliance with Resolution and Order Dated July 18, 2023* ("September 15 Motion") including its revised Fuel Optimization Plan ("Fuel Optimization Plan") agreed upon with the P3 Authority, for the approval of the Energy Bureau.

On October 19, 2023, the Energy Bureau issued a Resolution and Order ("October 19 Resolution") through which ordered Genera to respond, on or before October 27, 2023 at 12:00 PM, to the Requirements of Information ("ROI") set forth in Attachment A of the October 19 Resolution.

On October 26, 2023, Genera filed a Motion titled *Motion Requesting Extension of Time to Comply with the October 19 Order*, through which Genera states that due to the complexity and the amount of required information on the October 19 Resolution, Genera request two (2) additional weeks extension of time, until November 10, 2023, to respond to the ROI.

**II. Conclusion**

The Energy Bureau **TAKE NOTICE** of the October 26 Motion, **GRANTS** Genera the requested extension of time and **ORDERS** Genera to respond, on or before **November 10, 2023**, at 12:00 PM, to the Requirements of Information in Attachment A to the October 19 Resolution.

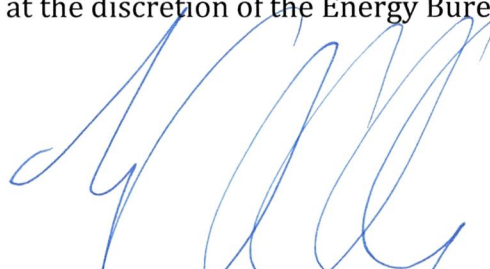
The Energy Bureau **WARNS** Genera that:

<sup>1</sup> *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("GOMA"), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority ("P3 Authority") and Genera PR LLC ("Genera"). Pursuant to the GOMA, Genera is the sole operator and administrator of the Legacy Generation Assets (defined in the GOMA) the sole entity authorized to represent PREPA before PREP with respect to any matter related to the performance of any of the O&M Services provided by Genera under the GOMA.



- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
- (ii) any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
- (iii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000), at the discretion of the Energy Bureau.

Be it notified and published.



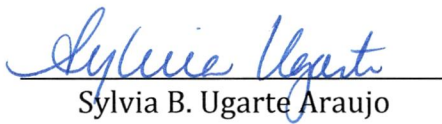
Edison Avilés Deliz  
Chairman



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 has so agreed on October 30, 2023. I also certify that on October 31, 2023 a copy of this Resolution and Order was notified by electronic mail to the following: [jfr@sbgblaw.com](mailto:jfr@sbgblaw.com); [alopez@sbgblaw.com](mailto:alopez@sbgblaw.com); [jlago@sbgblaw.com](mailto:jlago@sbgblaw.com); [kbolanos@genera-pr.com](mailto:kbolanos@genera-pr.com). I also certify that on October 31, 2023, I have moved forward with filing the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, on October 31, 2023.



Wanda I. Cordero Morales  
Interim Clerk

