

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

NEPR

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IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN –
DECEMBER 2020

CASE NO.: NEPR-MI-2021-0002

SUBJECT: Motion to Submit PREPA's
September 2023 Update to the PREPA-LUMA
90-Day Plan

**MOTION TO SUBMIT PREPA'S SEPTEMBER 2023 UPDATE
TO THE PREPA-LUMA 90-DAY PLAN**

COMES NOW the Puerto Rico Electric Power Authority (PREPA), through its counsel of record, and respectfully submits and requests as follows:

1. On March 26, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (the "Energy Bureau") entered a *Resolution and Order* (the "March 26 Order") requiring PREPA to, among other things, "continue reporting to the Energy Bureau and FEMA, within the next five (5) years, the progress of all ongoing efforts related to the final approval of the submitted projects not yet approved by the Energy Bureau".¹
2. On July 15, 2021 LUMA² submitted before this Energy Bureau a document titled and *Motion Submitting Corrected LUMA Presentation at Technical Conference of July 11, 2021 and Requesting Approvals of Matters Presented and Proposed during the Technical Conference* ("July 15th Motion") wherein LUMA proposed, among others, that reporting in this docket be done quarterly and that updates to the 90-Day Plan in relation to the 10-Year Infrastructure Plan be provided to the Energy Bureau during the last month of every quarter as it is provided to FEMA. See July 15 Motion at pages 8-9.

¹ March 26 Order at p.19.

² Luma Energy, LLC and LUMA Energy ServCo LLC, jointly referred to as "LUMA".

3. Thereafter, on September 21, 2021, PREPA and LUMA filed a joint motion titled *Motion Submitting September 2021 Update to PREPA-LUMA 90 Day Plan* (“September 21 Motion”). In the September 21 Motion, LUMA and PREPA informed that going forward, they would continue to file the PREPA-LUMA 90-Day Plans, instead of 90-Day updates of the 10-Year Infrastructure Plan given that FEMA was only requiring the 90-Day Plans. *See* September 21 Motion at page 4.

4. PREPA hereby submits, as Exhibit 1 to this Motion, the September 2023 update to the PREPA-LUMA 90-Day Plan (“September 2023 PREPA-LUMA 90-Day Plan”) including information on areas of coordination among PREPA, LUMA, and Genera³, as well as focus areas specific to each and providing an overview of key next steps for the upcoming 90 days in relation to the 10-Year Infrastructure Plan.

5. It should be noted that on July 1, 2023, Genera assumed overall responsibilities for PREPA’s Generation System as outlined within the O&M Agreement (OMA) between PREPA, the Puerto Rico Public Private Partnership Authority and Genera. Upon Commencement of the Service Period, PREPA refocused its efforts on projects in the Dams, Hydro, and Irrigation asset categories; while projects in the Generation asset categories (“Generation Projects”) were transitioned to and are now the responsibility of Genera.

WHEREFORE, PREPA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **accept** the September 2023 PREPA-LUMA 90-Day Plan submitted herein as Exhibit 1.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 28th day of September 2023.

³Genera PR LLC (“Genera”).

s/ Maralíz Vázquez-Marrero

Maralíz Vázquez-Marrero

mvazquez@diazvaz.law

TSPR No. 16,187

s/ Joannely Marrero Cruz

Joannely Marrero Cruz

jmarrero@diazvaz.law

TSPR No. 20,014

DÍAZ & VÁZQUEZ LAW FIRM, P.S.C.

290 Jesús T. Piñero Ave.

Oriental Tower, Suite 803

San Juan, PR 00918

Tel. (787) 395-7133

Fax. (787) 497-9664

CERTIFICATE OF SERVICE

It is hereby certified that I have filed the foregoing with the Clerk of the Energy Bureau using the electronic filing system using <https://radicacion.energia.pr.gov/login> and also, that I have served a copy on LUMA Energy, LLC and LUMA Energy ServCo, LLC through their counsel of record at laura.rozas@us.dlapiper.com and margarita.mercado@us.dlapiper.com.

In San Juan Puerto Rico on this 28th day of September 2023.

/s Joannely Marrero Cruz
Joannely Marrero Cruz

Exhibit 1

PREPA-LUMA 90-Day Plan September 2023



FEMA



PREPA-LUMA 90-Day Plan

September 2023



Puerto Rico Electric
Power Authority



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I. Introduction

In accordance with the directive received from FEMA to produce a 90-Day Plan, this document captures an overview of the key next steps and progress made on FEMA-funded projects for the Puerto Rico electrical system.

On June 1, 2021, LUMA assumed overall responsibilities for PREPA's T&D System as outlined within the O&M Agreement (OMA) between PREPA, P3A, and LUMA. Upon Commencement of the Service Period, PREPA refocused its efforts on projects in the Generation and Dams, Hydro, and Irrigation asset categories; while projects in the Transmission, Distribution, Substations, IT/Telecom, Buildings, and Environmental asset categories ("T&D Projects") were transitioned to and are now the responsibility of LUMA.

On July 1, 2023, Genera assumed overall responsibilities for PREPA's Generation System as outlined within the O&M Agreement (OMA) between PREPA, P3A, and Genera. Upon Commencement of the Service Period, PREPA refocused its efforts on projects in the Dams, Hydro, and Irrigation asset categories; while projects in the Generation asset categories ("Generation Projects") were transitioned to and are now the responsibility of Genera.

This 90-Day Plan provides information on areas of coordination among PREPA, LUMA, and Genera, as well as focus areas specific to each.

II. Overview of Focus Areas for the Next 90-Days

The content below summarizes next steps across the following six areas: 1) PREPA & LUMA Coordination and Alignment; 2) PREPA & Genera Coordination and Alignment; 3) Federal Grant Management; 4) Funding and Reporting; 5) Environmental and Historic Preservation; 6) Engineering Management; and 7) Enterprise Project Management ("EPM").

PREPA-LUMA Coordination and Alignment

PREPA and LUMA Focus Areas

- PREPA and LUMA leadership are participating in regular weekly meetings with COR3 & FEMA to ensure visibility of progress of project work, ensure the coordination and understanding of common matters, and to identify and resolve risks that involve points of integration between the two entities.
- PREPA and LUMA will continue coordination to support successful operations under the OMA.
- Delegation of Authority has been provided to LUMA personnel as Authorized Representative following Board Resolution mandates.



PREPA-Genera Coordination and Alignment

PREPA and Genera Focus Areas

- PREPA transitioned grant management for 14 PWs for disasters DR-4339 and DR-4473. PREPA also transitioned grant formulation for three PWs. PREPA and Genera will continue coordination to support successful operations under the OMA.
- Delegation of Authority has been provided to Genera personnel as Authorized Representative following Board Resolution mandates.

Federal Grant Management

PREPA Focus Areas

- A total of 22 SOW (\$358M) were submitted to the Puerto Rico Energy Bureau (PREB) for approval; all have been approved.
 - Projects include rehabilitation, improvement, and repairs to various water assets to recover water storage capacity for hydroelectric generation, repair to water distribution systems, and



- reducing load shedding events to citizens and commercial and industrial sectors.
- PREPA is working alongside FEMA and COR3 to organize approved SOWs into logical grouping for Project Formulation submissions (*Detailed SOWs*).
 - The logical grouping of SOWs takes into consideration EHP limitations to evaluate all environmental impacts under one area.
 - PREPA will work with FEMA to respond promptly to any outstanding RFIs. This quarter PREPA has responded to RFIs for three projects under different disasters including:
 - Costa Sur Power Plant Buildings
 - Cambalache Power Plant – Flood Protection Barrier
 - Guayabal Dam Retrofit
 - PREPA resubmitted a total of 6 FEMA projects (*Detailed SOWs*) including:
 - Costa Sur Buildings – Administration Building
 - Reservoir Dredging Projects (4): Caonillas, Guayabal, Matrullas, and Guineo
 - IT/OT Telecomms subset allocation to include physical security, Cyber Security and emergency backup within 6 generation plants (Aguirre, Palo-Seco, Cambalache, San Juan, Mayaguez, and Costa Sur)
 - Submission of Mayaguez Unit 3B Gas Generator inspections and repairs
 - PREPA continues to revise *Detailed SOWs* in accordance with FEMA EHP feedback and comments.
 - Once the remaining SOWs receive regulatory approval, PREPA will continue with its *Detailed SOWs* submission.
 - Work on other 428/406 HMP projects is ongoing, with emphasis on resubmitting detailed SOWs to COR3 and FEMA for compliance with EHP requirements.
 - Toro Negro Hydroelectric System
 - Rio Blanco Hydroelectric System
 - Continue advancing work on additional 428 projects and finalizing *Detailed SOWs* for submission to COR3 and FEMA. This effort will include 406 Hazard Mitigation and EHP work.
 - South Coast Irrigation District – Canals
 - Caonillas Hydroelectric System – Temporary Cofferdam Installation
 - BONUS
 - Dams Minor Repairs (multiple sites)



- Evaluate potential impacts on Cost-share matching funding from CDBG-DR and central government. Assess impacts on funding limitations if global match guidelines are not granted.
- Submit progress and financial quarterly reports for period ending 09/30/2023 on all 428 and 404-obligated projects.

Environmental and Historic Preservation

PREPA Focus Areas

- Provide support in the development of FEMA Programmatic Environmental Assessment for all dredging activities to be performed island-wide.
 - Proposed actions and alternative analysis were provided to FEMA for review. Request for information period was finalized and completed. PREPA is awaiting FEMA's determination on next course of action.
- Complete EHP checklist and documentation requirements for the following projects once Detailed SOW have been completed:
 - Toro Negro Hydroelectric System
 - Rio Blanco Hydroelectric System
- Implement an independent public notification program that meets FAASt and EHP requirements within PREPA website. Current actions to complete entail establishing an "inquiry information" platform.

Engineering Management

PREPA Focus Areas

- Dredging Projects – Bathymetric studies have been completed for the eleven (11) reservoirs. Floor sampling plans have been submitted and approved by FEMA EHP.
 - RFQ for A/E design firms was published on September 6, 2023. The RFQ process will be followed by RFP issuance once qualified designers have been selected.
 - The Quality Assurance Plan (QA) for Benthic studies is being developed for the 11 Reservoirs. The anticipated start date of the studies is October 2023.
 - PREPA is currently working on a Presentation to local state regulators for Sampling methodology and approval. Once approved PREPA will initiate sampling procedures and determine the management of disposal of dredging debris.
- Guajataca Dam – Project requires specialized skillsets and management has finalized the evaluation of the contract structure to receive such services from USACE.



- USACE engagement for project continuation expected by October 2023.



- PREPA has finalized several projects technical specification and class 3 estimates in support of their Detailed SOWs submissions. 406 mitigation packages to be finalized in the next 90 days.
 - Toro Negro Hydroelectric System Connection
 - Rio Blanco Hydroelectric System
- Costa Sur & Yabucoa Black Starts – Technical specifications completed. The RFP for EPC competitive process was published, and proponents are under evaluation. On July 2023 RFP’s 3784 and 3800 were transfer to Genera with an executive summary. Proposals were received on July 20 and 30, respectively. Both RFP’s are in the approval process.
- Irrigation Channels – PREPA intends to submit DSOWs for South Coast Irrigation Canal (SCID) for FEMA review by October 2023, with Isabela Irrigation District and Lajas Irrigation Canals to follow.

Enterprise Project Management (“EPM”)

PREPA Focus Areas

- Continue managing project schedules, tasks, budgets, and progress in PREPA’s system of record, MS Project Online.
- Continue refining project management controls and artifacts aligned with federal requirements.
- Monitor and manage implementation progress through the EPM program.

III. PREPA Estimated Schedule for Submission of *Detailed SOWs*

Over the next 90 days, PREPA will be focused on submitting Water Asset projects *Detailed SOWs* once approved by PREB. The table below shows the current set of projects estimated to have *Detailed SOWs* submitted to COR3 and FEMA in the third quarter of 2023, all of which are Generation projects.

The estimation of project submission timing is based on the best information available to PREPA at the time of this plan update.

Table 1.1 – PREPA 2023 Q4 Project Submittal Milestone

#	PW	FEMA ID	Project Title	Asset	Project Formulation Status	DSOW Submission Estimate	Design Progress			
							Stage	Commencement Date	Date of Completion	Overall Percentage of Completion
1		436468	FAAST Toro Negro Hydroelectric System Connection	Dams, Irrigation Channels & Reservoirs	Developing DSOW	Sep-23	Planning & Design	Sep-22	Aug-24	30%
2		180723	FAAST Rio Blanco Hydroelectric System	Dams, Irrigation Channels & Reservoirs	Developing DSOW	Sep-23	Planning & Design	Sep-22	Oct-24	25%
3		436467	FAAST Isabela Irrigation District - Canals	Dams, Irrigation Channels & Reservoirs	Developing DSOW	Dec-23	Planning & Design	Apr-23	Sep-25	5%
4		435769	FAAST South Coast Irrigation District - Canals	Dams, Irrigation Channels & Reservoirs	Developing DSOW	Oct-23	Planning & Design	Sep-23	Mar-24	30%
5		436462	FAAST Lajas Irrigation Canals	Dams, Irrigation Channels & Reservoirs	Developing DSOW	Dec-23	Planning & Design	Jun-23	Sep-24	10%
6		436621	FAAST Dams Minor Repairs	Dams, Irrigation Channels & Reservoirs	Developing DSOW	Nov-23	Planning & Design	Jul-23	May-24	10%
7		728260	FAAST Caonillas Hydroelectric Power Plant I	Dams, Irrigation Channels & Reservoirs	Developing DSOW	Sep-23	Planning & Design	Jul-23	Jul-24	25%
8		728257	FAAST Caonillas Dams	Dams, Irrigation Channels & Reservoirs	DSOW to be Developed	Oct-23	Planning & Design	Jul-23	Feb-24	10%

