

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

**NEPR**

**Received:**

**Nov 9, 2023**

**5:01 PM**

**IN RE:**

THE PERFORMANCE OF THE PUERTO  
RICO ELECTRIC POWER  
AUTHORITY

**CASE NO.:** NEPR-MI-2019-0007

**SUBJECT:** Submission of Response to Requirement  
of Information 5(c)

**SUBMISSION OF RESPONSE TO REQUIREMENT OF INFORMATION 5(C) ISSUED IN ORDER OF  
OCTOBER 16, 2023**

**TO THE PUERTO RICO ENERGY BUREAU:**

**COMES NOW, LUMA ENERGY SERVCO, LLC** (“LUMA”), through the undersigned legal counsel and respectfully states and requests the following:

1. On April 20, 2023 (“April 20<sup>th</sup> Motion”), LUMA filed with this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) the *Submission of Performance Metrics Report for January through March 2023 and In Compliance with Orders of January 12, 2023 and April 3, 2023*, and requested that the SAIDI and SAIFI metrics be reported according to LUMA’s operation districts, as opposed to the Puerto Rico Electric Power Authority’s (“PREPA”) districts.

2. On July 20, 2023, LUMA submitted the quarterly Report on System Data for the months of April through June 2023 (“July 20<sup>th</sup> Motion”).

3. On August 16, 2023, this Energy Bureau issued a Resolution and Order (“August 16<sup>th</sup> Order”) whereby it determined that additional information was required to evaluate LUMA’s July 20<sup>th</sup> Motion and the request to report the SAIDI and SAIFI metrics according to LUMA’s operation districts, rather than PREPA’s districts. This Energy Bureau ordered LUMA to respond to various requests for information included as Attachment A of the August 16<sup>th</sup> Order.

4. On September 6, 2023, LUMA filed the *Motion in Compliance with Resolution and Order of August 16, 2023, and Request for Confidential Treatment*, including responses to the requirements of information of the August 16<sup>th</sup> Order.

5. On October 16, 2023, this Energy Bureau issued additional requirements of information regarding the July 20<sup>th</sup> Motion and granted LUMA until October 31, 2023, to comply and file responsive information (“October 16<sup>th</sup> Order”). See Attachment A of the October 16<sup>th</sup> Order (requirements of information).

6. On October 20, 2023, LUMA submitted the quarterly Report on System Data for the months of July through September 2023.

7. On October 31, 2023, LUMA submitted its responses to the requirements of information issued in Attachment A of the October 16<sup>th</sup> Order. See *Submission of Responses to Requirements of Information in Compliance with Order of October 16, 2023 and Request for Extension to Respond to ROI 5(c)* filed on October 31, 2023 (“October 31<sup>st</sup> Motion”).

8. In the October 31<sup>st</sup> Motion, LUMA requested additional time until November 14, 2023, to file its response to ROI 5(c) whereby this Energy Bureau required data on monthly invoiced DG Capacity since June 2019 (or as much as is available), if it is different from what LUMA has reported in the quarterly report for the following metrics: Total installed distributed generation capacity -Photovoltaic; Incremental installed distributed generation capacity per month -Photovoltaic; Total number of distributed generation installations -Photovoltaic; and Incremental number of distributed generation installations per month-Photovoltaic. LUMA explained that

additional time was needed to respond to ROI 5(c) because this Energy Bureau required a report or compilation of data that LUMA did not currently prepare in the ordinary course of business.

9. On November 8, 2023, this Energy Bureau issued a Resolution and Order granting LUMA until November 14<sup>th</sup> to file its response to ROI 5(c) (“November 8<sup>th</sup> Order”).

10. In compliance with the October 16<sup>th</sup> and November 8<sup>th</sup> Orders, LUMA hereby submits as *Exhibit 1* of this Motion, the information requested by this Energy Bureau in ROI 5(c).

**WHEREFORE**, LUMA respectfully requests that this Honorable Bureau **take notice of** the aforementioned and **deem** that LUMA complied with the October 16<sup>th</sup> and November 8<sup>th</sup> Orders.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 9<sup>th</sup> day of November 2023.

I hereby certify that I filed this motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this motion to PREPA’s General Counsel, Lionel Santa Crispín, [lionel.santa@prepa.pr.gov](mailto:lionel.santa@prepa.pr.gov), PREPA’s counsel of record, Joannely Marrero, [jmarrero@diazvaz.law](mailto:jmarrero@diazvaz.law), Genera PR LLC, through its counsel of record Jorge Fernández-Reboredo, [jfr@sbglaw.com](mailto:jfr@sbglaw.com) and Alejandro López Rodríguez, [alopez@sbglaw.com](mailto:alopez@sbglaw.com), and the Independent Consumer Protection Office, Hannia Rivera Diaz, [hrivera@jrsp.pr.gov](mailto:hrivera@jrsp.pr.gov).



**DLA Piper (Puerto Rico) LLC**  
500 Calle de la Tanca, Suite 401  
San Juan, PR 00901-1969  
Tel. 787-945-9107  
Fax 939-697-6147

/s/ Margarita Mercado Echegaray  
Margarita Mercado Echegaray  
RUA NÚM. 16,266  
[margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com)

*Exhibit 1*  
*LUMA's Response to ROI 5(c) of the October 16<sup>th</sup> Order*  
*Excel spreadsheet to be submitted via email*