

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

NEPR

Received:

Nov 9, 2023

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IN RE:

GENERA PR LLC FUEL OPTIMIZATION
PLAN

CASE NO.: NEPR-MI-2023-0004

SUBJECT: Urgent Request for Extension of
Time to Submit Partial Response in Compliance
with Resolution and Order Dated October 19,
2023

**URGENT REQUEST FOR EXTENSION OF TIME TO SUBMIT PARTIAL RESPONSE
IN COMPLIANCE WITH RESOLUTION AND ORDER DATED OCTOBER 19, 2023**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR, LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ 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 18th 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 18th 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”).

¹ 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.

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 Resolution and Order Dated July 18, 2023* ("September 15th 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 19th Order"). Regarding the analysis of the Fuel Optimization Plan, the Energy Bureau noted in the October 19th 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 19th 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 18th 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 19th Order.

5. On October 26, 2023, Genera filed a Motion titled *Motion Requesting Extension of Time to Comply with the October 19 Order*, through which Genera informed the Energy Bureau that due to the complexity and the amount of required information on the October 19th Order, Genera required an additional two-week extension, until November 10, 2023, to respond to the ROI. The Energy Bureau, through a Resolution and Order issued on October 31, 2023 (“October 31st Resolution”), granted Genera’s request for extension and ordered Genera to respond by November 10, 2023, at 12:00 PM, to the ROI as detailed in Attachment A of the October 19th Order.

6. Attachment A of the October 19th Order outlines eight (8) initiatives, each containing certain questions and requests for information, whose responses will assist the Energy Bureau in assessing Genera’s Fuel Optimization Plan. While Genera has been diligently working to produce the response for all the requests for information and questions under each initiative, it has unfortunately encountered an inconvenience in regard to completing the request for information pertaining to *Initiative 8: Fuel Efficiency Projects*. The Management Personnel with the necessary information, and responsible for developing the responses to the Initiative 8 points of information, is currently undergoing unforeseeable health issues. Thus, Genera respectfully requests an urgent extension of time, until November 16, 2023, to submit its response to the request for information items under *Initiative 8: Fuel Efficiency Projects*.

7. Notwithstanding the above, Genera remains committed to providing a comprehensive and thorough response to the ROI for the rest of the initiatives outlined in Attachment A of the October 19th Order. Genera recognizes the importance of these initiatives in ensuring the effective implementation of its Fuel Optimization Plan and is making every effort to comply with the Energy Bureau's directives in a timely and efficient manner, while also ensuring the accuracy and completeness of the information provided.

WHEREFORE, Genera respectfully requests that the Energy Bureau **take notice** of the above for all purposes and **grant** Genera an urgent extension of time, until November 16, 2023, to submit the response to the ROIs pertaining to *Initiative 8: Fuel Efficiency Projects*, as outlined in Attachment A of the October 19th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 9th day of November 2023.

ECIJA SBGB
PO Box 363068
San Juan, Puerto Rico 00920
Tel. (787) 300.3200
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo
jfr@sbgblaw.com
TSPR 9,669

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez
alopez@sbgblaw.com
TSPR 22,996

/s/ Joaquín M. Lago González
Joaquín M. Lago González
jlago@sbgblaw.com
TSPR 20,678

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 9th day of November 2023

/s/ Alejandro López Rodríguez
Alejandro López Rodríguez