

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

NEPR
Received:
Nov 13, 2023
7:00 PM

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 Submitting Response to
Resolution and Order Dated November 8, 2023,
Determination on Genera's October 15, 2023,
Motion for the Request for Approval of Projects
to Replace Critical Components and Improve
Fuel Efficiency

**MOTION SUBMITTING RESPONSE TO RESOLUTION AND ORDER DATED
NOVEMBER 8, 2023, DETERMINATION ON GENERA'S OCTOBER 15, 2023,
MOTION FOR THE REQUEST FOR APPROVAL OF PROJECTS TO REPLACE
CRITICAL COMPONENTS AND IMPROVE FUEL EFFICIENCY**

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 October 15, 2023, Genera filed a document with the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau"), titled *Request for Approval of Projects to Replace Critical Components and Improve Fuel Efficiency* ("October 15th Motion"). Genera included two tables in this document: "Critical Components Replacement – First Group" as Annex A and "Fuel Efficiency Improvement – First Group" as Annex B to the motion.

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

2. On November 8, 2023, the Energy Bureau issued a Resolution and Order titled *Determination on Genera's October 15, 2023, Motion for the Request for Approval of Projects to Replace Critical Components and Improve Fuel Efficiency* ("November 8th Resolution"). Pertinent to this motion, in the November 8th Resolution, the Energy Bureau notes that Annex A and Annex B of the October 15th Motion include tables that include work to be performed at San Juan 9 with similar descriptions and similar costs. Therefore, the Energy Bureau deferred both projects and ordered Genera to clarify, within five (5) days of the notification of the November 8th Resolution, if they are the same project, and if so, indicate the project that should remain.

3. In light of the above, and in compliance with the November 8th Resolution, Genera respectfully informs the Energy Bureau that the project that should remain is the one outlined in Attachment C of the November 8th Resolution, under the category titled *Critical Components Replacement – First Group*. See, Genera's response to the Energy Bureau's request in the November 8th Resolution, attached herein as Exhibit A. Genera acknowledges the duplication of the aforementioned projects and asserts that it intended to provide a comprehensive overview of potential projects, which inadvertently led to the duplication of information in the attachments of the October 15th Motion

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **deem** Genera to be in **partial compliance** with the November 8th Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 13th day of November 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 and that we will send an electronic copy of this motion to the attorney for PREPA, Lionel Santa Crispín, at lionel.santa@prepa.pr.gov; and to LUMA's counsel, Margarita Mercado, at margarita.mercado@us.dlapiper.com, and Yahaira De La Rosa, at yahaira.delarosa@us.dlapiper.com.

In San Juan, Puerto Rico, this 13th day of November 2023

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez

Exhibit A

GPR – PREB ORDER– 11.08.2023

Docket Number: NEPR-MI-2021-0002

In Re: Review of the Puerto Rico Electric Power Authority's 10-year Infrastructure Plan – December 2020

Re: Determination on Genera's October 15, 2023, Motion for the Request for Approval of Projects to Replace Critical Components and Improve Fuel Efficiency

GPR – PREB ORDER – 11.08.2023 #1 (ii)

Explain if there is any difference between the two (2) projects for San Juan 9 mentioned above, within five (5) days of the notice of this Resolution and Order.

Response: Regarding the works to be performed at San Juan Unit 9 described in Attachment C, the one under the category Critical Components Replacement – First Group, totaling \$2,400,000 should remain.