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

Received:

Nov 15, 2023

6:05 PM

IN RE:

REVIEW OF LUMA'S INITIAL BUDGET

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Motion to Submit Budget to Actuals Report for First Quarter of Fiscal Year 2024

MOTION TO SUBMIT BUDGET TO ACTUALS REPORT FOR FIRST QUARTER OF FISCAL YEAR 2024

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 counsel of record, and respectfully state and request the following:

1. On May 16, 2023, LUMA² filed a document with the Energy Bureau of the Puerto Rico Service Regulatory Board ("Energy Bureau") titled *Submission of Consolidated Annual Budgets for Fiscal Year 2024 and Proposed Annual T&D Projections Through Fiscal Year 2026* ("May 16th Motion"), in which LUMA submitted the Proposed Consolidated FY24 Budget, composed of the Proposed T&D Budgets developed by LUMA, the proposed GenCo Budgets revised by Genera on behalf of PREPA for the PREPA subsidiary GenCo LLC, and the proposed budget developed by PREPA for its holding company, HoldCo, and its subsidiaries PREPA HydroCo LLC and PREPA PropertyCo LLC.

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, 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 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 LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as "LUMA").

2. On June 25, 2023, the Energy Bureau issued a Resolution and Order titled *Determination on the FY24 Annual Budgets for the Electric Utility System – LUMA, Genera, and PREPA* ("June 25th Order"), through which it (1) modified the Proposed Consolidated Fiscal Year 2024 Budget as submitted by LUMA in the May 16th Motion; (2) approved the modified budgets subject to compliance with various orders included in the June 25th Order; and (3) included a series of determinations and orders addressed to Genera regarding the GenCo Budget. *See*, June 25th Order, pp. 16 - 21.

3. Pertinent to this Motion, through the June 25th Order, the Energy Bureau ordered Genera to submit the Budget to Actuals report, consisting of the tracking of certified Budget to Actual for GenCo, based on a consolidated template to be provided by the Financial Oversight and Management Board for Puerto Rico, on a quarterly basis. *See*, June 25th Order, Attachment I, on page 46.

4. On September 1, 2023, Genera filed a document titled *Motion to Submit Monthly Maintenance Report for August 2023, in Compliance with Resolution and Order dated June 25, 2023* ("September 1st Motion"). Relevant to the present matter, Genera requested to modify the filing schedule of the Budget to Actuals Reporting from quarterly to within forty-five (45) days after the end of the quarterly reporting period. *See*, September 1st Motion, on ¶ 7, page 3.

5. In compliance with the June 25th Order and in accordance with the September 1st Motion, Genera submits the Budget to Actuals report for the First Quarter of Fiscal Year 2024, attached herewith as Exhibit A.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **deem** that Genera has partially complied with the June 25th Order concerning the Budgets to Actuals Report as outlined in Attachment I of the June 25th Order.

2

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th day of November 2023.

ECIJA SBGB

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

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

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

<u>/s/ Joaquín M. Lago González</u> 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 and that an electronic copy of this motion will be sent to PREPA through its counsels of record, González & Martínez Law Offices, P.S.C., at Juan M. Martínez Nevárez, at jmartinez@gmlex.net, Alexis G. River Medina, at arivera@gmlex.net, Joselyn Rodríguez González, at jrodriguez@gmlex.net, and Mirelis Valle Cancel at mvalle@gmlex.net; and to LUMA through its counsel of record,; Margarita Mercado Echegaray, at margarita.mercado@us.dlapiper.com; and Ana Margarita Rodríguez Rivera, at ana.rodriguezrivera@us.dlapiper.com promptly after such filing.

In San Juan, Puerto Rico, this 15th day of November 2023.

<u>/s/ Alejandro López-Rodríguez</u> Alejandro López-Rodríguez Exhibit A Budget to Actuals Report for First Quarter of Fiscal Year 2024

Financial Oversight & Management Board for Puerto Rico



Puerto Rico Electric Power Authority

Report Date 11/15/2023

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Text Colors:	
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Blue	Hardcoded figures
Red	Key Assumption

FY24 Monthly B2A Summary

(\$ millions)		Se	ptem	ber-23				Ϋ́	ſD	
Summary	p-23 dget	-		ep-23 ance (\$)	Sep-23 Variance (%)	Certified Budget	YTD ctual	YTI	O Variance (\$)	YTD Variance (%)
. <u>Revenue</u>										
Total Gross Revenue	329	-		(329)	(100.0%)	986	-		(986)	(100.0%)
Other Income	16	-		(16)	(100.0%)	47	-		(47)	(100.0%)
Total Unconsolidated Revenue	\$ 344	\$ -	\$	(344)	(100.0%)	\$ 1,033	\$ -	\$	(1,033)	(100.0%)
Bad Debt Expense	(5)	-		5	(100.0%)	(15)	-		15	(100.0%)
CILT & Subsidies	 (28)	-		28	(100.0%)	 (84)	-		84	(100.0%)
Total Consolidated Revenue	\$ 311	\$ -	\$	(311)	(100.0%)	\$ 934	\$ -	\$	(934)	(100.0%)
. <u>Expenses</u>										
Fuel & Purchased Power	208	\$ 179	\$	29	13.9%	\$ 624	\$ 570	\$	54	8.7%
<u>Genco:</u>										
GenCo Operating & Maintenance Expenses	31	\$ 20	\$	11	34.9%	\$ 94	\$ 46	\$	48	51.1%
Total Genco Expenses	\$ 31	\$ 20	\$	11	34.9%	\$ 94	\$ 46	\$	48	51.1%
<u>HoldCo:</u>										
HoldCo Labor Operating Expenses	1	\$ -	\$	1	100.0%	\$ 2	\$ -	\$	2	100.0%
HoldCo Non-Labor / Other Operating Expenses	6	\$ -	\$	6	100.0%	\$ 19	\$ -	\$	19	100.0%
Shared Services Agreement	0	\$ -	\$	0	100.0%	\$ 0	\$ -	\$	0	100.0%
HoldCo Maintenance Projects Expense	 0	\$ -	\$	0	100.0%	\$ 0	\$ -	\$	0	100.0%
Total HoldCo Expenses	\$ 7	\$ -	\$	7	100.0%	\$ 21	\$ -	\$	21	100.0%
<u>HydroCo:</u>										
HydroCo Labor Operating Expenses	0	\$ -	\$	0	100.0%	\$ 1	\$ -	\$	1	100.0%
HydroCo Non-Labor / Other Operating Expenses	0	\$ -	\$	0	100.0%	\$ 1	\$ -	\$	1	100.0%
Shared Services Agreement	0	\$ -	\$	0	100.0%	\$ 0	\$ -	\$	0	100.0%
HydroCo Maintenance Projects Expense	0	\$ -	\$	0	100.0%	\$ 1	\$ -	\$	1	100.0%
Total HydroCo Expenses	\$ 1	\$ -	\$	1	100.0%	\$ 3	\$ -	\$	3	100.0%
<u>GridCo:</u>										
GridCo Operating & Maintenance Expenses	57	\$ -	\$	57	100.0%	\$ 169	\$ -	\$	169	100.0%
Total Expenses	\$ 304	\$ 200	\$	105	34.43%	\$ 912	\$ 616	\$	296	32.42%
. Net Balance	\$ 7	(200)		207	2891.53%	\$ 23	(616)		(639)	-2814.019

Puerto Rico Electric Power Authority (LUMA) Monthly Revenues FISCAL YEAR 2024 As Of: 11/15/2023

FY24 Monthly Revenues

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Puerto Rico Electric Power Authority Monthly Revenues FISCAL YEAR 2024 As Of: 11/15/2023

FY24 Monthly Expenses

	F124 Monthly Expenses														-				_			
	(\$ millions)			uly-23 Jul-23	Jul-23				ust-23	Aur 22				mber-2		22		VTD		YTE		
	Expenses	Jul-23 Budget	Jul-23 Actual	Variance (\$)	Jui-23 Variance (%)	Aug-2 Budg		Aug-23 Actual	Aug-23 Variance (\$)	Aug-23 Variance (%)		p-23 dget	Sep-23 Actual	Sep Varia (\$	nce Va	ep-23 riance (%)		YTD Certified Budget	YTD Actua	·	YTD ariance (\$)	YTD ariance (%)
				(\$)	(70)				(\$)	(%)				(ə)	(76)	L	Budget			(3)	
A. 34	Fuel and Purchased Power	160	203	(43)	(26.8%)		60	188	(28)	(17.5%)		160	179		(19)	(11.9%)		480	-	70	(90)	(18.8%)
34	Purchased Power - Conventional Power	40		40	100.0%		40	100	(28)	100.0%		40	1/9			100.0%		480	-		120	100.0%
36	Purchased Power - Renewable Power	8		8	100.0%		8		8	100.0%		8				100.0%		24	-		24	100.0%
	Total Fuel and Purchased Power	\$ 208	\$ 203	\$ 5	2.5%	\$ 2	08 \$	188	\$ 20	9.6%	\$	208	\$ 179	\$	29	13.9%		624 \$	\$ 5	70 \$	54	8.7%
в.	GenCo - Operations & Maintenance Expenses																					
37	Labor Genco Labor Operating Expenses	5	3	1	30.5%		5	4	0	7.3%		5	4		0	8.6%		14		12	2	15.5%
38	Genco Non-Labor / Other Operating Expenses	6	2		67.8%		6	3	3	43.2%		6	7			(17.8%)		18		12	6	31.1%
39	Shared Services Agreement Impact	5	5	0	5.5%		5	4	1	22.1%		5	6		(1)	(17.5%)		16		15	1	3.4%
40		4	2		57.2%		4	2	3	57.2%		4	2			57.2%		13		6	8	57.2%
41	Maintenance Projects Expenses Total Genco Labor Operating Expenses	\$ 31	\$ 12	\$ 19	100.0% 61.8%		11 31 \$	- 14	\$ 18	100.0% 56.5%	\$	11 31	1 \$ 20	\$		89.9% 34.9%	-	34 94 \$	5 /	1 46 \$	32 48	96.6%
c.	HoldCo (PropertyCo) – Operating & Maintenance Expenses																-					
	Labor																					
42 43		0		0	100.0% 100.0%		0		0	100.0% 100.0%		0				100.0% 100.0%		1	-		1	100.0% 100.0%
44	Overtime Pay	0		ő	100.0%		ō		0	100.0%		o				100.0%		0	-		ō	100.0%
45		0		0	100.0%		0		0	100.0%	_	0			0 1	100.0%	-	0	-		0	100.0%
	Total Non-Labor/Other Operating Expense	1	ş -	\$ 1	100.0%	\$	1\$	-	\$ 1	100.0%	\$	1	ş -	\$	1 1	100.0%	-	2 \$	ş -	\$	2	100.0%
	Non-Labor / Other Operating Expenses																					
46 47	Materials & Supplies Transportation, Per Diem, and Mileage	0		0	100.0% 100.0%		0		0	100.0%		0				100.0%		0			0	100.0%
48		1		1	100.0%		1		1	100.0%		1				100.0%		2	-		2	100.0%
49	Security	0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
50		0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
51 52		0		0	100.0% 100.0%		0		0	100.0% 100.0%		0				100.0% 100.0%		0	-		0	100.0% 100.0%
53	Communications Expenses Professional & Technical Outsourced Services	0		0	100.0%		0		0	100.0%		0				100.0%		0			0	100.0%
54	Regulation and Environmental Inspection	0		0	100.0%		0		0	100.0%		0				100.0%		0	-		ō	100.0%
55		0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
56		0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
57 58	PREPA Restructuring & Title III FOMB Advisor Costs allocated to PREPA	3		3	100.0% 100.0%		3		3	100.0% 100.0%		3				100.0% 100.0%		8	-		8	100.0% 100.0%
50	Total HoldCo Non-Labor / Other Operation Expenses	6	ş -	\$ 6	100.0%	\$	6\$	-	\$ 6	100.0%	\$	6	s -	\$		100.0%	-	19 \$; .	\$	19	100.0%
59	Shared Service Agreement	0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
60		0	s -	0 \$ 7	100.0%	\$	0 7 \$		0 \$ 7	100.0%	\$	0	s -	s		100.0%	-	0	- 5 -		0 21	100.0%
	Total HoldCo Operating & Maintenance Expenses		\$ -	\$ /	100.0%	\$	/ \$	-	\$ 7	100.0%		/	<u>, -</u>	>	/ 1	100.0%	-	21 \$. ,	21	100.0%
D.	HydroCo – Operating & Maintenance Expenses																					
61	Salaries & Wages	0		0	100.0%		0		0	100.0%		0				100.0%		1	-		1	100.0%
62		0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
63 64	Overtime Pay Overtime Benefits	0		0	100.0% 100.0%		0		0	100.0% 100.0%		0				100.0% 100.0%		0	-		0	100.0% 100.0%
04	Total HydroCo Labor Operating Expenses	\$ 0	ş -	\$ 0	100.0%	\$	0 \$	•	\$ 0	100.0%	\$	0	ş -	\$		100.0%	-	1 \$	ş -	\$	1	100.0%
	Non-Labor / Other Operating Expenses																					
65	Materials & Supplies	0		0	100.0%		0		0	100.0%		0			0 1	100.0%		0	-		0	100.0%
66	Transportation, Per Diem, and Mileage	0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
67 68	Security Utilities & Rents	0		0	100.0% 100.0%		0		0	100.0% 100.0%		0				100.0% 100.0%		0	-		0	100.0% 100.0%
69	Professional & Technical Outsourced Services	0		0	100.0%		0		0	100.0%		0				100.0%		0	-		0	100.0%
70	Regulation and Environmental Inspection	0		0	100.0%		0		0	100.0%		0			0 1	100.0%		0	-		0	100.0%
71		0		0	100.0%		0		0	100.0%		0				100.0%	-	0	-		0	100.0%
	Total HydroCo Non-Labor / Other Operating Expenses	\$ 0	s -	\$ O	100.0%	\$	0\$	-	\$ 0	100.0%	\$	0	ş -	\$	0 1	100.0%		1 \$	\$-	\$	1	100.0%
72 73	Shared Services Agreement Maintenance Projects Expenses	0		0	100.0% 100.0%		0		0	100.0% 100.0%		0				100.0% 100.0%		0	-		0	100.0% 100.0%
	Total HydroCo Operating & Maintenance Expenses	\$ 1	ş -	\$ 1	100.0%	\$	1 \$	-	\$ 1	100.0%	\$	1	ş -	\$		100.0%	-	3 \$	\$ -	. \$	3	100.0%
																	-			,		
E. 74	GridCo - Operating & Maintenance Expenses GridCo Labor Operating Expenses	18		18	100.0%		18		18	100.0%		19			19 1	100.0%		55	-		55	100.0%
75		23		23	100.0%		23		23	100.0%		23				100.0%		70	-		70	100.0%
76	Operator Service Fees	11		11	100.0%		11		11	100.0%		11			11 1	100.0%		32	-		32	100.0%
77		1		1	100.0%		1		1	100.0%		1				100.0%		3	-		3	100.0%
78	Maintenance Projects Expenses Total GridCo Operating & Maintenance Expenses	\$ 56	s -	\$ 56	100.0%	\$	3 56 \$		\$ 56	100.0% 100.0%	s	3 57	s -	s		100.0%		9 169 9	- s -		9	100.0%
	Energy operating a maintenance expenses	<u> </u>		~ .0	100.070	<u> </u>			- 50	200.076	Ť	5,	•	<u>,</u>						,	105	100.070
	Total Operating & Maintenance Expenses	\$ 303	\$ 215	\$ 88	29.14%	\$ 3	i04 \$	202	\$ 102	33.59%	\$	304	\$ 200	\$	105	34.43%	-	912 \$	\$ 6	16 \$	296	32.42%
																		2,826				

OMB Category:									
ccount:									
Expenses		Budget YTD		Acti YT			Variance (\$)		Budget Horizontal Variance YTD (%)
Maintenance Projects Expenses	\$		34	\$	1	1\$		32	96.64%
ariance Explanation									
enCo is ramping up the projects and gather	ing all re	quired pa	per wo	rk to com	mence t	the act	ual procu	rement	t of those NME
							•		
rojects approved. In future months we shall	-	exponenti	al incre	ase in the	use of t	these t	unds.		
rojects approved. In future months we shall	-	exponenti	al incre	ase in the	use of t	these f	unds.		
rojects approved. In future months we shall	-	exponenti	al incre	ase in the	use of	these f	unds.		
	-	exponenti	al incre	ase in the	e use of t	these f	unds.		
pot Cause	l see an e	exponenti	al incre	ase in the	e use of f	these f	unds.		
	l see an e	exponenti	al incre	ase in the	e use of f	these f	unds.		
pot Cause process of preparing required documents.	l see an e	exponenti	al incre	ase in the	e use of t	these f	unds.		
pot Cause process of preparing required documents. prrective Action	l see an e	exponenti	al incre	ase in the	e use of 1	these f	unds.		
pot Cause process of preparing required documents.	l see an e	exponenti	al incre	ase in the	e use of t	these f	unds.		
pot Cause process of preparing required documents. prrective Action	l see an e	exponenti	al incre	ase in the	use of 1	these f	unds.		
poot Cause process of preparing required documents. prrective Action ontinue the use of funds for projects.	l see an e	exponenti	al incre	ase in the	use of 1	these f	unds.		
oot Cause process of preparing required documents. prrective Action ontinue the use of funds for projects. ariance #2	l see an e	exponenti	al incre	ase in the	use of f	these f	unds.		
poot Cause process of preparing required documents. prrective Action ontinue the use of funds for projects. ariance #2 DMB Category:	l see an e	exponenti	al incre	ase in the	e use of f	these f	unds.		
oot Cause process of preparing required documents. prrective Action ontinue the use of funds for projects. ariance #2	l see an e	exponenti	al incre	ase in the	use of f	these f	unds.		
poot Cause process of preparing required documents. prrective Action ontinue the use of funds for projects. ariance #2 DMB Category:	l see an e	exponenti	al incre	ase in the	e use of f	these f	unds.		
oot Cause process of preparing required documents. prrective Action ontinue the use of funds for projects. ariance #2 DMB Category: ccount:	l see an e	Budget	al incre	Act	Jal	these f	Variance		Budget Horizontal Variance YTD
poot Cause process of preparing required documents. prrective Action ontinue the use of funds for projects. ariance #2 DMB Category:	l see an e		al incre		Jal	these f			Budget Horizontal Variance YTD (%)

2. Fuel substitution- primarily driven by use of diesel in peaking units to provide for the loss of generation from based load units (gas and fuel oil)

3. Increase in fuel prices- especially in diesel fuel vs projected.

Root Cause

1. Higher demand than projected

2. Fuel substitution- primarily driven by use of diesel in peaking units to provide for the loss of generation from based load units (gas and fuel oil)

3. Increase in fuel prices- especially in diesel fuel vs projected.

Corrective Action

 Demand forecasts need to be more accurate. Nevertheless, these forecasts are done by the T&D System Operator, not GenCo. Thus, GenCo does not have control over demand forecasting and associated activities.

Improve the generation fleet performance with preventive and corrective maintenance and adding new generation and anciliary services to the grid. This will be achieved when the peakers and BESS are integrated to the system and when the critical component replacement program is completed.

3. Fuel costs are market driven. Further, fuel usage, which affect costs depending on which fuel is actually used, is dependent on units dispatch, which is controlled by the T&D System Operator, not GenCo. Further, implementing the corrective actions mentioned in item two, as well as the actions proposed by GenCo in the Fuel Optimization Plan, will help mitigate these costs fluctuations.