

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

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**IN RE: THE DEPLOYMENT OF  
ELECTRIC VEHICLE INFRASTRUCTURE**

**CASE NO. NEPR-MI-2021-0013**

**SUBJECT: Motion Informing Status of Billing  
Integrating Interim EV TOU Rate and Request for  
Extension of Time to Complete such Milestone**

**MOTION INFORMING STATUS OF  
BILLING INTEGRATING INTERIM EV TOU RATE AND REQUEST FOR  
EXTENSION OF TIME TO COMPLETE SUCH MILESTONE**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES now LUMA Energy ServCo, LLC (“LUMA”),** through the undersigned legal counsel, and respectfully states and requests the following:

**I. Relevant Procedural History and Background**

1. On January 13, 2023, this Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (the “January 13<sup>th</sup> Resolution and Order”) making several determinations regarding the Draft Phase I Electric Vehicle Plan (“Phase I EV Plan”) filed by LUMA on September 1, 2022<sup>1</sup> and the Revised Draft Electric Vehicle Rate Design Proposal (“Interim EV TOU Rate”) filed by LUMA on July 21, 2022<sup>2</sup>.

2. In the January 13<sup>th</sup> Resolution and Order the Energy Bureau approved the Interim EV TOU Rate subject to modifications set forth in the January 13<sup>th</sup> Order and ordered LUMA to file a revised Phase I EV Plan by April 30, 2023 and to finish development of and launch the

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<sup>1</sup> See LUMA’s *Motion Submitting Draft Phase I EV Plan and Request to Postpone Compliance Technical Hearing No. 3 and Concomitant Deadline to Submit Revised Phase I EV Plan* filed on September 1, 2022 and LUMA’s *Motion Re-Submitting Exhibit 1 Filed on September 1, 2022 with Technical Repairs and Requesting Substitution of Original Exhibit* filed on September 2, 2022.

<sup>2</sup> See LUMA’s *Motion Submitting Revised EV Rate Design Proposal* filed July 21, 2022.

Interim EV TOU Rate by September 30, 2023. *See* January 13<sup>th</sup> Order on pages 9, 10 and 14. The Energy Bureau also ordered LUMA to take several actions associated with the Phase I EV Plan and the Interim EV TOU Rate, including, among others and in pertinent part, to: submit by February 10, 2023 a Project Schedule for implementation of the Interim EV TOU Rate (*see id.* at pages 11 and 14) (the “Project Schedule”) and report every thirty (30) days on the progress with the data collection and billing to integrate the Interim EV TOU Rate (“Billing Integration Reports”) (*see id.* at page 11).

3. On February 9, 2022, LUMA filed a *Motion Requesting Brief Extension to File Project Schedule Required by Resolution and Order of January 13, 2023 and Submitting Progress Report Due By February 13, 2022 and Information on Status of RFP Due by February 15, 2023 under Such Resolution and Order* (“February 9<sup>th</sup> Motion”), in which, among others it requested an extension of the deadline to submit the Project Schedule until February 17, 2023 and informed that there were no concrete steps to be reported at the time regarding billing integration efforts.

4. On February 14, 2023, the Energy Bureau issued a Resolution and Order (“February 14<sup>th</sup> Resolution and Order”) approving LUMA’s request to extend the deadline to file the Project Schedule (*see* February 14<sup>th</sup> Resolution and Order at page 2) and ordered LUMA to commence presenting the Billing Integration Reports on March 13, 2023 (*see id.*), among others.

5. On February 17, 2023, LUMA submitted to the Energy Bureau the Project Schedule addressing the tasks to meet the various requirements relating to the Phase I EV Plan and the development and launch of the Interim EV TOU Rate. *See Motion Submitting Project Schedule in Compliance with Resolution and Order of January 13, 2023 and Requesting Modification of Certain Deadlines Thereunder* of that date (“February 17<sup>th</sup> Motion”) and its Exhibit 1. In the February 17<sup>th</sup> Motion, LUMA respectfully submitted that the Project Schedule was a roadmap to

implementation and the pursuit of the necessary activities to comply with the January 13<sup>th</sup> Order; but “these activities will inevitably be affected by funding availability, market uncertainties (e.g., challenges in estimating and measuring the degree of LUMA influence on incremental EV sales and uncertainty around participation rates and participant behavior change), existing billing and IT systems uncertainties and limitations (e.g., uncertainties in implementing an innovative methodology of receiving billing determinants from a third-party, undertaking several modifications to the billing system to address this and other rate changes related to other dockets, and unforeseen complications from implementing changes to a system that is still remediating) and potential procurement hurdles or delays, among other variables discussed in [the Project Schedule]”. *See* February 13<sup>th</sup> Motion at page 5. LUMA also explained that changes to the Project Schedule may be needed as the activities progress.” *See id.* In addition, LUMA requested the modification of certain deadlines and timeframes in the January 13<sup>th</sup> Order, including extending the deadline to begin the billing integrating the Interim EV TOU Rate to the end of November 2023 or sixty (60) days following the date when customer enrollment has reached a minimum threshold number of customers, whichever occurs later. *See id.* at pages 5 to 9.

6. On March 13, 2023, LUMA submitted its first monthly Billing Integration Report. *See Motion to Submit Billing Integration Report and Request to Modify Reporting Frequency* (“March 13<sup>th</sup> Motion”) of that date and its Exhibit 1. In this report LUMA informed that it had, among others, developed initial technical requirements for system data integration, reviewed specification and technical requirements with the existing contractor for the Oracle Customer Care & Billing (“CC&B) System and conducted initial vendor conversations to understand the market and structure to inform the development of a request for proposals (“RFP”) for the third-party telematics vendor. *See id.* Exhibit 1, page 5.

7. On March 29, 2023, the Energy Bureau issued a Resolution and Order (“March 29<sup>th</sup> Resolution and Order”) wherein it accepted and approved the Project Schedule submitted by LUMA and granted LUMA’s request to modify certain deadlines or timeframes. As relevant to this motion, the Energy Bureau established the deadline for beginning billing integrating the Interim EV TOU Rate of “**November 30, 2023** or **sixty (60) days** following the date when customer enrollment has reached a minimum threshold number of customers, whichever occurs later”. *See id.* on page 3. With respect to the sixty (60) day period, the Energy Bureau explained that if LUMA preferred to set this timing, LUMA would need to justify that threshold level and explain why a threshold is necessary. *See id.*

8. On May 1, 2023, in compliance with the January 13<sup>th</sup> Order, LUMA submitted to the Energy Bureau the Final Phase I EV Plan in the form of a document titled Puerto Rico’s Electric Vehicle Adoption Plan (“PR-EVAP”). *See Motion to Submit Final Phase I EV Plan in Compliance with Resolution and Order of January 13, 2023* filed on that date.

9. On May 12, 2023, LUMA submitted its second monthly Billing Integration Report, in which it informed, among others, that it had completed the evaluation of vendor capabilities and cost requirements to determine the certainty of an RFP for the third-party telematics vendor and had finalized a Request for Quotations (“RFQ”) scope document and published it. *See Motion to Submit May 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* of that date.

10. On June 6, 2023, the Energy Bureau issued a Resolution and Order (“June 6<sup>th</sup> Resolution and Order”) taking notice of the filing of the PR-EVAP and making various findings and determinations and issuing orders on various subjects. In what is pertinent to this motion, the

Energy Bureau ordered LUMA to continue “with the implementation of the Interim EV TOU Rate.” *See*, June 6<sup>th</sup> Resolution and Order on page 3.

11. On June 12, 2023, LUMA submitted its third monthly Billing Integration Report in which it informed, among others, that due to low response rate and to assure additional bidder participation, LUMA would re-issue the RFQ for and would gather proposals from additional third-party telematics vendors that had expressed interest in providing solutions. *See Motion to Submit June 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* of that date, Exhibit 1, on page 2. LUMA also described this situation as a risk to achieving the schedule for selection and onboarding of the third-party telematics vendor. *See id.*

12. On July 11, 2023, LUMA submitted its fourth monthly Billing Integration Report in which it informed, among others, that it had re-issued the RFQ for additional third-party telematics vendors and that the preparation for the technical kickoff with CC&B and the third-party telematics vendor for the billing system implementation was pending the vendor selection, indicating again that this RFQ re-launch impacted the schedule. *See Motion to Submit July 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* of that date, Exhibit 1, on page 2. LUMA again described this situation as a risk to achieving the schedule for selection and onboarding of the third-party telematics vendor. *See id.*

13. On July 13, 2023, LUMA submitted a *Motion to Request Clarification of Resolution and Order of June 6, 2023*.

14. On August 10, 2023, LUMA filed its fifth monthly Billing Integration Report, in which it informed that the third-party telematics vendor selection process was in compliance review state and that for full compliance with LUMA’s procurement standards and processes and the selection of the best solution, steps were underway that would impact the timeline for selection

and onboarding of the third-party telematics vendor. *See, Motion to Submit August 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* of that date, Exhibit 1, page 2. LUMA also raised as a risk to meeting the schedule not receiving proposals that met technical requirements and resulting additional delays and indicated that the system integration work was dependent on the selected third-party telematics vendor. *See id.*

15. On September 11, 2023, LUMA filed its sixth monthly Billing Integration Report in which it informed that the third-party telematics vendor was selected and notified that LUMA was in the process of contracting and onboarding such vendor. *See Motion to Submit September 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* of that date, Exhibit 1, page 2. At the time, LUMA again indicated that the billing system integration process was “dependent on onboarding with 3<sup>rd</sup> party telematics vendor” and that the “[p]rocess for integration [was] estimated [to be] from 3-6 months depending on testing and validation with vendor.” *See id.* at page 2. In this report LUMA also explained that “customer outreach is an iterative effort and an essential element for the successful implementation of the EV TOU Rate”, and LUMA expected the customer outreach process to take approximately three months after the vendor is on board. *See id.*

16. On October 10, 2023, LUMA filed its seventh monthly Billing Integration Report in which it informed that the contract with the third-party telematics vendor had been signed and LUMA was in the onboarding phase of the procurement process with this vendor. *See Motion to Submit October 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* of that date, Exhibit 1, page 2. LUMA re-iterated that that the billing system integration process was “dependent on onboarding with [the] 3<sup>rd</sup> party telematics vendor” and that the “[p]rocess for integration [was] estimated [to be] from 3-6 months depending on testing and

validation with [the] vendor.” *See id.* LUMA explained that the third-party telematics vendor role would be sending aggregated vehicle data to LUMA through secure transmission protocols, which aggregated TOU consumption data would be used by the CC&B System to generate the detail for charges on customer bills. *See id.* LUMA highlighted that the key milestones of onboarding the third-party telematics vendor, building and testing the CC&B process to receive the EV TOU data and the launch of the production process were “off plan.” *See id.* The estimated date for the latter activity was indicated to be February 2024. *See id.*

17. On November 8, 2023, LUMA filed its eighth and most recent monthly Billing Integration Report in which it informed that it had completed onboarding of the third-party telematics vendor, that the finalization of the technical requirements for Oracle CC&B was underway (but off schedule), and that the process of building and testing the Oracle CC&B to receive the EV TOU data and the launch of the production process were anticipated to occur in January and February 2024, respectfully. *See Motion to Submit November 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* of that date, Exhibit 1, page 2. LUMA also informed that customer education and outreach efforts have begun and will continue with the implementation of the customer outreach and EV TOU tariff communications Plan. *See id.*

## **II. Status Report and Request for Extension**

18. LUMA hereby respectfully informs that, as anticipated in the Billing Integration Reports submitted to this honorable Energy Bureau, despite its best efforts, the circumstances and obstacles that have been documented in the monthly Billing Integration Reports have resulted in a delay of the achievement of the commencement date for the milestone set forth in the March 29<sup>th</sup>

Resolution and Order to achieve billing integrating the Interim TOU Rate. LUMA respectfully submits that given these circumstances additional time is needed to achieve this milestone.

19. As documented by LUMA in the Billing Integration Reports, the achievement of this milestone has at all times been dependent on the successful onboarding of a third-party telematics vendor. As mentioned, the role of the third-party telematics vendor is to send aggregated vehicle data to LUMA through secure transmission protocols, which aggregated TOU consumption data will be used by the CC&B System to generate the detail for charges on customer bills. Therefore, this vendor has a key role in the integration of the Interim TOU Rate to the billing system and without the full onboarding of a qualified vendor, LUMA is unable to complete the billing integration process. This methodology is innovative and will be implemented in Puerto Rico for the first time, making this step one to take with much caution and study, particularly given the state of the billing system which is still under remediation.

20. As informed in the Billing Integration Reports filed in September and October, LUMA estimated that once this vendor was onboarded the process for integration was estimated to take from 3-6 months depending on the testing and validation conducted with the vendor. LUMA has selected a qualified and suitable vendor, and the vendor onboarding was completed in October. LUMA is currently working with this vendor on testing and validation and, as anticipated in LUMA's reports, it is estimated that this process will be completed at the earliest in January, but this process could take until April of next year, given the uncertainties in implementing an innovative methodology and the uncertainties and limitations associated with the existing billing system.

21. It is important to note that, as indicated in the Billing Integration Report filed in November, customer outreach and education is an essential element for the successful

implementation of the Interim EV TOU Rate, and that process is anticipated to take approximately three months after the vendor is on board, it being an iterative effort. Therefore, the start of billing integrating the Interim EV TOU Rate would benefit from additional time to better position the program for a successful launch.

22. For all of the above, LUMA respectfully requests that this Energy Bureau extend the deadline for commencement of the billing integrating the interim TOU Rate until April 2024.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **accept** *Exhibit 1* and **extend** the deadline for commencement of the billing integrating the interim TOU Rate until April 2024.

### **RESPECTFULLY SUBMITTED**

In San Juan, Puerto Rico, this 30<sup>th</sup> day of November 2023.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau and that we will send an electronic courtesy copy of this motion to the attorney for PREPA, Joannely Marrero-Cruz, jmarrero@diazvaz.law; lionel.santa@prepa.pr.gov; and to the Independent Office of Consumer Protection by submittal to Hannia Rivera, hrivera@jrsp.pr.gov. LUMA understands that other participants or stakeholders in this proceeding will be notified as a result of the publicity of the filings in this process. Notwithstanding, LUMA will send a courtesy copy of the filing to the following stakeholders: agalloza@aggpr.com; alberto.cortes@warrendelcaribe.com; aldo@skootel.com; angel.d.rodriquez@outlook.com; antonio@velocicharge.com; apietrantonio@pmalaw.com; azayas@azeng.net; bigwheelcorp@gmail.com; blazquezmalu@gmail.com; brightsunpr@gmail.com; carloscedeno@gmail.com; clrivera@caguasexpressway.com; flota@caguasexpressway.com; cnegrette@solrenew.com; CR.Tejera@ddec.pr.gov; dacosta@aggpr.com; daniel.perez@totalenergies.pr; dcordero@group-em.com; direxec@ciapr.org; divine.energy@hotmail.com; ecruz@pmalaw.com; eduardo.pinera@toyota.com; Edwin.Acevedo@ddec.pr.gov; emelyies.torres@toyota.com; epenergypr@gmail.com; erica.cosme@gsonnell.com; Fberrios@peritoselectricistas.org; francisco.berrios@hotmail.com; franciscojrullan@yahoo.com; gerard.berlinski@toyota.com; gerardo\_cosme@solartekpr.net; gperez@solrenew.com; hamely@motorambar.net; ialsina@plazalasamericas.com; idiaz@glenninternational.com; info@carlosmatta.com; jack@pantekpartners.com; jameauxl@aim.com; jan.rodriquez@toyota.com; javrua@sesapr.org; jbouza@caguasexpressway.com; jcardona@aggpr.com; jmartinez@pmalaw.com; jorrodriquez@motorambar.net; jortiz@caguasexpressway.com; jose.maeso@crowley.com; jpibernus@motorambar.com; JSantana@motorambar.com; jtosado@motorambar.net; juan.diaz.galarza@guidehouse.com; jvazquez905@gmail.com;

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