

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

**NEPR**

**Received:**

**Dec 4, 2023**

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**IN RE:**

IN RE: REVIEW OF THE PUERTO RICO  
ELECTRIC POWER AUTHORITY'S 10-  
YEAR INFRASTRUCTURE PLAN-  
DECEMBER 2020

**CASE NO. NEPR-MI-2021-0002**

**SUBJECT: LUMA's Motion Requesting Extension  
to Submit Information on Accelerated Storage  
Addition Program Requested in Resolution and  
Order of November 30, 2023**

**LUMA'S MOTION REQUESTING EXTENSION TO SUBMIT INFORMATION  
ON ACCELERATED STORAGE ADDITION PROGRAM REQUESTED IN  
RESOLUTION AND ORDER OF NOVEMBER 30, 2023**

**TO THE PUERTO RICO ENERGY BUREAU:**

COME NOW LUMA Energy, LLC<sup>1</sup>, and LUMA Energy ServCo, LLC<sup>2</sup>, (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submit and request the following:

1. On November 30, 2023, this honorable Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("November 30<sup>th</sup> Resolution and Order") in which it made reference to an informal presentation conducted by LUMA to the Commissioners of the Energy Bureau of a concept developed by LUMA known as Accelerated Storage Addition Program ("ASAP") which "would allow the integration of much needed Battery Energy Storage Systems ("BESS") to the Puerto Rico Electrical System in a significantly reduced amount of time than the time expected through the ongoing renewable energy and storage procurement process", which concept LUMA "would present [...] to other stakeholders to obtain the input of the relevant parties to ensure the success of the [ASAP]". *See* November 30<sup>th</sup>

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<sup>1</sup> Register No. 439372.

<sup>2</sup> Register No. 439373.

Resolution and Order on page 2. *See id.* The Energy Bureau then ordered LUMA to present, within five (5) business days from the notification of the November 30<sup>th</sup> Resolution and Order, a filing including the following:

- i. A detailed description and discussion of the concept of the [ASAP], including its benefits (e.g., economic, operational, etc.);
- ii. The status of the efforts towards formalizing the [ASAP];
- iii. A discussion on any barriers identified that may impact the implementation of the [ASAP], including any input from the stakeholders; [...]
- iv. A discussion on the impacts of the [ASAP], if any, on the GENERA BESS Project conditionally approved by the Energy Bureau through the [Resolution and Order issued on November 8, 2023 in this proceeding] [...]; [and]
- v. The status of LUMA's due diligence to allow the GENERA BESS Projects to interconnect at the various sites.

*See id.*

2. LUMA respectfully informs this honorable Energy Bureau that, although it is very advanced in its efforts to develop the ASAP concept, it needs additional time to prepare a more complete filing for this Energy Bureau to address items (i) through (iv) above.

3. The development of the ASAP involves the consideration of various commercial, technical, operational and regulatory aspects. Although this concept involves actions that have been adopted by regulators in the United States and other countries, adapting these concepts to the Puerto Rico regulatory environment has required considerable analysis and discussion. There are many uncertainties affecting energy developers in Puerto Rico (greater than in most other U.S. jurisdictions) that create challenges that need to be discussed and resolved.

4. During LUMA's informal meeting with the Energy Bureau Commissioners, the Commissioners indicated that they would like LUMA to file with the Energy Bureau the information about the program as soon as possible. Following this meeting, LUMA met internally and determined that, even though there were still several uncertainties that had not yet been

resolved, it would make the filing in the month of December in attention to the Energy Bureau's expressions. Prior to making this filing, LUMA planned to complete a term sheet with the commercial terms that would be proposed for the agreements for the BESS that would form part of the ASAP, as well as to informally discuss legal/regulatory aspects of the program with certain government stakeholders. Both of these tasks are key to determining the terms, implementation steps, and timeline of the program. Given the need to complete these tasks prior to finalizing the program design and framework, LUMA had internally set a deadline of December 21, 2023, to file with this honorable Energy Bureau the ASAP information for its consideration.

5. LUMA is in the process of holding meetings this week with the potential BESS developers to obtain additional input on the term sheet. Furthermore, LUMA is scheduling meetings with government stakeholders to discuss ASAP. To prepare a filing for December 7<sup>th</sup>, LUMA would have to suspend or postpone those meetings, so that the LUMA personnel working on the program could instead spend their time on the December 7<sup>th</sup> update resulting in these tasks not being completed by December 7<sup>th</sup>. It will also affect LUMA's ability to complete these planned tasks by LUMA's internal December 21<sup>st</sup> deadline. As a result, the development of a complete plan description, timeline and supporting documentation would potentially be delayed until January 2024.

6. If, instead, the December 7<sup>th</sup> deadline is extended until December 21<sup>st</sup>, LUMA expects to be able to complete ongoing important tasks by then and submit a more complete and informative program description and the key uncertainties and next steps to this honorable Energy Bureau. Therefore, LUMA respectfully requests this Energy Bureau to grant LUMA an extension

until December 21, 2023 to submit the information on the ASAP requested in the November 30<sup>th</sup> Resolution and Order.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and grant LUMA's request for an extension until December 21, 2023 to submit the information about LUMA's proposed Accelerated Storage Addition Program requested by the Energy Bureau in its Resolution and Order of November 30, 2023.

**RESPECTFULLY SUBMITTED.**

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau and we will send an electronic copy of this motion to [lionel.santa@prepa.com](mailto:lionel.santa@prepa.com); [alopez@sbglaw.com](mailto:alopez@sbglaw.com); [jfr@sbglaw.com](mailto:jfr@sbglaw.com); and [jlago@sbglaw.com](mailto:jlago@sbglaw.com).

In San Juan, Puerto Rico, on this 4<sup>th</sup> day of December 2023.



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