

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

IN RE: REQUEST FOR CERTIFICATION
SUNRUN, INC.

CASE NO.: NEPR-CT-2019-0002

SUBJECT: Audited Financial Statements for
the Fiscal Year 2022. December 15 and
December 26 Motions.

RESOLUTION AND ORDER

On November 7, 2023, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“November 7 Order”) in which it ordered SUNRUN, INC. (“SUNRUN”) to file on or before December 15, 2023, its Audited Financial Statements for the Fiscal Year 2022.

On December 15, 2023, SUNRUN filed a document titled *Motion in Compliance with Resolutions and Orders dated September 26, 2023 and October 13, 2023* (“December 15 Motion”), with the following attachment: (i) *Sunrun, Inc. Financial Statements for the Year ended December 31, 2022* (“Financial Statements Fiscal Year 2022”).

The reported Total Revenues of SUNRUN in its Financial Statements Fiscal Year 2022 does not match with the Total Revenues reported¹ on February 28, 2023. SUNRUN **shall explain** the discrepancy between the two reported Total Revenues for the electric services provided in Puerto Rico for the year ending on December 31, 2022, pursuant Section 4.02(H) of Regulation 8701², as amended. The Energy Bureau **ORDERS** SUNRUN to file, **within ten (10) days** of the notification of this Resolution and Order, (i) a detailed explanation for the discrepancy between the reported Total Revenues for the electric services provided in Puerto Rico for the year ending on December 31, 2022, including all supporting documents certified by a Certified Public Accountant (CPA) and the SUNRUN officials; and (ii) an Amended Form NEPR-B05.

In the December 15 Motion, SUNRUN requested confidential treatment to the information contained in the motion and its attachments (“December 15 Request”). SUNRUN argues that that the information for which they request protection is of confidential nature and it is not publicly available, therefore its public dissemination will place SUNRUN at a competitive disadvantage regarding others market participants and cause SUNRUN economic harm.

On December 26, 2023, SUNRUN filed before the Energy Bureau a document titled *Request to Amend Certification*³ (“December 26 Motion”), including the attached documents (i) Updated Personal Information Electric Power Companies Form - Form NEPR-B01 (“Updated Personal Information Form”), (ii) Complementary Sheet – Form NEPR-Z01, and (iii) Evidence of Wire Transfer for the amount of fifty dollars (\$50) for the payment of the Personal Information update, (collectively “Attachments”).

¹ *Total Revenues Exhibit, Gross Revenue and Financial Statements Report Electric Power Companies (Form NEPR-B05)*, February 28, 2023, *IN RE: REQUEST FOR CERTIFICATION SUNRUN, INC.* CASE NO.: NEPR-CT-2019-0002.

² *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, February 17, 2016 (“Regulation 8701”), as amended by Regulation No. 9182, *Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, June 24, 2020 (“Regulation 9182”)

³ By mistake, SUNRUN titled the document: *Request to Amend Certification*, but the document, in fact, is a motion to file a *Personal Information update*.



In the updated ⁴ Complementary Sheet (Form NEPR-Z01), SUNRUN provided the names, mail and email addresses of the persons authorized⁵ to receive notifications from the Energy Bureau, the designated contacts⁶ , as well as the names, mail, and email addresses of members of the board of directors.

In the December 26 Motion, SUNRUN requested confidential treatment to the information presented in the motion and its accompanying attachments. SUNRUN argues that that the information for which they request protection is of confidential nature and is not publicly available, therefore it contain sensitive information about SUNRUN and its legal representatives⁷.


Act No. 57-2014 ⁸ establishes that any person having the obligation to submit information to the Energy Bureau, may request that any information that it is deemed privileged or confidential be treated in such fashion. Specifically, Act 57-2014 requires from the Energy Bureau to treat as confidential the information submitted provided that “after the appropriate evaluation, believes such information should be protected”⁹. In such case, “the Energy Bureau shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted”¹⁰.

Upon a thorough examination of the arguments brought forth by SUNRUN, the Energy Bureau **GRANTS** confidential designation and treatment to the information contained in the December 15 and December 26 Motions and its corresponding attachments, under Article 6.15 of Act 57-2014 and Section 1.15 of Regulation 8701.


The Energy Bureau **AKNOWLEDGES** and **TAKES NOTICE** the information filed by SUNRUN in the December 26 Motion.

The Energy Bureau **WARNS** SUNRUN that non-compliance with Energy Bureau’s orders and regulations may carry the imposition additional administrative fines.

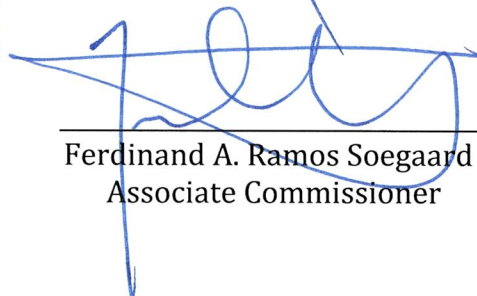
Be it notified and published.



Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner

⁴ It updates the data in Form NEPR-Z01 titled Complimentary Sheet filed on October 18, 2023.

⁵ See other authorized personnel in Updated Form NEPR-B01, June 1, 2021.

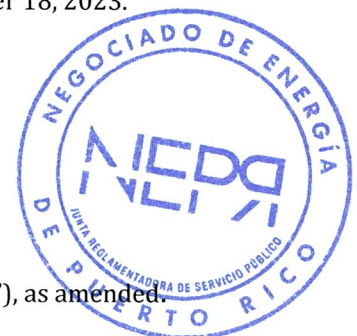
⁶ Id.

⁷ December 26 Motion, p.3.

⁸ Known as the Puerto Rico Energy Transformation and RELIEF Act (“Act 57-2014”), as amended.

⁹ Id. at 6.15(a). See also Section 1.15 of Regulation 8701.

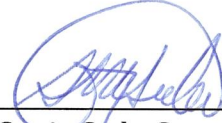
¹⁰ Id.



CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau have agreed on January 22 2024. Associate Commissioner Antonio Torres Miranda did not intervene and Associate Commissioner Sylvia B. Ugarte Araujo is inhibited. I also certify that in January 23, 2024 a copy of this Resolution and Order was notified by electronic mail to policyfilings@sunrun.com; apc@mcvpr.com; cfl@mcvpr.com; and I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today, January 23, 2024.



Sonia Seda Gaztambide
Clerk

