

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

NEPR Received: Jan 25, 2024 9:01 PM
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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 to Inform Status of Federally
Funded Projects**

MOTION TO INFORM STATUS OF FEDERALLY FUNDED PROJECTS

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC¹, and LUMA Energy ServCo, LLC², (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submit the following:

1. On March 26, 2021, this Honorable Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order in the instant proceeding, ordering, in pertinent part, that the Puerto Rico Electric Power Authority ("PREPA") submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency ("FEMA") funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3"), FEMA or any other federal agency ("March 26th Order"). It also directed PREPA to continue reporting to the Energy Bureau and FEMA within the next five years, the progress of all ongoing efforts related to the approval of the submitted projects not yet approved by the Energy Bureau. This Energy Bureau thereafter

¹ Register No. 439372.

² Register No. 439373.

determined that this directive applied to PREPA and LUMA. *See* Resolution and Order of August 20, 2021.

2. On August 30, 2021, LUMA filed a *Motion Requesting Clarification of a Portion of the Energy Bureau’s Resolution and Order Entered on August 20, 2021, and Submitting Updated List of Transmission and Distribution Projects and Twenty-Nine Scope of Work* (“August 30th Motion”). In the August 30th Motion, LUMA submitted twenty-nine (29) SOWs for T&D Projects for the Energy Bureau’s review and approval prior to submitting them to COR3 and FEMA. The SOWs submitted by LUMA included the “FAASt [Distribution Pole and Conductor Repair - Arecibo Group 3] (Distribution),” “FAASt [Distribution Pole and Conductor Repair - Caguas Group 14] (Distribution),” “FAASt Distribution Pole and Conductor Repair - Mayagüez Group 8 (Distribution),” “FAASt Distribution Pole and Conductor Repair - Mayagüez Group 7 (Distribution),” “FAASt Distribution Pole and Conductor Repair - Arecibo Group 5 (Distribution),” “FAASt [Distribution Pole and Conductor Repair - Caguas Group 15] (Distribution),” “FAASt [Distribution Pole and Conductor Repair - Arecibo Group 11] (Distribution),” “FAASt [Distribution Pole and Conductor Repair - Mayagüez Group 14] (Distribution),” “FAASt [Distribution Pole and Conductor Repair - Arecibo Group 12] (Distribution),” “FAASt [Distribution Pole and Conductor Repair - Ponce Group 11] (Distribution),”³ and “FAASt [Transmission Priority Pole Replacements – Line 13300] (Transmission)” T&D Projects.

³ The “FAASt [Distribution Pole and Conductor Repair - Arecibo Group 3] (Distribution),” “FAASt [Distribution Pole and Conductor Repair - Caguas Group 14] (Distribution),” “FAASt Distribution Pole and Conductor Repair - Mayagüez Group 8 (Distribution),” “FAASt Distribution Pole and Conductor Repair - Mayagüez Group 7 (Distribution),” “FAASt Distribution Pole and Conductor Repair - Arecibo Group 5 (Distribution),” “FAASt

3. On September 22, 2021, the Energy Bureau issued a Resolution and Order where it determined that most of the SOWs for T&D projects submitted by LUMA were necessary to improve the system's reliability ("September 22nd Order"). Therefore, it approved most of the projects presented in the August 30th Motion, including the "FAASt [Distribution Pole and Conductor Repair - Arecibo Group 3] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Caguas Group 14] (Distribution)," "FAASt Distribution Pole and Conductor Repair - Mayagüez Group 8 (Distribution)," "FAASt Distribution Pole and Conductor Repair - Mayagüez Group 7 (Distribution)," "FAASt Distribution Pole and Conductor Repair - Arecibo Group 5 (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Caguas Group 15] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Arecibo Group 11] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Mayagüez Group 14] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Arecibo Group 12] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Ponce Group 11] (Distribution)," "FAASt [Transmission Priority Pole Replacements – Line 13300] (Transmission)" T&D Projects SOWs. The Energy Bureau also ordered LUMA to inform the Energy Bureau once the projects are completed.

4. On October 4, 2021, LUMA filed a *Motion Submitting Update List of Transmission and Distribution Projects and Thirty-Eight Scopes of Work*. Therein, LUMA submitted thirty-eight (38) SOWs for T&D Projects for its review and approval before submitting them to COR3 and

[Distribution Pole and Conductor Repair - Caguas Group 15] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Arecibo Group 11] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Mayagüez Group 14] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Arecibo Group 12] (Distribution)," "FAASt [Distribution Pole and Conductor Repair - Ponce Group 11] (Distribution)" T&D Projects were submitted initially to the Energy Bureau as the "Distribution Pole and Conductor Replacement," which encompassed pole and conductor replacement projects throughout Puerto Rico but were later divided into individual projects per region.

FEMA (“October 4th Motion”). Among the SOWs submitted to this Energy Bureau was the “FAASt [Line 9800 Bayamon TC - Guaraguao Sect] (Transmission)” T&D Project.

5. Then, on October 18, 2021, the Energy Bureau entered a Resolution and Order in which it determined that the thirty-eight (38) SOWs for T&D projects submitted by LUMA were necessary to improve the system’s reliability (“October 18th Order”). Therefore, it approved all the projects presented in the October 4th Motion, including the “FAASt [Line 9800 Bayamon TC - Guaraguao Sect] (Transmission)” T&D Project SOW. Further, the Energy Bureau ordered LUMA to inform the Energy Bureau once the projects are completed.

6. In view of the above and in compliance with the September 22nd and October 18th Orders, LUMA hereby informs that the aforementioned projects have been executed. The projects were energized on the following dates:

FAASt [Distribution Pole and Conductor Repair - Arecibo Group 3] (Distribution)	March 30, 2023
FAASt [Distribution Pole and Conductor Repair - Mayagüez Group 14] (Distribution)	April 27, 2023
FAASt Distribution Pole and Conductor Repair - Mayagüez Group 7 (Distribution)	May 18, 2023
FAASt [Distribution Pole and Conductor Repair - Arecibo Group 12] (Distribution)	June 23, 2023
FAASt [Distribution Pole and Conductor Repair - Arecibo Group 11] (Distribution)	August 2, 2023
FAASt Distribution Pole and Conductor Repair - Mayagüez Group 8 (Distribution)	August 17, 2023
FAASt [Distribution Pole and Conductor Repair - Caguas Group 14] (Distribution)	September 15, 2023
FAASt [Distribution Pole and Conductor Repair - Caguas Group 15] (Distribution)	September 21, 2023
FAASt [Line 9800 Bayamon TC - Guaraguao Sect] (Transmission)	October 29, 2023
FAASt [Transmission Priority Pole Replacements – Line 13300] (Transmission)	November 20, 2023

FAASt [Distribution Pole and Conductor Repair - Ponce Group 11] (Distribution)	December 5, 2023
FAASt Distribution Pole and Conductor Repair - Arecibo Group 5 (Distribution)	December 21, 2023

7. Considering that the above-mentioned assets are now operating as part of the T&D System, LUMA deems it appropriate to notify the Energy Bureau of the date these assets were energized.⁴

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **deem** LUMA to have complied with the September 22nd and October 18th Orders.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this motion to PREPA’s General Counsel, Lionel Santa, lionel.santa@prepa.pr.gov, and to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfr@sbglaw.com and Alejandro López Rodríguez, alopez@sbglaw.com.

In San Juan, Puerto Rico, on the 25th of January, 2024.

⁴ The term “energized”, in this context, is to be considered as such time from which the asset is operating as part of the T&D System.



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