

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

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

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

**SUBJECT:** Resolution and Order regarding  
*Motion for Extension of Time to Comply with  
January 26<sup>th</sup> Resolution*, filed by the Puerto  
Rico Electric Power Authority.

**RESOLUTION AND ORDER**

On January 14, 2024, the Puerto Rico Electric Power Authority ("PREPA") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Urgent Motion Submitting for Review and Approval of the Scope of Work for the Transfer/Ownership to PREPA of the Temporary Generation Units* ("January 14 Motion"). Through the January 14 Motion, PREPA requested the Energy Bureau's approval of the initial Scope of Work for the acquisition and ownership to PREPA of the temporary generation units installed in the Palo Seco Steam Plant (150MW) and the San Juan Power Plant (200MW) ("Temporary Units"). PREPA further requested that Exhibits 1-14 filed with the January 14 Motion be considered confidential.

Upon review of the January 14 Motion, on January 19, 2024, the Energy Bureau issued a Resolution and Order whereby, among other things, it ordered PREPA to notify the Puerto Rico Public-Private Partnerships Authority ("P3 Authority") of its intent to acquire the two-emergency power generating units with a combined 350MW capacity in the Palo Seco and San Juan sites, within five (5) business days, so applicable procedures could take place. The Energy Bureau also stated that PREPA's request for confidentiality would be resolved in a separate Resolution.

On January 22, 2024, PREPA filed a document titled *Motion in Compliance with the January 19<sup>th</sup>, 2024 Resolution and Order* ("January 22 Motion"). Through the January 22 Motion, PREPA informed that on January 22, 2024 it notified the P3 Authority of its intent to acquire the referenced emergency power generation units. PREPA attached the letter sent to the P3 Authority as Exhibit 1 of the January 22 Motion and requested it be deemed confidential.

Regarding the confidentiality of the Exhibits filed with the January 14 and January 22 Motions, PREPA vaguely alleged that the information in such Exhibits was part of a negotiation process and incorporates trade or business secrets. As such, on January 26, 2024, the Energy Bureau determined that PREPA did not comply with the process to designate confidential information ("January 26 Resolution"). Consequently, the Energy Bureau ordered PREPA to, within (5) five business days, comply with the requirements set forth in the Energy Bureau's Policy in Management of Confidential Information.<sup>1</sup> The Energy Bureau further reminded PREPA to provide a table containing a list of all the documents included as Confidential Information, adhering to the format identified in referenced policy. Additionally, the Energy Bureau warned PREPA it must simultaneously file a redacted or public version and an un-redacted or confidential version of any document containing Confidential Information.

On February 2, 2024, PREPA filed a document titled *Motion for Extension of Time to Comply with January 26<sup>th</sup> Resolution* ("February 2 Motion"). In its February 2 Motion, PREPA informed that despite its efforts, it was still reevaluating the documents submitted as confidential with the January 14 and January 22 Motions. Therefore, PREPA requested an extension of five (5) business days, until February 9, 2024, to comply with the January 26 Resolution.

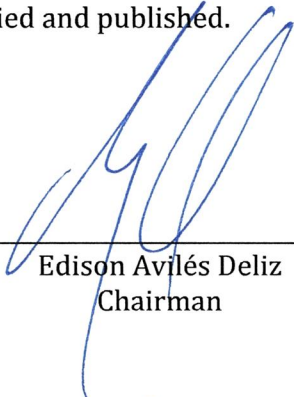
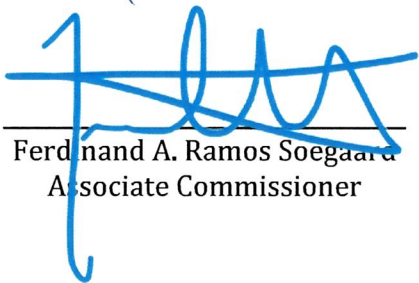
<sup>1</sup> See Resolution, *In Re: Policy on Management of Confidential Information in Procedures Before the Commission*, Case No. CEPR-MI-2016-0009, August 31, 2016.



The Energy Bureau **GRANTS** PREPA until **Friday, February 9, 2024** to comply with the January 26 Resolution.

The Energy Bureau **WARNS** PREPA that noncompliance with this Resolution and Order will result in the imposition of fines pursuant to Article 6.36 of Act 57-2014.<sup>2</sup>

Be it notified and published.

  
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Edison Avilés Deliz  
Chairman  
\_\_\_\_\_  
Lillian Mateo Santos  
Associate Commissioner  
\_\_\_\_\_  
Ferdinand A. Ramos Soegaard  
Associate Commissioner  
\_\_\_\_\_  
Sylvia B. Ugarte Araujo  
Associate Commissioner

**CERTIFICATION**

I certify that the majority of the members of the Puerto Rico Energy Bureau have agreed on February 7, 2024. Associate Commissioner Antonio Torres Miranda did not intervene. I also certify that on February 7, 2024 a copy of this Resolution and Order was notified by electronic mail to arivera@gmlex.net; laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com, Yahaira.delarosa@us.dlapiper.com; julian.angladapagan@us.dlapiper.com; alopez@sbgblaw.com; jfr@sbgblaw.com, legal@genera-pr.com, regulatory@genera-pr.com; and I have moved forward with filing the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today February 7, 2024.

  
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Sonia Seda Gaztambide  
Clerk

<sup>2</sup> Puerto Rico Energy Transformation and RELIEF Act, as amended (Act 57-2014”).