

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

NEPR Received: Feb 14, 2024 11:47 AM

IN RE: REVIEW OF LUMA’S INITIAL BUDGETS

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Response to June 29th Resolution and Order, Request for Reconsideration and Request for Evidentiary Hearing

**INFORMATIVE MOTION SUBMITTING COURTESY COPY OF NOTICE TO THE
PUERTO RICO PUBLIC-PRIVATE PARTNERSHIP AUTHORITY**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”), and LUMA Energy ServCo, LLC (“ServCo”), (jointly referred to as “LUMA”), and respectfully state and request the following:

1. Through various resolutions and orders, this honorable Energy Bureau has affirmed its expectation that budget amendment requests should be timely anticipated and promptly notified to the Energy Bureau. *See*, in general, Resolutions and Orders of issued on August 3, 2022, November 11, 2022, December 14, 2022, and June 29, 2023.

2. In compliance with the aforementioned, LUMA hereby submits to the Energy Bureau a courtesy copy of a notice to the Puerto Rico Public-Private Partnership Authority (“P3A”), in its capacity as Administrator of the Puerto Rico Transmission and Distribution Operation and Maintenance Agreement (“T&D OMA”) executed as of June 22, 2020, among the Puerto Rico Electric Power Authority (“PREPA” or “Owner”), the P3A and LUMA. *See* Exhibit 1 to this Motion.

3. LUMA is still finalizing the expected budget amendment request. Once the information and materials necessary to support a formal budget amendment request have been

completed, LUMA will proceed with submitting such request to the appropriate and relevant entities.

WHEREFORE, LUMA respectfully requests the Energy Bureau to **take notice** of the foregoing for all legal purposes.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that this motion was filed using the electronic filing system of this Energy Bureau and that electronic copies of this motion will be notified to the Puerto Rico Electric Power Authority, through its attorneys of record González & Martínez, Mirelis Valle-Cancel, mvalle@gmles.net; and Alexis G. Rivera Medina, grivera@gmlex.net; and counsel for General PR, LLC, Jorge Fernández-Reboredo, jfr@sbgblaw.com, and Alejandro López Rodríguez, alopez@sbgblaw.com.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on February 14, 2023



DLA Piper (Puerto Rico) LLC
Calle de la Tanca #500, Suite 401
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Tel. 787.945.9141
Fax 939.697.6101

/s/ Alejandro J. Figueroa Ramírez
Alejandro J. Figueroa Ramírez
PR Bar No. 18,609
alejandro.figueroa@us.dlapiper.com

February 14, 2024

To: Puerto Rico Public-Private Partnerships Authority

Attention: Gerardo Lóran
Roberto Sanchez Vilella (Minillas) Government Center
De Diego Ave. Stop 22,
San Juan, PR 00907

Re: Fiscal Year 2024 Budget Amendment Notice

Based on currently available information, LUMA anticipates an amendment to the Fiscal Year (FY) 2024 budget will be needed in order to maintain a budget that accurately reflects changes in LUMA's executed and remaining planned expenditures for FY2024.

Pursuant to LUMA's obligations under Section 7.3(e) of the Transmission and Distribution Operation and Maintenance Agreement (T&D OMA) executed as of June 22, 2020, among the Puerto Rico Electric Power Authority ("PREPA" or "Owner"), the Puerto Rico Public-Private Partnerships Authority ("P3A") and LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, "LUMA" or "Operator"), LUMA is hereby providing prompt notice to the P3A of its plans to submit a FY2024 budget amendment request and will make the relevant documentation available to P3A as soon as they are available.

Please do not hesitate to reach out with any questions.¹

Sincerely,

Francisco Prego Cariello

Francisco Prego Cariello (Feb 13, 2024 19:50 AST)

Francisco Prego

Vice President, Regulatory

C: Mario Hurtado, Chief Regulatory Officer, LUMA; mario.hurtado@lumapr.com
Corey Schneider, Chief Financial Officer, LUMA; corey.schneider@lumapr.com

¹ Section 7.3(e) of the OMA states, in its relevant part, that "Operator may, from time to time, propose to amend the approved Operating Budget and Capital Budget for a given Contract Year...provided that any such amendment shall be compliant with the applicable Rate Order." (Emphasis in the original).

