

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

NEPR
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IN RE:

REVIEW OF LUMA’S INITIAL BUDGET

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Urgent Request for Extension to Submit Fiscal Year Budget Spending Quarterly Report in Compliance with Resolution and Order Dated June 25, 2023

**URGENT REQUEST FOR EXTENSION TO FISCAL YEAR BUDGET SPENDING
SUBMIT QUARTERLY REPORT IN COMPLIANCE WITH RESOLUTION AND
ORDER DATED JUNE 25, 2023**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ through its counsel of record, and respectfully states and requests the following:

1. On June 25, 2023, the Energy Bureau issued a Resolution and Order titled *Determination on the FY24 Annual Budgets for the Electric Utility System – LUMA, Genera, and PREPA* (“June 25th Order”), through which it (1) modified the Proposed Consolidated FY2024 Budget; (2) approved the modified budgets subject to compliance with various orders included in the June 25th Order; and (3) included a series of determinations and orders addressed to Genera regarding the GenCo Budget.²

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority, Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

² See June 25th Order, pp. 16 - 21.

2. Pertinent to this Motion, through the June 25th Order, the Energy Bureau ordered Genera to submit, within forty-five (45) days after the end of each quarter, a quarterly report “detailing Fiscal Year Budget spending amounts, broken out by spending initiative, and detailing any variances from the approved Budget filing. These reports should also include details allowing the Energy Bureau to assess funding, withdrawals and outstanding balances in Operating Budgets, the Capital Budgets and the Generation Budget.”³

3. Genera has been diligently working to prepare the quarterly budget report in accordance with the directives of Attachment I of the Energy Bureau’s June 25th Order. However, despite diligent efforts to comply with these directives, and due to specific technical and data challenges that have necessitated additional time for report preparation, Genera respectfully informs the Energy Bureau that it will require an extension of two weeks, **until February 28, 2024**, to complete the report and provide the most thorough and comprehensive information available. Genera aims to use this additional time to review all the budget data and present it to the Energy Bureau in a clear and transparent manner.

4. Genera assures the Energy Bureau that this request is made in good faith, aiming to maintain our responsibilities and enhance the quality and accuracy of the information provided. Further, this request is made as soon as Genera identified that it was going to need more time to meet the deadline in question. This request reflects our commitment to fulfilling our obligations in the most responsible manner possible.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **grant** Genera an urgent extension of time until February 28, 2024, to

³ *Id.*, Attachment I.

submit the Budget Spending Quarterly Report in accordance with Attachment I of the June 25th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 14th day of February 2024.

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that I will send an electronic copy of this motion to PREPA through its counsels of record: Juan M. Martínez-Nevárez, at jmartinez@gmlex.net, Alexis G. Rivera-Medina, at arivera@gmlex.net, Joselyn Rodríguez-Gonzalez, at jrodriguez@gmlex.net, and Mirelis Valle-Cancel, at mvalle@gmlex.net; and to LUMA, through its counsels of record: Margarita Mercado Echegaray, at margarita.mercado@us.dlapiper.com.

In San Juan, Puerto Rico, this 14th day of February 2024.

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez