

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

IN RE: LUMA'S RESPONSE TO HURRICANE
FIONA

CASE NO.: NEPR-MI-2022-0003

SUBJECT: Resolution and Order pertaining to
the Reinitiation of System Status Daily
Updates.

RESOLUTION AND ORDER

On October 12, 2022, the Energy Bureau of the Puerto Rico Public Service Board ("Energy Bureau") issued a Resolution and Order ("October 12 Order"), among others, to submit the 1st and 15th day of each month an updated report addressing the efforts conducted by LUMA¹ to assure the completion of the Stabilization Plan.²

On October 16, 2023, LUMA filed a document titled *Motion Submitting Twenty-Third Update on Stabilization Plan for Temporary Emergency Capacity, Request for Confidential Treatment of Portions thereof ad Request for Release from Filling Bi-Weekly Reports* ("October 16 Motion"), in which LUMA states that the emergency generation resources installed at the San Juan and Palo Seco sites have both reached the Commercial Operation Date with a total combined baseload capacity of 350 MW.³ Through the October 16 motion, LUMA requests to be released from its requirement to file further updates to the Stabilization Plan.⁴

On November 1, 2023, LUMA filed a document titled *Motion Submitting Final Update on Stabilization Plan for Temporary Emergency Capacity, Request for Confidential Treatment of Portions thereof and Request for Release from Requirement to File Bi-Weekly Reports* ("November 1 Request"), in which makes the same argument and request as stated in the October 16 Motion.

On November 14, 2023, the Energy Bureau issued a Resolution and Order ("November 14 Order"), among others, releasing LUMA of the requirement of sending further reports addressing the efforts conducted by LUMA on this matter.

On December 8, 2023, LUMA submitted its last System Status Daily Update, containing salient information including Projected Availability, Unavailable Generation, New Unit Events, System Forecasts, among others.

The Energy Bureau finds that, despite the completion of the current phase of the temporary emergency generation projects and the subsequent release of LUMA from the bi-weekly reporting requirement, there remains persistent challenges with system resource adequacy and impacts on dispatch operations in which the Energy Bureau requires continuous visibility to maintain an up-to-date understanding of system conditions and LUMA's operational status.

Therefore, the Energy Bureau hereby **ORDERS** LUMA to continue providing System Status Daily Updates to the Energy Bureau **until further notice**. These daily updates (7 days a week) shall include, but not be limited to, the elements detailed in the LUMA December 8, 2023, communication, specifically:

¹ LUMA Energy LLC and LUMA Energy ServCo LLC [jointly referred as, "LUMA"].

² As defined in the October 12 Order: "[LUMA] to address any baseload generation inadequacy or shortfall that affects the dispatch availability and has the potential to cause load shedding or a blackout event of the electric system ("Stabilization Plan").

³ October 16 Motion, ¶ 12.

⁴ October 16 Motion, ¶ 13.



- 1.0 Summary
- 2.0 System Forecast versus Actuals
- 3.0 Details of Units Not Available
- 4.0 One-Week System Outlook
- Appendix A1: Daily Availability Report

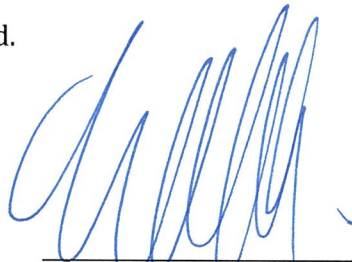
This Resolution and Order will remain in effect until such time as the Energy Bureau issues further determinations based on the evaluation of system conditions and the effectiveness of the ongoing updates in addressing the challenges identified.

The Energy Bureau **ORDERS** LUMA to resume submitting System Status Daily Updates following this Resolution and Order. LUMA shall begin submitting the Status Updates by **March 1, 2024**. The Status Updates must be submitted **on the morning of the same day** of the report with subsequent updates provided **on a daily basis thereafter**.

The Energy Bureau **WARNS** LUMA:

- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
- (ii) any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
- (iii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000), at the discretion of the Energy Bureau.

Be it notified and published.



Edison Avilés Deliz
Chairman

Lillian Mateo Santos
Associate Commissioner

Ferdinand A. Ramos Soegaard
Associate Commissioner

Sylvia B. Ugarte Araujo
Associate Commissioner

Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau have agreed on February 24, 2024. I also certify that in February 24, 2024 a copy of this Resolution and Order was notified by electronic mail to arivera@gmlex.net; mvalle@gmlex.net; valeria.belvis@us.dlapiper.com; margarita.mercado@us.dlapiper.com; laura.rozas@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 24, 2024.



Sonia Seda Gaztambide
Clerk

