

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

**NEPR**

**Received:**

**Feb 29, 2024**

**3:50 PM**

**IN RE:**

REGISTRO ACTUALIZADO DE  
PROYECTOS APROBADOS POR EL  
NEGOCIADO DE ENERGÍA DE LA  
JUNTA REGLAMENTADORA DE  
SERVICIO PÚBLICO DE PUERTO  
RICO

**CASE NO.:** NEPR-MI-2024-0001

**SUBJECT:** Motion to Submit First Status  
Report in Compliance with Resolution and  
Order Dated February 8, 2024

**MOTION TO SUBMIT FIRST STATUS REPORT IN COMPLIANCE WITH  
RESOLUTION AND ORDER DATED FEBRUARY 8, 2024**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES NOW GENERA PR LLC** (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),<sup>1</sup> through its counsels of record, and respectfully submits and prays as follows:

1. Pursuant to the Resolution and Order issued by the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) on March 26, 2021, in case no. NEPR-MI-2021-0002 (“March 26<sup>th</sup> Resolution”),<sup>2</sup> Genera, acting as PREPA's agent, is required to submit each specific capital investment project for approval to avoid potential noncompliance with the Approved Integrated Resource Plan (“IRP”) and Modified Action Plan. To streamline this process, in accordance with the March 26<sup>th</sup> Resolution, Genera must

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<sup>1</sup> Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera, Genera is the sole operator and administrator of the Legacy Generation Assets (defined in the LGA OMA) 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.

<sup>2</sup> Case No.: NEPR-MI-2021-0002, *In Re: Review of the Puerto Rico Electric Power Authority's 10-Year Infrastructure Plan – December 2020*.

submit these specific projects at least thirty (30) calendar days before their submission to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency (“COR3”), the Federal Emergency Management Agency (“FEMA”), or any other federal agency. Additionally, Genera is to continue reporting the progress of all ongoing efforts related to the final approval of the submitted projects not yet approved by the Energy Bureau to both the Energy Bureau and FEMA over the next five (5) years.

2. Genera, under Case No.: NEPR-MI-2021-0004, *In Re: Initial Budget and Related Terms of Service*, has submitted multiple reports to the Energy Bureau, detailing projects linked to grid modernization and emergency works. Thus, recognizing the vast number of projects approved and the critical need for timely execution, the Energy Bureau, on November 29, 2023, issued a Resolution and Order under Case No.: NEPR-MI-2021-0002, titled *Visit for revision of FEMA and COR3 approved projects*, whereby it mandated site visits for the inspection of the projects referenced, thereby facilitating the effective monitoring of their progress.

3. On February 8, 2024, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“February 8<sup>th</sup> Order”) initiating the instant proceeding with the purpose of maintaining a clearer, organized, and updated record of all projects approved by the Energy Bureau in Case No.: NEPR-MI-2021-0002, along with the phases of execution in which they are.

4. In the February 8<sup>th</sup> Order, under Case Number: NEPR-MI-2024-0001, the Energy Bureau ordered LUMA<sup>3</sup>, Genera and PREPA to present the first status report of all projects approved by the Energy Bureau, regardless of whether they are funded with state,

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<sup>3</sup> LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as “LUMA”).

federal, or tariff-derived funds, on or before Friday, February 23, 2024. Furthermore, the submission of quarterly progress reports for the update, monitoring, and effective management of such projects is ordered to be presented on March 31, June 30, September 30, and December 31 of each year, including the current one.

5. On February 21, 2024, Genera filed a document titled *Request for Extension to Submit First Status Report in Compliance with Resolution and Order Dated February 8, 2024* (“February 21<sup>st</sup> Motion”), in which Genera informed the Energy Bureau that it required an extension of one week, until February 29, 2024, to complete the status report in accordance with the requirements of the February 8<sup>th</sup> Order.

6. On February 28, 2024, the Energy Bureau issued a Resolution and Order titled *Resolución y Orden respecto a Motion Requesting Extension of Time to Submit First Status Report and Request to Align the Filing of the Status Reports with the Filing of the Quarterly Reports, presentada por LUMA Energy, LLC y LUMA Energy ServCo, LLC; Notice of Appearance and Request for Notice; y Request for Extension to Submit First Status Report in Compliance with Resolution and Order Dated February 8, 2024, presentadas por Genera PR, LLC; y Moción en Cumplimiento de Orden, presentada por la Autoridad de Energía Eléctrica de Puerto Rico* (“February 28<sup>th</sup> Order”). Through this order, the Energy Bureau granted the one-week time extension, through February 29, 2024, sought by Genera.

7. In compliance with the February 8<sup>th</sup> Order, and in accordance with the February 21<sup>st</sup> Motion and the February 28<sup>th</sup> Order, Genera hereby submits to the Energy Bureau, attached as *Exhibit A*, its first status report of the projects approved by the Energy Bureau.

**WHEREFORE**, Genera respectfully requests that this Energy Bureau take notice of the above for all relevant purposes and deem Genera to be in compliance with the February 8<sup>th</sup> Order as it pertains to the submission of the first status report.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 29<sup>th</sup> day of February 2024.

**ECIJA SBGB**

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*/s/ Jorge Fernández-Reboredo*

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*/s/ Alejandro López-Rodríguez*

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TSPR 22,996

## CERTIFICATE OF SERVICE

We 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](mailto:jmartinez@gmlex.net), Alexis G. Rivera-Medina, at [arivera@gmlex.net](mailto:arivera@gmlex.net), Joselyn Rodríguez-Gonzalez, at [jrodriguez@gmlex.net](mailto:jrodriguez@gmlex.net), and Mirelis Valle-Cancel, at [mvalle@gmlex.net](mailto:mvalle@gmlex.net); and to LUMA, through its counsels of record: Margarita Mercado Echegaray, at [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com), Yahaira De La Rosa, at [yahaira.delarosa@us.dlapiper.com](mailto:yahaira.delarosa@us.dlapiper.com), and Julian Anglada Pagan, at [julian.angladapaga@us.dlapiper.com](mailto:julian.angladapaga@us.dlapiper.com).

In San Juan, Puerto Rico, this 29<sup>th</sup> day of February 2024.

/s/ Alejandro López-Rodríguez  
Alejandro López-Rodríguez

Exhibit A  
First Status Report  
(Native file submitted via e-mail)