

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

<b>NEPR</b>  <b>Received:</b>  <b>Mar 25, 2024</b>  <b>2:16 PM</b>
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**IN RE:**

IN RE: PUERTO RICO ELECTRIC POWER  
AUTHORITY PERMANENT RATE

**CASE NO. NEPR-MI-2020-0001**

**SUBJECT: Motion in Compliance with Resolution and  
Order of March 22, 2024**

**MOTION IN COMPLIANCE WITH RESOLUTION AND ORDER OF MARCH 22, 2024  
TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES** now **LUMA Energy ServCo, LLC** (“ServCo”), (“LUMA”), and respectfully states and requests the following:

1. LUMA’s duties over system regulatory matters pursuant to Section 5.6 of the Puerto Rico Transmission and Distribution Operation and Maintenance Agreement (“T&D OMA”) as supplemented by the Puerto Rico Transmission and Distribution System Supplemental Terms Agreement, include preparation of the required reconciliations of the Fuel Charge Adjustment (“FCA”), Purchased Power Charge Adjustment (“PPCA”), and Fuel Oil Subsidy (“FOS”) riders.

2. Pursuant to a Resolution and Order dated January 17, 2020, issued by this Honorable Puerto Rico Energy Bureau (“Energy Bureau”), in this proceeding, reconciliations of fuel and purchased power costs and calculated FCA, PPCA, and FOS factors are filed quarterly. *See also* Final Rate Order issued on January 10, 2017, Case CEPR-AP-2015-0001, as amended (“Final Rate Order”).

3. On December 21, 2023, this Energy Bureau set the FCA, PPCA, and FOS factors to be applied from January 1, 2024, until March 31, 2024 (“December 21<sup>st</sup> Order”). Furthermore, in the December 21<sup>st</sup> Order, the Energy Bureau directed that on or before March 15, 2024, at noon, LUMA shall file the FCA, PPCA, and FOS reconciliations for December 2023 through February 2024, as well as the factors to be applied for the quarter beginning on April 1, 2024.

4. On March 14, 2024, LUMA filed an *Urgent Request for Extension of Time to Submit Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors*, petitioning the Energy Bureau for an extension until March 22, 2024, at noon, to submit the FCA, PPCA, and FOS reconciliations for December 2023 through February 2024, and the calculated factors to be applied for the next quarter.

5. On March 15, 2024, the Energy Bureau issued a Resolution and Order granting the extension requested.

6. On March 22, 2024, LUMA filed an *Urgent Brief Additional Request for Extension of Time to Submit Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors*, petitioning the Energy Bureau for an extension until March 25, 2024, at noon, to submit the aforementioned reconciliations and proposed factors.

7. On March 22, 2024, the Energy Bureau issued a Resolution and Order granting the extension requested. In addition, the Energy Bureau ordered LUMA to include the total interconnection cost estimate for the Tranche 1 projects in the proposed factor analysis. The total cost estimate should be broken down into the estimated monthly amounts necessary to meet the costs of the interconnection projects from inception to completion. Also, it instructed LUMA to report the actual cost incurred in Q2 2024 of the interconnection projects and the amount recovered for that purpose during the same quarter. LUMA shall submit this information, in addition to the

interconnection cost estimate remaining to complete the projects, broken down by month, on June 15, 2024, along with the reconciliation for March, April, and May 2024 and the proposed factors to begin on July 1, 2024 (“March 25<sup>th</sup> Order”).

8. Today, March 25, 2024, LUMA filed a *Submission of FCA and PPCA Reconciliations for December 2023 Through February 2024, and FCA, PPCA and FOS Calculated Factors, and Request for Confidential Treatment* (“March 25<sup>th</sup> Submission”). LUMA submitted the quarterly reconciliations for the FCA and PPCA riders for December 2023 through February 2024 and the proposed factors for the FCA, PPCA, and FOS riders to be in effect for the period from April 1 until June 30, 2024. As part of the filing, LUMA included Excel spreadsheets filed publicly and confidential Excel spreadsheets with formulae intact.

9. In compliance with the March 22<sup>nd</sup> Order, LUMA hereby informs that the actual costs incurred related to Tranche 1 interconnection projects up to February 2024, as well as estimated Tranche 1 interconnection costs for the next quarter, were included in the Excel spreadsheet named “April – June 2024 Proposed Factors.xlsx,” specifically, in the tab labeled “Interconnection Costs,” exhibit to the March 25<sup>th</sup> Submission.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **deem** LUMA complied with the Resolution and Order dated March 22, 2024.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 25<sup>th</sup> day of March 2024.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau. I will send an electronic copy of this Motion to counsel for PREPA Alexis Rivera, [arivera@gmlex.net](mailto:arivera@gmlex.net), counsels for Genera, [alopez@sbgblaw.com](mailto:alopez@sbgblaw.com), and [jfr@sbgblaw.com](mailto:jfr@sbgblaw.com), and the Independent Consumer Protection Office through Director Hannia Rivera, [hrivera@jrsp.pr.gov](mailto:hrivera@jrsp.pr.gov).



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