

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

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN

CASE NO.: NEPR-AP-2023-0004

SUBJECT: Request for Partial Waivers from
Certain Transmission and Distribution
Sections of Regulation 9021 for the 2024 IRP.

RESOLUTION AND ORDER

I. INTRODUCTION

On August 24, 2020, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued the IRP Order¹, regarding the Integrated Resource Plan ("IRP") of the Puerto Rico Electric Power Authority ("PREPA"). The IRP Order included a Section titled "Preparing for the Next IRP Cycle", contains action items and internal process improvements to be implemented by the PREPA for the next IRP.² The action items included specific technical elements about how the IRP considered energy efficiency, distributed generation and storage, load forecasting, wind resources, resource need assessment, transmission and distribution, and a Modified Action Plan.³

On October 14, 2022, the Energy Bureau issued a Resolution and Order ("October 14 Order") through which conditionally approve LUMA's choice of contractor, contingent upon explicit contractor compliance with the Energy Bureau's Regulation 9021⁴ about filing an integrated resource plan.⁵ The October 14 Order also included the Energy Bureau's directive that LUMA and its contractor make all input assumptions and results output available to stakeholders in industry standard electronic format (e.g., Excel files) to facilitate review and quantitative analysis.

On December 20, 2023, the Energy Bureau issued a Resolution and Order ("December 20 Order") through which orders LUMA to address certain transmission issues from Regulation 9021 in its next technical conference.

On January 30, 2024, the Energy Bureau held its third technical conference for this 2024 IRP pre-filing period "January 30 Technical Conference", with a focus on certain transmission issues, especially how interconnection of new resources would be addressed in the IRP. LUMA presented various transmission and other issues during the technical conference. A discussion on potential waivers from Regulation 9021 was discussed at the conference.

On February 29, 2024, LUMA submitted a document titled *Motion for Partial Waiver of Requirements of Regulation 9021* ("February 29 Motion"). LUMA noted that the request for the waivers was discussed with the Energy Bureau during the January 30 Technical Conference, after identification and inclusion of the waiver request in LUMA's presentation. Exhibit 1 to the February 29 Motion included the requested waivers and LUMA's explanation of its reason for them.

¹ Final Resolution and Order on the Puerto Rico Electric Power Authority's Integrated Resource Plan, *In re: Review of the Integrated Resource Plan of the Puerto Rico Electric Power Authority*, Case No. CEPR-AP-2018-0001, August 24, 2020 ("IRP Order").

² IRP Order, pp. 285-289, ¶ 912-922.

³ IRP Order, pp. 285-287, ¶ 913-919.

⁴ *Regulation on Integrated Resource Plan for the Puerto Rico Electric Power Authority*, April 24, 2018 ("Regulation 9021").

⁵ Resolution and Order, *In re: Implementation of the Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan*, Case No. NEPR-MI-2020-0012, October 14, 2022.



LUMA requested partial waivers for three areas of Regulation 9021: i) Section 2.03(J)(1)(b)(i)(B) and Section 2.03(J)(1)(e)(i)(B), “that include system wide load flow analyses, lists of circuits that do not comply with the American National Standard Institute [ANSI] voltage variation”;⁶ ii) Section 2.03(J)(1)(d), “which requires a description of planned transmission facilities additions or changes for the next ten years”⁷; and iii) Section 2.03(J)(1)(e), “which requires a detailed description of planned changes to the distribution system”.⁸

In summary, the requested waivers pertain to i) existing distribution system data availability related to “Any voltage variations on distribution circuits that do not comply with the current version of the ANSI Standard C 84.1...”;⁹ ii) the required narrative description on any planned transmission and sub-transmission facilities, and a description of the plans for development of such facilities during the next ten years;¹⁰ and iii) planned distribution facilities, the required detailed narrative description of planned changes in approach, standard practice, or broadly applicable substation, circuit or feeder design for the next ten years. It also requires submission of “substantiation” of distribution development plans, “if available”.¹¹

II. DISCUSSION AND FINDINGS

A. Waiver Request Number 1 – Existing Distribution System Circuit Voltage Variations from ANSI Standard

Regulation 9021 Section 2.03(J)(1)(b)(i)(B) concerns existing distribution system variations in voltage from standards. LUMA indicates there are known data deficiencies, and that all data that is available will be provided.¹²

The Energy Bureau **GRANTS** this partial waiver request but **REMINDS** LUMA to provide those data that do exist, in compliance with Regulation 9021.

B. Waiver Request Number 2 – Planned Transmission Facilities Description Narrative

Regulation 9021 Section 2.03(J)(1)(d) about Planned Transmission Facilities Description requires the provision of a “detailed narrative description of any planned electric transmission and sub-transmission facilities, and a description of the plan for development of facilities during the next ten years of the Planning Period.” Regulation 9021 then lists the information required to be submitted as part of the IRP filing, which includes, for example, information on new lines, substations, maps, justification of development plans, analysis of the systems ability to “permit power interchange”, examples of interconnection studies, a one-line diagram of the transmission network, and other informational aspects of planned facilities.

LUMA explains that they have “developed project plans that span a ten-year planning horizon”, but also states that the plans to be completed by the IRP filing date “will not

⁶ February 29 Motion, Exhibit 1, page 1.

⁷ February 29 Motion, Exhibit 1, page 3.

⁸ February 29 Motion, Exhibit 1, page 5.

⁹ Regulation 9021, Section 2.03(J)(1)(b)(i)(B), which is Transmission and Distribution System Planning, Transmission and Distribution System Documentation, Existing Distribution Facilities Description, Load flow or other system analysis by voltage class, identifying and considering voltage variations on distribution circuits out of compliance with ANSI Standard C 84.1.

¹⁰ Regulation 9021, Section 2.03(J)(1)(d).

¹¹ *Id.*, Section 2.03(J)(1)(e).

¹² February 29 Motion, Exhibit 1, pages 2-3.



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comprise the full set of projects”.¹³ LUMA also states that its focus is “to initiate rebuilds and projects ...primarily centered on a 5-year horizon...”. LUMA says that they “will include all projects proposed for development, but the scope and timing of these projects over the 10-year planning horizon is subject to potential modification as future scenarios identify additional areas that require transmission investment or future determination of actual conditions warrant project modifications.”¹⁴ LUMA summarizes its request for a partial waiver for this part of Regulation 9021 by stating that “Due to these ongoing efforts, the full project list will remain subject to change”.¹⁵

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The Energy Bureau **DETERMINES** for the purposes of this IRP that the thrust of this Section of Regulation 9021 is for LUMA to submit a detailed narrative description of planned transmission and sub-transmission facilities and support that narrative with detailed documentation, as available, as required by the Regulation. Regulation 9021 does not require LUMA to provide information it does not have or provide information on future transmission projects which are not yet identified.

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However, to the extent that LUMA is considering projects that they have identified but may not yet have been fully “...assessed, and validated”,¹⁶ the Energy Bureau **DETERMINES** that LUMA **MUST** include such projects as part of its narrative description. The underlying value of this section of the Regulation is to allow the Energy Bureau to see the current sweep of transmission and sub-transmission projects that may be under consideration by LUMA, even if not yet fully vetted.

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The Energy Bureau **DENIES** LUMA’s request for a partial waiver of this part of Regulation 9021. The Energy Bureau **EXPECTS** LUMA to submit the information it has available on planned transmission and sub-transmission facilities at the time of the IRP filing, for projects within both a 5-year and a 10-year planning horizon.

Regulation 9021 includes a process whereby the Energy Bureau determines the completeness of the IRP filing.¹⁷ As long as LUMA files the information it has available and tries to be transparent, and coherent, as to its transmission system planning at the time of the filing, the Energy Bureau **ANTICIPATES** a determination of completeness about that section of Regulation 9021.

C. Waiver Request Number 3 – Planned Distribution Facilities Description Narrative

Regulation 9021 Section 2.03(J)(1)(e) about Planned Distribution Facilities Description requires the provision of a “detailed narrative description of any planned changes in approach, standard practices, or broadly applicable substation, circuit, or feeder design for PREPA’s distribution system for the next ten years”. The description shall address how the facilities will accommodate incremental penetration of distributed generation, including intermittent distributed generation, and the ability to receive new loads over time. Regulation 9021 notes that the filing includes “substantiation of distribution development plans” including identification of voltage standard variations, “if available”.

This part of Regulation 9021 requires both a detailed narrative description, and – if available – substantiation of distribution development plans. LUMA indicates that it has not completed

¹³ LUMA, February 29 Motion, Exhibit 1, page 4.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ LUMA, February 29 Motion, Exhibit 1, page 5.

¹⁷ Regulation 9021, Section 3.02 (A).



development of all Distribution Area Plans and will continue such “plan studies and assessments” after the filing date.¹⁸

Regulation 9021 requires the submittal of a detailed narrative description of planned distribution facilities. Similar to the way a detailed narrative description of planned transmission facilities must be included in the IRP filing, a distribution planning narrative for the next ten years must also be filed. This part of Regulation 9021 explicitly states that some of the documentation required must be filed only “if available”, but the full narrative description of LUMA’s distribution plans must be filed.

The Energy Bureau **DENIES** LUMA’s request for a partial waiver of this part of the Regulation. As with the previous transmission section, the Energy Bureau **EXPECTS** LUMA to file the detailed information “substantiating” its distribution development plans for those circuits or areas for which it has such substantiation. LUMA cannot file information it does not have; however, the Energy Bureau **DIRECTS** LUMA to follow Regulation 9021(J)(1)(e) providing a detailed narrative description of its distribution development plans.

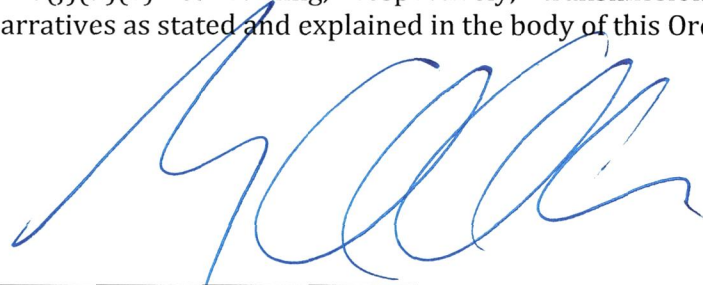
The Energy Bureau **REMINDS** LUMA and its contractor to make input assumptions and output results available to stakeholders in industry standard electronic format (*e.g.*, Excel file) to facilitate stakeholder review and quantitative analysis, especially for those without access to the PLEXOS software.

III. CONCLUSION

The Energy Bureau **GRANTS** LUMA’s request for a waiver from Regulation 9021 Section 2.03(J)(1)(b)(i)(B) and Section 2.03(J)(1)(e)(i)(B), concerning existing distribution system voltage variations from ANSI standards.

The Energy Bureau **DENIES** LUMA’s requests for waivers from Regulation 9021 Section 2.03(J)(1)(d) and Section 2.03(J)(1)(e) concerning, respectively, transmission and distribution system planning narratives as stated and explained in the body of this Order.

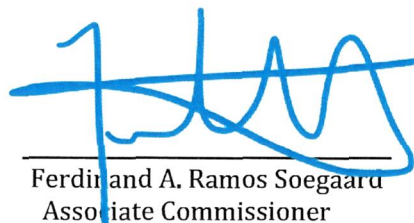
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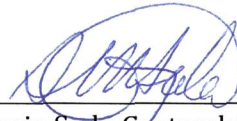
¹⁸ LUMA, February 29 Motion, Exhibit 1, pages 5-6.



CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau have agreed on April 15, 2024. I also certify that on April 15, 2024 a copy of this Resolution and Order was notified by electronic mail to mvalle@gmlex.net; arivera@gmlex.net; margarita.mercado@us.dlapiper.com; brannen@genera-services.com; kbolanos@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 April 15, 2024.



Sonia Seda Gaztambide
Clerk

