

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

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**IN RE: ELECTRIC VEHICLE
CHARGING INFRASTRUCTURE
DEPLOYMENT**

CASE NO. NEPR-MI-2021-0013

**SUBJECT: Informative Motion Regarding Launch of
EV TOU Rate and Request for Release from
Requirement to File Billing Integration Reports**

**INFORMATIVE MOTION REGARDING LAUNCH OF INTERIM EV TOU RATE AND
REQUEST FOR RELEASE FROM REQUIREMENT TO FILE BILLING
INTEGRATION REPORTS**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES now **LUMA Energy ServCo, LLC** (“LUMA”), through the undersigned legal counsel, and respectfully states, submits and requests the following:

I. Relevant Procedural History

1. On January 13, 2023, this Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (the “January 13th Resolution and Order”) making several determinations regarding the Draft Phase I Electric Vehicle Plan (“Phase I EV Plan”) filed by LUMA on September 1, 2022¹ and the Revised Draft Electric Vehicle Rate Design Proposal filed by LUMA on July 21, 2022 (“EV Rate Design Proposal”)². Among other matters, the Energy Bureau approved the Interim Electric Vehicle Time of Use Rate (“Interim EV TOU Rate”) in the EV Rate Design Proposal, subject to certain modifications. *See* January 13th Resolution and Order on page 9. The Energy Bureau also directed LUMA to file a

¹ *See* LUMA’s *Motion Submitting Draft Phase I EV Plan and Request to Postpone Compliance Technical Hearing No. 3 and Concomitant Deadline to Submit Revised Phase I EV Plan* filed on September 1, 2022 and LUMA’s *Motion Re-Submitting Exhibit 1 Filed on September 1, 2022 with Technical Repairs and Requesting Substitution of Original Exhibit* filed on September 2, 2022.

² *See* LUMA’s *Motion Submitting Revised EV Rate Design Proposal* filed July 21, 2022.

Final Phase I EV Plan by March 30, 2023, file by February 10, 2023 a Project Schedule for the implementation of the Interim EV TOU Rate and complete the development and launch of the Interim EV TOU Rate by September 30, 2023. *See id.* at page 14. In addition, the Energy Bureau ordered LUMA to submit a report every thirty (30) days on the progress with data collection and billing to integrate the Interim EV TOU Rate (“Billing Integration Report”). *See id.* at page 11.

2. On February 14, 2023, the Energy Bureau issued a Resolution and Order (“February 14th Order”) ordering LUMA to present the Billing Integration Report commencing on March 13, 2023, and “every 30 days thereafter with progress on data collection and billing to integrate the Interim EV Rate”. *See* February 14th Order on page 2.

3. On February 17, 2023³, LUMA submitted to the Energy Bureau the Project Schedule addressing the tasks for the development and launch of the Interim EV TOU Rate. *See Motion Submitting Project Schedule in Compliance with Resolution and Order of January 13, 2023, and Requesting Modification of Certain Deadlines Thereunder* of that date (“February 17th Motion”). Additionally, LUMA requested in this motion, among others, that the date to begin the billing integrating the Interim EV TOU Rate be extended to the end of November 2023 or sixty (60) days following the date when customer enrollment has reached a minimum threshold number of customers, whichever occurs later. *See id.* at page 7.

4. On March 13, 2023, LUMA submitted its first monthly Billing Integration Report. *See Motion to Submit Billing Integration Report and Request to Modify Reporting Frequency* of that date and its Exhibit 1.

³ Following a request for extension to file the Project Schedule until February 17, 2023 submitted by LUMA on February 9, 2023 (*see Motion Requesting Brief Extension to File Project Schedule Required by Resolution and Order of January 13, 2023 and Submitting Progress Report Due By February 13, 2022 and Information on Status of RFP Due by February 15, 2023 under Such Resolution and Order* of that date) and a determination by the Energy Bureau to grant it (*see Energy Bureau Resolution and Order of February 14, 2023*).

5. On March 29, 2023, the Energy Bureau issued a Resolution and Order (“March 29th Resolution and Order”) approving the Project Schedule submitted by LUMA and, among others, modifying the deadline for commencing billing integrating the Interim EV TOU Rate to November 30, 2023, or sixty (60) days following the date when customer enrollment has reached a minimum threshold number of customers, whichever occurs later.⁴ *See* March 29th Resolution and Order on page 3.

6. On May 1, 2023, LUMA submitted to the Energy Bureau the Final Phase I EV Plan in compliance with the January 13th Resolution and Order in the form of the document titled Puerto Rico’s Electric Vehicle Adoption Plan (“PR-EVAP”). *See Motion to Submit Final Phase I EV Plan in Compliance with Resolution and Order of January 13, 2023*, filed on that date.

7. After other related procedural events,⁵ on March 1, 2024, the Energy Bureau issued a Resolution and Order (“March 1 Order”) in which it extended the deadline for commencement of the billing integrating the Interim EV TOU Rate until April 30, 2024.

8. On March 28, 2024, LUMA requested the Energy Bureau the approval of proposed changes to LUMA’s model bill to incorporate the Interim EV TOU Rate. *See Request for Approval to Incorporate the Electric Vehicle Time of Use Rate into the Model Bill*, filed in Case No. NEPR-MI-2021-0008, *In Re: Review of LUMA’s Model Bill*, filed on March 28, 2024. The Energy Bureau approved this request by Resolution and Order of April 8, 2024, in that same case.

⁴ This latter option would apply if LUMA submitted justification for a threshold level and explained the need for it.

⁵ On November 30, 2023, LUMA requested the Energy Bureau to extend the deadline for commencement of the billing integrating the interim TOU Rate until April 2024. *See Motion Informing Status of Billing Integrating Interim EV TOU Rate and Request for Extension of Time to Complete Such Milestone* filed on November 30, 2023, on page 8. On December 20, 2023, the Energy Bureau issued a Resolution and Order extending this deadline until February 1, 2024. On February 1, 2024, LUMA requested this Energy Bureau to modify this deadline until April 30, 2024. *See Motion to Update Timeline to Commence Billing Integrating Interim EV TOU Rate* filed on February 1, 2024, on page 8.

9. Every month commencing on March 13, 2023, LUMA has filed Billing Integration Reports providing updates to this Energy Bureau on the progress of the efforts on data collection and integration of the Interim EV TOU Rate into the LUMA billing system, the most recent being the Billing Integration Report filed on April 8, 2024.⁶

10. Following additional related procedural developments⁷, LUMA submitted a Motion to Resubmit the Proposed Tariff Sheet on April 29, 2024, pursuant to the January 13th Resolution and Order to complete a tariff sheet and “*send it to EV owners before implementing the tariff, to advise them of the rate and invite them to enroll in it*”. This tariff represented an updated version of the Proposed Tariff Sheet, to feature a formula for calculating the EV TOU

⁶ See *Motion to Submit May 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on May 12, 2023; *Motion to Submit June 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on June 12, 2023; *Motion to Submit July 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on July 11, 2023; *Motion to Submit August 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on August 10, 2023; *Motion to Submit September 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on September 12, 2023; *Motion to Submit October 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on October 10, 2023; *Motion to Submit November 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on November 8, 2023; *Motion to Submit December 2023 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on December 8, 2023; *Motion to Submit January 2024 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on January 8, 2024; *Motion to Submit February 2024 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on February 6, 2024; *Motion to Submit March 2024 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on March 7, 2024 and *Motion to Submit April 2024 Billing Integration Report in Compliance with Orders of January 13 and February 14, 2023* filed on April 8, 2024.

⁷ On April 8, 2024, LUMA submitted a motion to the Puerto Rico Energy Bureau detailing the submission of the tariff sheet for the interim electric vehicle time of use rate (EV TOU Rate) approved by the Energy Bureau. See *Motion to Submit April Billing Integration Report*, filed on April 8, 2024. This tariff sheet was prepared in compliance with the requirement in the January 13th Resolution and Order for LUMA to prepare a “*complete tariff sheet and a description of all costs [...]*” to be sent to the customer before the implementation of the tariff.

Rate, replacing the previously changing rates filed quarterly to ensure clarity and consistency for customers.

II. Information on Launch of Interim EV TOU Rate

11. LUMA herein informs that on April 30, 2024, it completed the development and launch of the Interim EV TOU Rate, including commencing billing integrating the EV TOU Rate, in compliance with the January 13th Resolution and Order, as modified by the March 1 Order.

12. As per the January 13th Resolution and Order, as amended by the March 1 Order, LUMA was required to complete the development and launch of the Interim EV TOU Rate by April 30, 2024 and, pursuant to the January 13th Resolution and Order, LUMA was required to submit the Billing Integration Reports regarding the progress with data collection and billing to integrate the Interim EV TOU Rate every thirty (30) days. The purpose of the Billing Integration Reports was for this honorable Energy Bureau to monitor the progress of the efforts to integrate the Interim EV TOU Rate into the LUMA billing system so that the Interim EV TOU Rate would be launched by the required deadline. Given that the milestone to complete the development and launch of the Interim EV TOU Rate has been achieved, including the commencement of billing integrating the Interim EV TOU Rate, LUMA respectfully submits that the purpose of the Billing Integration Reports has been fulfilled. Therefore, LUMA respectfully requests the Energy Bureau release LUMA from the requirement to file further Billing Integration Reports and consider the May Billing Integration Report, scheduled to be filed for May 8, 2024, as the last report to be made in compliance with the January 13th Resolution and Order.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **deem** LUMA in compliance with the requirement to develop and launch the Interim EV TOU Rate by April 30, 2024, including commencing billing integrating the Interim

EV TOU Rate, as per the January 13th Resolution and Order, as modified by the March 1 Order; and **release** LUMA from the requirement to submit further Billing Integration Reports after the Billing Integration Report scheduled for May 8, 2024.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 30th day of April 2024.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau and that we will send an electronic courtesy copy of this motion to PREPA's General Counsel, Lionel Santa, lionel.santa@prepa.com, to the Independent Office of Consumer Protection by submittal to Hannia Rivera, hrivera@jrsp.pr.gov and to arivera@gmlex.net and mvalle@gmlex.net. LUMA understands that other participants or stakeholders in this proceeding will be notified as a result of the publicity of the filings in this process. Notwithstanding, LUMA will send a courtesy copy of the filing to the following stakeholders: agalloza@aggpr.com; alberto.cortes@warrendelcaribe.com; aldo@skootel.com; angel.d.rodriguez@outlook.com; antonio@velocicharge.com; apietrantoni@pmalaw.com; azayas@azeng.net; bigwheelcorp@gmail.com; blazquezmalu@gmail.com; brightsunpr@gmail.com; carlosxcdeno@gmail.com; clrivera@caguasexpressway.com; flota@caguasexpressway.com; cnegrette@solrenew.com; CR.Tejera@ddec.pr.gov; dacosta@aggpr.com; daniel.perez@totalenergies.pr; dordero@group-em.com; direxec@ciapr.org; divine.energy@hotmail.com; ecruz@pmalaw.com; eduardo.pinera@toyota.com; Edwin.Acevedo@ddec.pr.gov; emelyies.torres@toyota.com; epenergypr@gmail.com; erica.cosme@gsonnell.com; Fberrios@peritoselectricistas.org; francisco.berrios@hotmail.com; franciscojrullan@yahoo.com; gerard.berlinski@toyota.com; gerardo_cosme@solartekpr.net; gperez@solrenew.com; hamely@motorambar.net; ialsina@plazalasalamicas.com; idiaz@glenninternational.com; info@carlosmatta.com; jack@pantekpartners.com; jameauxl@aim.com; jan.rodriguez@toyota.com; javrua@sesapr.org; jbouza@caguasexpressway.com; jcardona@aggpr.com; jmartinez@pmalaw.com; jorrodriguez@motorambar.net; jortiz@caguasexpressway.com; jose.maeso@crowley.com; jpibernus@motorambar.com; JSantana@motorambar.com; jtosado@motorambar.net; juan.diaz.galarza@guidehouse.com; jvazquez905@gmail.com; kenan.d.davila@sargentlundy.com; kkoch@tesla.com; l.marcano@aconer.org; lsundeen@tesla.com; luisgmoreno@gmail.com; Marangelly.Cruz@toyota.com; marilyn.maldonado@toyota.com; mlandron@plazaad.com; mpietrantoni@pmalaw.com; nannette.berrios@solpetroleum.com; nmontes@ccmpr.com; nrodriguez@senado.pr.gov; Ochavez@Padigm.com; odette@grupofernandezpr.com; omundo@plazalasalamicas.com; patlopez00@gmail.com; dany.oliva@toyota.com; pjcleanenergy@gmail.com; rdiaz@glenninternational.com; repagan@burnsmcd.com; rry@tcm.law; Ruben.Gonzalez@pumaenergy.com; rvega@guidehouse.com; salvadorlopez5@hotmail.com; shehaly.rosado@ddec.pr.gov; Veronica@pantekpartners.com; Victor.Aponte@toyota.com; victor.martinez@totalenergies.pr; wilfredsonllc@gmail.com; zlopez@efonalledas.com; mara.cruz@toyota.com; lizette.cotto@toyota.com.



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