

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

IN RE: PERFORMANCE METRIC TARGETS
FOR LUMA ENERGY SERVCO, LLC

CASE NO: NEPR-AP-2020-0025

SUBJECT: Reconsideration of Final Order.

RESOLUTION AND ORDER

On January 26, 2024, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Final Resolution and Order on Performance Targets for LUMA ("Final R&O"). Through this Final R&O, the Energy Bureau approved LUMA's proposed performance metrics with modifications and clarifications.

On February 15, 2024, LUMA filed a motion titled *LUMA's Motion for Reconsideration of Final Resolution and Order* ("LUMA's Request for Reconsideration"). Through LUMA's Request for Reconsideration, LUMA requested the Energy Bureau reconsider several determinations it made in the Final R&O.

On February 15, 2024, the Local Environmental and Civil Organizations ("LECO") filed a motion titled *Motion for Reconsideration of The Final Resolution and Order on Performance Targets for for Luma Energy, LLC and Luma Energy Servco, LLC* ("LECO's Request for Reconsideration"). Through the LECO's Request for Reconsideration, LECO requested the Energy Bureau reconsider several determinations in the Final R&O.

On February 22, 2024, LUMA filed a document titled *LUMA's Notice of Intent to Respond to the LECO's Motion for Reconsideration of Final Resolution and Order on Performance Targets for Luma Energy LLC And Energy Servco* in which LUMA stated it intended to respond to and oppose LECO's Request for Reconsideration.

On February 26, 2024, the Energy Bureau issued a Resolution and Order related to the motions for reconsideration. In it, the Bureau took notice of LUMA's and LECO's Requests for Reconsideration as well as LUMA's Notice of Intent. The Bureau decided to accept and evaluate the merits of the requests for reconsideration from both LUMA and LECO. Additionally, the Energy Bureau granted LUMA and LECO twenty (20) days to file their responses to the opposing party's motion for reconsideration.

On March 15, 2024, LECO filed a motion titled *Local Environmental and Civic Organizations Response in Opposition to LUMA's Motion for Reconsideration* ("LECO's March 15 Response"). Likewise, on March 18, 2024, LUMA filed a motion titled *LUMA's Response in Opposition to LECO's Motion for Reconsideration of Final Resolution and Order* ("LUMA's March 18 Response").

Section 3.15 of Act 38-2017¹ stipulates, in the relevant part, that once a party to a proceeding files a request for reconsideration, the agency will have ninety (90) days, from the date the request is filed, to issue and notify its final determination. Additionally, the aforementioned Section 3.15 also allows the agency to extend the ninety-day period by an additional thirty (30) days for just cause, provided that this extension is granted within the original ninety-day term.


As previously stated, LUMA and LECO filed their requests for reconsideration on February 15, 2024. Therefore, the ninety-day term expires on May 15, 2024. Due to the complexity of the analysis required to address the LUMA's Request for Reconsideration and LECO's

¹ Government of Puerto Rico Uniform Administrative Procedure Act, Act No. 38 of June 30, 2017, as amended ("Act 38-2017").

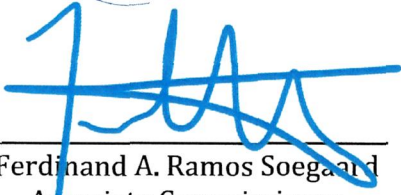



Requests for Reconsideration, and in light of the extensive and complex nature of the arguments presented by the parties, as well as the volume of documents needed for examination to address the parties' submissions, the Energy Bureau **DETERMINES** that there is just cause to extend the original ninety-day term by an additional thirty (30) days, in accordance with the provisions of Section 3.15 of Act 38-2017. As such, the Energy Bureau hereby **EXTENDS** the referenced term by an additional thirty (30) days. The Energy Bureau will issue its final determination on LUMA's Request for Reconsideration and on LECO's Request for Reconsideration on or before **June 14, 2024**.


Be it notified and published.


Edison Avilés Deliz
Chairman


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegard
Associate Commissioner


Sylvia B. Ugarte Araujo
Associate Commissioner


Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on May 7, 2024. I also certify that on May 8, 2024, a copy of this Resolution and Order was notified by electronic mail to margarita.mercado@us.dlapiper.com, yahaira.delarosa@us.dlapiper.com, lionel.santa@prepa.pr.gov; jcasel@earthjustice.org; hriviera@jrsp.pr.gov, contratistas@jrsp.pr.gov, agraitfe@agraitlawpr.com, rstgo2@gmail.com, pedrosaade5@gmail.com, flcaseupdates@earthjustice.org, rolando@bufete-emmanuelli.com, notificaciones@bufete-emmanuelli.com, jessica@bufete-emmanuelli.com, zoe@emmanuelli.law; rhoncat@netscape.net, larroyo@earthjustice.org; lvelez@earthjustice.org; rmurthy@earthjustice.org; and I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, on May 8, 2024.


Sonia Seda Gaztambide
Clerk

