

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

**IN RE:** REQUEST FOR CERTIFICATION  
SUNE W-PR1, LLC

**CASE NO.:** CEPR-CT-2016-0016

**SUBJECT:** Compliance with March 27, 2024  
Resolution and Order.

**RESOLUTION**

**I. Introduction**

On March 13, 2024, SUNE W-PR1, LLC ("SUNE PR1") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion to Request Cancellation of Certification as Electric Service Provider*.

On March 27, 2024, the Energy Bureau issued a Resolution and Order ("March 27 Order") in which it ordered SUNE PR1 to file, within five (5) days from its notification, (i) a detailed explanation why the Energy Bureau should proceed to cancel their certification and (ii) evidence that their customer (s) and LUMA<sup>1</sup> have been notified about SUNE PR1 request for cancellation.

On the same day, the Energy Bureau issued an Order to Show Cause in which it ordered SUNE PR1 to, within ten (10) days, from the notification date of this Order, (i) report its gross revenue of the Natural Year 2023, and (ii) show cause why the Energy Bureau should not impose an administrative fine of five hundred dollars (\$500) for its failure to comply with Act 57-2014 and Regulation 8701.

On April 1, 2024, SUNE PR1 filed a document titled *Request for Extension to comply with Resolution and Order from March 27, 2024, and file 2024 Operational Report* ("April 1 Request") to request the Energy Bureau to grants until April 8, 2024, to comply with the March 27 Order and to file its Operational Reports.

SUNE PR1 alleges the company has not finalized its 2024 Operational Report as it anticipated the approval of its request for cancellation made on March 13, 2024.

On April 8, 2024, SUNE PR1 filed a document titled *Motion to Comply with March 27, 2024, Resolution and Order, Submit 2024 Operational Report, and Request for Confidential Treatment* ("April 8 Request"). The April 8 Request included the following attachments ("April 8 Attachments"):

- i. Copy the email sent to its client for a Settlement Agreement.
- ii. Copy the email sent to its client notifying them of their decision to cancel their certification as an electric service provider.
- iii. Copy of the email sent to LUMA notifying their decision to cancel their certification as an electric service provider.
- iv. *Gross Revenue and Financial Statements Report Electric Power Companies* (Form NEPR-B05).
- v. *Operational Report Electric Power Companies* (Form NEPR-B03).
- vi. *SUNE W-PR1, LLC 2024 Operational Annexes* ("Operational Report Annexes").

In the April 8 Motion, SUNE PR1 requests confidential designation and treatment for the information contained in the motion and its attachments and requests the Energy Bureau to

<sup>1</sup> Jointly referred to LUMA Energy, LLC and LUMA Energy ServCo. and as the Operator of the Puerto Rico Transmission and Distribution System under the Operation and Maintenance Agreement ("OMA") dated as of June 22, 2020, between the Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnership Authority ("P3A) and LUMA Energy LLC and LUMA Energy ServCo, LLC

waive the fee payment of eight hundred dollars (\$800) for the filing of its Operational Report, pursuant Section 2.03(B) of Regulation 8701.

SUNE PR1 also presented justification why the Energy Bureau should not impose an administrative fine of five hundred dollars (\$500) for its failure to comply with Act 57-2014 and Regulation 8701, alleging SUNE PR1 assumed that the submission of the gross revenue report would be unnecessary since SUNE PR1 has a request for the cancellation of its certification. SUNE PR1 also indicated it has already taken steps to correct this oversight.

## II. Confidential Treatment

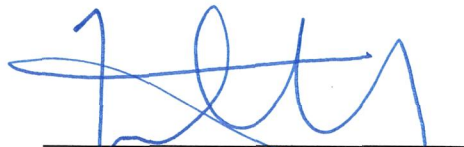
Act No. 57-2014 establishes that any person having the obligation to submit information to the Energy Bureau, may request that any information deemed privileged or confidential be treated in such fashion.<sup>2</sup> Specifically, Act 57-2014 requires from the Energy Bureau to treat as confidential the information submitted provided that “after the appropriate evaluation, believes such information should be protected”.<sup>3</sup> In such case, “the Energy Bureau shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted”.<sup>4</sup>

## III. Conclusion

After evaluating the April 8 Motion, the Energy Bureau **DENIES** SUNE PR1 request for confidentiality as it pertains to the entire documents of April 8 Motion and its attachments. The referenced documents do not include in its entirety information that the Energy Bureau considers confidential information. The Energy Bureau **ORDERS** SUNE PR1 to, within (5) business days, file a redacted version for the public record of the mentioned documents and such redacted version shall include a table detailing each item that requires confidentiality treatment and its justification.<sup>5</sup>

The Energy Bureau **DEFFERS FOR FURTHER EVALUATION** the April 8 Motion until the filing of the redacted version for the public record of the mentioned documents.


Be it notified and published.



Ferdinand A. Ramos Soegaard  
Associate Commissioner



Sylvia B. Ugarte Araujo  
Associate Commissioner



Antonio Torres Miranda  
Associate Commissioner



<sup>2</sup> Section 6.15 of Act 57-2014.

<sup>3</sup> *Id.* At (a).

<sup>4</sup> *Id.*

<sup>5</sup> Refers to Resolutions dated August 31, 2016, and September 21, 2016, on docket CEPR-MI-2016-0009 in reference to “Policy on Management of Confidential Information in Procedures Before the Commission”.

## CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on May 9, 2024. Chairman Edison Avilés Deliz and Associate Commissioner Lillian Mateo Santos did not intervene. Also certify that on May 9, 2024, I have proceeded with the filing of this Resolution and Order and was notified by email to [mqs@mcvpr.com](mailto:mqs@mcvpr.com); [cfl@mcvpr.com](mailto:cfl@mcvpr.com) and [apc@mcvpr.com](mailto:apc@mcvpr.com).

I sign this in San Juan, Puerto Rico, today, May 9, 2024.



Sonia Seda Gaztambide  
Clerk