

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

**NEPR**

**Received:**

**May 9, 2024**

**11:12 PM**

**IN RE:**

PUERTO RICO ELECTRIC POWER  
AUTHORITY'S EMERGENCY  
RESPONSE PLAN

**CASE NO.:** NEPR-MI-2019-0006

**SUBJECT:** Motion to Submit Final Draft of  
Genera's Emergency Response Plan in  
Compliance with Resolution and Order dated  
April 2, 2024

**MOTION TO SUBMIT FINAL DRAFT OF GENERA'S EMERGENCY RESPONSE  
PLAN IN COMPLIANCE WITH THE RESOLUTION AND ORDER DATED APRIL 2,  
2024**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES NOW** GENERA PR LLC ("Genera"), as agent of the Puerto Rico Electric Power Authority ("PREPA"),<sup>1</sup> through its counsels of record, and respectfully submits and prays as follows:

1. On August 18, 2023, Genera submitted to the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion to Submit Revised Emergency Response Plan in Compliance with Resolution and Order dated June 30, 2023*, through which it submitted its revised Emergency Response Plan ("ERP").

2. On March 4, 2024, the Energy Bureau issued a Resolution and Order titled *Filing of Emergency Response Plans ("ERP") – LUMA, Genera, PREPA, EcoEléctrica, AES and Revision Interactive Process* ("March 4<sup>th</sup> Resolution") through which it established the annual ERP

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<sup>1</sup> Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("LGA OMA"), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera, Genera is the sole operator and administrator of the Legacy Generation Assets (defined in the LGA OMA), and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

revision interactive process for the 2024 evaluation cycle, as detailed in Attachment A contained therein.

3. On April 2, 2024, following several procedural events, the Energy Bureau issued a Resolution and Order titled *Rescheduling of Technical Conference* (“April 2<sup>nd</sup> Resolution”), through which it granted certain PREPA's and LUMA's requests for a continuance and rescheduled the virtual Technical Conference for April 25, 2024, at 10:00 a.m. Additionally, through the April 2<sup>nd</sup> Resolution, the Energy Bureau amended the schedule in Attachment A of the March 4<sup>th</sup> Resolution, as included in the April 2<sup>nd</sup> Resolution. The revised Attachment A required Genera to file the final draft of the ERP for review by the Energy Bureau on May 9, 2024.

4. On April 25, 2024, Genera participated in the technical conference convened by the Energy Bureau to discuss the respective ERP filings from PREPA, LUMA, and Genera (the “April 25<sup>th</sup> Technical Conference”). During the April 25<sup>th</sup> Conference, the Energy Bureau issued critical bench orders and advanced a series of significant requests and amendments aimed at the comprehensive updating of the ERPs.

5. In compliance with the April 2<sup>nd</sup> Resolution and in alignment with the directives issued during the April 25<sup>th</sup> Technical Conference, Genera hereby submits the final draft ERP for thorough review by the Energy Bureau, designated as Exhibit A to this motion.

6. Additionally, Genera respectfully informs the Energy Bureau that the final draft ERP, submitted as Exhibit A to this motion, is filed under a seal of confidentiality due to its inclusion of Critical Energy Infrastructure Information. Genera also respectfully requests that the Energy Bureau maintain Exhibit A under this seal of confidentiality, in accordance with the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, issued on

August 31, 2016, and partially amended on September 16, 2016. In line with this policy, Genera will submit a Memorandum of Law supporting this request within the next ten (10) days.

**WHEREFORE**, Genera respectfully requests that the Energy Bureau **take notice** of the above for all purposes and **deem** Genera to be in compliance with the April 2<sup>nd</sup> Resolution.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 9<sup>th</sup> day of May 2024.

**ECIJA SBGB**

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## CERTIFICATE OF SERVICE

We hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that we will send an electronic copy of this motion to [arivera@gmlex.net](mailto:arivera@gmlex.net); [mvalle@gmlex.net](mailto:mvalle@gmlex.net); [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com); [laura.rozas@us.dlapiper.com](mailto:laura.rozas@us.dlapiper.com); [Yahaira.delarosa@us.dlapiper.com](mailto:Yahaira.delarosa@us.dlapiper.com); and [julian.angladapagan@us.dlapiper.com](mailto:julian.angladapagan@us.dlapiper.com).

In San Juan, Puerto Rico, this 9<sup>th</sup> day of May 2024

/s/ Alejandro López-Rodríguez  
Alejandro López-Rodríguez

Exhibit A

*(Submitted under seal of confidentiality)*