

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

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**IN RE:**

REVIEW OF THE PUERTO RICO  
ELECTRIC POWER AUTHORITY’S 10-  
YEAR INFRASTRUCTURE PLAN –  
DECEMBER 2020

**CASE NO.:** NEPR-MI-2021-0002

**SUBJECT:** Motion to Submit Monthly BESS  
Progress Report in Compliance with Resolution  
and Order Dated February 1, 2024, and April 23,  
2024

**MOTION TO SUBMIT MONTHLY BESS PROGRESS REPORT IN COMPLIANCE  
WITH RESOLUTION AND ORDER DATED FEBRUARY 1, 2024, AND APRIL 23, 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 March 26, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order in the instant case, through which it ordered PREPA to submit each specific capital investment project for approval to avoid potential noncompliance with the Approved Integrated Resource Plan (“IRP”) and Modified Action Plan. To streamline the process, the Energy Bureau requested PREPA to submit the specific projects to the Energy Bureau at least thirty (30) calendar days before their submission to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency (“COR3”) and the Federal Emergency Management Agency (“FEMA”), and any other federal agency, and to continue

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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) 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.

reporting to the Energy Bureau and FEMA, within the next five (5) years, the progress of all ongoing efforts related to the final approval of the submitted projects not yet approved by the Energy Bureau.

2. On October 27, 2023, Genera filed a document with the Energy Bureau titled *Amended Motion for Leave to Submit Amendment to Project and 406 BESSs Initial Scope of Work* (“October 27<sup>th</sup> Motion”). In the October 27<sup>th</sup> Motion, Genera requested that the Energy Bureau grant them permission to present the Project Amendment and the Section 406 Initial Scope of Work (“SOW”) to COR3 and FEMA, and to proceed with all necessary activities to complete the essential documentation and analysis required for the Battery Energy Storage System (“BESS”) Project.

3. On November 8, 2023, the Energy Bureau issued a Resolution and Order titled *Determination on GENERA’s October 27, 2023, Amended Motion for Leave to Submit Amendment to Project and 406 BESS Initial Scope of Work* (“November 8<sup>th</sup> Resolution”). In the November 8<sup>th</sup> Resolution, the Energy Bureau conditionally approved the projects submitted by Genera in the October 27<sup>th</sup> Motion, subject to the submittal by Genera of the detailed SOW.

4. On November 21, 2023, Genera filed a Document titled *Motion Submitting Response in Compliance with Resolution and Order Dated November 8, 2023, and Request a Time Extension to Provide the Detailed Scope of Work per Site* (“November 21<sup>st</sup> Motion”). Through the November 21<sup>st</sup> Motion, Genera submitted, as Exhibit A, a detailed explanation of the steps needed to complete the SOWs per site.

5. The Energy Bureau issued a Resolution and Order on February 1, 2024, titled *Determination on GENERA’s November 21 Motion Submitting Response in Compliance with Resolution and Order Dated November 8, 2023 and Request a Time Extension to Provide the*

*Detailed Scope of Work per Site* (“February 1<sup>st</sup> Order”). In this order, the Energy Bureau **approved** the projects included in Attachment A to the February 1<sup>st</sup> Order and noted that Genera is required to present the approved projects to FEMA and COR3 to finalize their approval process.

6. Additionally, pertinent to this motion, in the February 1<sup>st</sup> Order, the Energy Bureau ordered Genera to submit monthly reports to the Energy Bureau on the progress of the interconnection studies to be undertaken by LUMA, as well as updates on the development status of the detailed SOWs and the BESS Request for Proposals (“RFP”) (“Monthly Progress Report for the BESS Project”).

7. On March 28, 2024, Genera filed a document with the Energy Bureau titled *Motion to Submit Scope of Work in Compliance with Resolution and Order dated November 8, 2023* (“March 28<sup>th</sup> Motion”). As Exhibit A to the March 28<sup>th</sup> Motion, Genera filed Project #164988, titled *Island Wide Generation Fleet Project for Vega Baja, Arecibo, and Salinas*, comprising 274 MW of the total of 430 MW of BESS resource originally included in the October 27<sup>th</sup> Motion.

8. On April 23, 2024, the Energy Bureau issued a Resolution and Order titled *Resolution and Order on Motion to Submit Scope of Work in Compliance with Resolution and Order dated November 8, 2023, filed by Genera on March 28, 2024 and Memorandum of Law in Support of Confidential Treatment of Scope of Work Submitted on March 28, 2024, in Compliance with Resolution and Order dated November 8, 2023, filed by Genera on April 8, 2024* (“April 23<sup>rd</sup> Resolution”). In the April 23<sup>rd</sup> Resolution, pertinent to this motion, the Energy Bureau reminded Genera of the February 8<sup>th</sup> Order regarding the Monthly Progress Report for the BESS Project and, additionally, directed Genera to include in the Monthly Progress Report for the BESS Project any updated information concerning the locations and MW quantities comprising the total of 430 MW

of BESS projects across the full set of nine (9) project locations originally included in the October 27<sup>th</sup> Motion and referenced in Figure 1 of the attached Exhibit A to the March 28<sup>th</sup> Motion.

9. In compliance with the February 1<sup>st</sup> Order and the April 23<sup>rd</sup> Resolution, Genera respectfully submits to the Energy Bureau its Monthly Progress Report for the BESS Project as *Exhibit A* to this motion.

**WHEREFORE**, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **deem** Genera to be in partial compliance with the February 1<sup>st</sup> Order and April 23<sup>rd</sup> Resolution.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 10<sup>th</sup> day of May 2024.

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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 the PREPA's counsel, Mirelis Valle Cancel, at [mvalle@gmlex.net](mailto:mvalle@gmlex.net), and Alexis Rivera, at [arivera@gmlex.net](mailto:arivera@gmlex.net); and to LUMA's counsel, Margarita Mercado, at [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com), and Yahaira De La Rosa, at [yahaira.delarosa@us.dlapiper.com](mailto:yahaira.delarosa@us.dlapiper.com).

In San Juan, Puerto Rico, this 10<sup>th</sup> day of May 2024.

/s/ Alejandro López-Rodríguez  
Alejandro López-Rodríguez

Exhibit A.  
Monthly Progress Report for the BESS Project

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**BESS Monthly Report:**

- As mentioned before, Genera is waiting for the final technical specifications of the battery equipment to finish the interconnection application package.
  - Genera expects to have the final proposals from the companies participating in the RFP about the purchase of the battery equipment by May 17, 2024. After this date, an evaluation committee will review the information received from participants and Genera will start negotiating the contract to purchase the equipment with qualified proponents.
- Genera conducted site visits with LUMA to the power plants where battery equipment will be installed. These site visits took place on April 16, 18 and 23. Some next steps here are:
  - Genera needs to provide a project site schedule to LUMA once the technology is awarded and lead times are agreed upon with proponents.
  - Genera must provide LUMA current and proposed single line diagrams (SLDs) with the interconnection package.
  - Additional specific next steps from the site visits include:

Location	Action	Responsible
Cambalache	Investigate Auxiliary Transformer source/hookup. Genera to provide the latest plant SLDs	Genera
	Discuss switchyard alternative design	LUMA
Daguao	38kv line in Daguao (not in service now) will require repairs and relocation or to be removed as part of the project SOW. LUMA to review.	LUMA
Yabucoa	Additional bay being requested for the 230KV structure in Yabucoa. LUMA to provide drawings to Genera.	LUMA
	LUMA must send the proposed expansion to switch yards with timelines and schedules.	LUMA

- Location and capacity for the BESS Project are as follows:

#	Location	Capacity
1	Vega Baja	52MW
2	Cambalache	80MW
3	Aguirre	142MW
4	Yabucoa	40MW
6	Palo Seco	76MW
7	Costa Sur	40MW
	<b>Total</b>	<b>430MW</b>

- On April 12, Genera submitted the interconnection application of the BESS Vega Baja project to LUMA for comments.
- LUMA has requested the CODs of the BESS and Peaker projects. Genera sent LUMA preliminary CODs for all projects on April 19.
- On May 2, Genera requested LUMA to schedule a call to discuss site visit findings and agree on the next steps.