

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

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-YEAR
INFRASTRUCTURE PLAN – DECEMBER
2020

CASE NO.: NEPR-MI-2021-0002

SUBJECT: Dates and Frequency for the
Visits for revision of FEMA and COR3
approved projects.

RESOLUTION AND ORDER

I. Introduction

On March 26, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("March 26 Resolution") in the instant case, through which it ordered the Puerto Rico Electric Power Authority ("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.¹ 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 submittal to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3") and the Federal Emergency Management Agency ("FEMA"), and any other federal agency.²

On August 20, 2021, the Energy Bureau issued a Resolution and Order ("August 20 Resolution"),³ through which it determined that the March 26 Resolution applies equally to LUMA⁴.

On January 24, 2023, GENERA PR LLC ("GENERA"), PREPA, and the Puerto Rico Public-Private Partnership Authority ("P3A") executed the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement ("LGA OMA"). According to the LGA OMA, GENERA is the sole operator and administrator of the Legacy Generation Assets⁵, and the exclusive entity authorized to represent PREPA before the Energy Bureau about any matter related to the performance of the Operation and Maintenance ("O&M") services provided by GENERA under the LGA OMA. Further, GENERA is the sole entity responsible for procuring and administering federal funds for projects to repair or replace the LGA.⁶

On November 29, 2023, the Energy Bureau issued a Resolution and Order ("November 29 Resolution"), to establish visits and inspections for the generation, transmission, and distribution facilities to ensure the progress of the approved projects. Through the November 29 Resolution the Energy Bureau authorized its Technical Consultant, Alianza Engineering Services, to inspect the Sites on behalf of the Energy Bureau. It also ordered GENERA to: (i) designate a Point of Contact with whom the Energy Bureau personnel will coordinate the initial meeting to present the plan for the inspections, (ii) provide any documentation and information required, and (iii) make sure full access is timely provided for each inspection.

¹ Final Resolution and Order on the Puerto Rico Electric Power Authority's Integrated Resource Plan, *In re: Review of the Integrated Resource Plan of the Puerto Rico Electric Power Authority*, Case No. CEPR-AP-2018-0001, August 24, 2020 ("IRP Order").

² March 26 Resolution, pp. 14-15.

³ August 20, 2021, Resolution and Order, p. 3.

⁴ LUMA Energy, LLC, and LUMA Energy ServCo, LLC (collectively, "LUMA")

⁵ As defined in the LGA OMA.

⁶ LGA OMA, Section 5.8 (c).



II. Progress of Visits

The Energy Bureau and Alianza Engineering Services personnel has visited all the Generation Facilities under GENERA’s LGA OMA, the list of all the projects has been reviewed, and GENERA’s principal management personnel has participated and presented the status of the projects in each of the site visits. Also, walkthroughs were performed to witness the project’s progress.

GENERA’s plant managers and project engineers’ team have offered their support to the Energy Bureau and Alianza Engineering Services personnel, to access the facilities for the respective site visits, and have informed that at each site, the project’s engineering team has **weekly project meetings** to report the status of each project.

The Energy Bureau **DETERMINES** that to accomplish effective progress of the projects, the Alianza Engineering Services personnel must participate **every two weeks**, in those meetings and afterwards, proceed with a walkthrough to inspect and document the progress of the projects.

Table 1 below presents the assigned personnel from Alianza Engineering Services that should participate in the meetings⁷ and the frequency for the visits.

Table 1

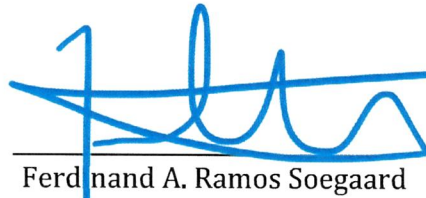
Site	Alianza Engineering Services Inspector	Day of Visit, every two weeks
San Juan	Eng. Raúl Vázquez	Thursdays
Palo Seco	Eng. Raúl Vázquez	Mondays
Costa Sur	Eng. Jesús Alvarez	Tuesdays
Aguirre	Eng. Jesús Alvarez	Tuesdays
Cambalache	Eng. Harold Quiles	TBD ⁸
Mayagüez	Eng. Harold Quiles	

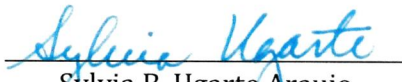
III. Access Request

The Energy Bureau **ORDERS** GENERA, **within ten (10) days** of the notification of this Resolution and Order, to: (i) effectively coordinate the participation of the authorized personnel mentioned in table 1, for the projects meetings that occurs within each facility and, (ii) provide the Energy Bureau the confirmation of such coordination, and iii) the Person of Contact, including their contact information to whom the authorized personnel mentioned in Table 1 above can contact for the access requirements and the details for progress visits.

Be it notified and published.


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner


Sylvia B. Ugarte Araujo
Associate Commissioner


Antonio Torres Miranda
Associate Commissioner

⁷ The Energy Bureau’s Engineering Division, the Commissioners and other personnel from the Energy Bureau may also join the meetings and the site visits.

⁸ To be determined, as these sites have limited project progress.



CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on May 29, 2024. Chairman Edison Avilés Deliz did not intervene. Also certify that on May 29, 2024, I have proceeded with the filing of this Resolution and Order and was notified by email to arivera@gmlex.net; mvalle@gmlex.net; laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com, Yahaira.delarosa@us.dlapiper.com; julian.angladapagan@us.dlapiper.com; alopez@sbgblaw.com; jfr@sbgblaw.com, legal@genera-pr.com, regulatory@genera-pr.com.

I sign this in San Juan, Puerto Rico, today, May 29, 2024.



Sonia Seda Gaztambide
Clerk

