

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

**NEPR**

**Received:**

**Jun 13, 2024**

**12:24 PM**

**IN RE:**

ANNUAL PERFORMANCE TEST  
PROCEDURE – THERMAL GENERATION  
EQUIPMENT

**CASE NO.: NEPR-MI-2023-0003**

**SUBJECT:** Motion to Inform and Clarify the  
Record Regarding Genera’s Revised Annual  
Performance Test Procedure Submitted on June  
7, 2024

**MOTION TO INFORM AND CLARIFY THE RECORD REGARDING  
GENERA’S REVISED ANNUAL PERFORMANCE TEST  
PROCEDURE SUBMITTED ON JUNE 7, 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 May 23, 2024, the Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order titled *Determination on Genera's Annual Performance Test Procedure* (“May 23<sup>rd</sup> Resolution”). In the May 23<sup>rd</sup> Resolution, the Energy Bureau evaluated and conditionally approved Genera's Annual Performance Test Procedure (“APT”)<sup>2</sup> subject to Genera filing a revised version of the APT incorporating the modification requirements of Attachment A to the May 23<sup>rd</sup> Resolution. The Energy Bureau granted Genera until May 31, 2024, to file the revised version of the APT.

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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 (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before PREB concerning any matter related to the performance of any of the O&M Services (as defined in the LGA OMA) provided by Genera under the LGA OMA.

<sup>2</sup> See, *In re: Annual Performance Test Procedure – Thermal Generation Equipment*, Case No. NEPR-MI-2023-0003, *Motion to Submit Revised Annual Performance Test Procedure in Compliance with the Resolution and Order Dated August 29, 2023*, filed by Genera on September 28, 2023 (“September 28<sup>th</sup> Motion”).

2. On May 30, Genera filed a document titled *Request for Extension to Submit Revised Annual Performance Test Procedure in Compliance with Resolution and Order Dated May 23, 2024* (“May 30<sup>th</sup> Motion”), through which it requested an extension of one week, that is, until Friday, June 7, 2024, to adequately finalize the APT in alignment with the requirements of the May 23<sup>rd</sup> Resolution due to encountering certain technical challenges.

3. On June 7, 2024, Genera filed a document titled *Motion to Submit the Revised Annual Performance Test Procedure in Compliance with Resolution and Order Dated May 23, 2024* (“June 7<sup>th</sup> Motion”). In the June 7<sup>th</sup> Motion, Genera submitted as Exhibit A, a revised APT in accordance with the requirements and modifications set forth in Attachment A of the May 23<sup>rd</sup> Resolution (“Revised APT”).

4. In the submitted Revised APT, Genera notes that, concerning Test Validity, three (3) test runs must be conducted, each at different load settings. Genera respectfully seeks to clarify to the Energy Bureau that the decision to reduce the number of performance tests from five (5) to three (3) at various loads was made after the discussions held with engineers Justo Gonzalez and Jorge Camacho, advisors to the Energy Bureau, regarding Genera's APT. Although this reduction was not specified in the modification requirements outlined in Attachment A of the Energy Bureau's May 23<sup>rd</sup> Resolution, Genera has incorporated this modification into the Revised APT as agreed upon with engineers Gonzalez and Camacho. Genera respectfully requests that the Energy Bureau note the aforementioned and give it due consideration during the evaluation of the Revised APT.

**WHEREFORE**, Genera respectfully requests that the Energy Bureau **take notice** of the above for all purposes and **accept** Genera's amendment to the Revised APT.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 13<sup>th</sup> day of June 2024.

**ECIJA SBGB**

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*/s/ Jorge Fernández-Reboredo*

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*/s/ Alejandro López-Rodríguez*

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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.

In San Juan, Puerto Rico, this 13<sup>th</sup> day of June 2024

*/s/ Alejandro López Rodríguez*  
Alejandro López Rodríguez