

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

**NEPR**

**Received:**

**Jun 5, 2024**

**7:35 PM**

**IN RE:**

10 YEAR PLAN FEDERALLY FUNDED  
COMPETITIVE PROCESS

**CASE NO.:** NEPR-MI-2022-0005

**SUBJECT:** Motion to Submit the Grid Support Units Update Evaluation for the Emergency Generation and Black-Start Generation Procurement in Compliance with Resolution and Order Dated January 23, 2023

**MOTION TO SUBMIT THE GRID SUPPORT UNITS UPDATE EVALUATION FOR  
THE EMERGENCY GENERATION AND BLACK-START GENERATION  
PROCUREMENT IN COMPLIANCE WITH RESOLUTION AND ORDER DATED  
JANUARY 23, 2023**

**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 January 23, 2023, the Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) entered an order with the subject *Determination for the Project Application Package for the Seven (7) Additional Peakers to be used as Generation* (“January 23<sup>rd</sup> Order”). In this order, among other directives, the Energy Bureau provided PREPA the flexibility to consider the best mix of locations for emergency generation. However, the Energy Bureau reminded PREPA that the total MW quantity of emergency generation and black start

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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, Genera, and the Puerto Rico Public-Private Partnerships Authority (“P3 Authority”), 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 with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

capacity procurement is limited by the conditions included in the December 5, 2022, Resolution and Order (“December 5<sup>th</sup> Order”).

2. On November 8, 2023, the Energy Bureau entered an order with the subject *Motion to Submit Supplement to September 8, 2023 Motion in Compliance with Resolution and Order Dated August 23, 2023 - Genera Competitive Procurement of Black Start and Emergency Generation*. In this Order the Energy Bureau stated that the upper limit of the range of capacity (MW) sizing included in section A.1.2 of exhibit J of the RFP far exceeds the maximum of 200 MW of emergency generation and 81 MW of net plant output for black start services approved by the Energy Bureau in the December 5<sup>th</sup> Order and the January 23<sup>rd</sup> Order.

3. Pursuant to the January 23<sup>rd</sup> Order approving the flexibility to consider the best mix of capacity and locations for the emergency generation, when Genera received the bids for the competitive process, it conducted an evaluation titled *Grid Support Units Project Update*, (“GSUPU”), that among other things, considers the optimization of the purchasing process taking into consideration the benefits of reconfiguration of locations and different sizes of units. The analysis and the results are attached as Annex A. These results are also tied to the proposals received in the bidding process that was made in accordance with the process approved by PREB in the Resolution and Order entered on August 23, 2023.<sup>2</sup>

4. Genera respectfully requests that it be allowed to continue with the project as presented in the GSUPU. The GSUPU is consistent with the approach presented in Exhibit A of the August 16<sup>th</sup> Motion that was approved by the Energy Bureau on August 23, 2023. Should the Energy Bureau determine that the capacity of the units exceeds the amount previously approved, it is requested that it follow the same approach taken in the Resolution and Order entered on

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<sup>2</sup> *Bi-Monthly Report on the Status of Emergency Generation and Black-Start Generation Procurement for the Period from August 1 to August 15, 2023* filed by Genera on August 16, 2023.

December 19, 2022<sup>3</sup> when it determined that the dispatch of units purchased can be limited to a specific amount as determined by PREB. It is respectfully noted that, as the attached memorandum shows, the benefits of the units and configurations outweigh the limitation of the amount of megawatts purchased.

5. Additionally, Genera respectfully informs the Energy Bureau that the *Grid Support Units Project Update*, submitted as Exhibit A to this motion, is submitted under a seal of confidentiality, as it includes sensitive commercial information. Genera also respectfully requests the Energy Bureau to maintain Exhibit A under a seal of confidentiality pursuant to 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 accordance with this policy, Genera informs that it will submit a Memorandum of Law supporting this request within the next ten (10) days.

**WHEREFORE**, for the reasons stated above, Genera respectfully requests the Energy Bureau to **take notice** of the above and allow Genera to continue with the proposed equipment configuration and the purchase of the units as set forth in the Exhibit A to this motion.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 5<sup>th</sup> of June 2024.

**ECIJA SBGB**  
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/s/ Jorge Fernández-Reboredo  
Jorge Fernández-Reboredo  
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<sup>3</sup> Subject: *Resolution and Order regarding Motion Requesting Order Related to the RFP Process for the New Black Start Systems at Costa Sur and Yabucoa, filed by the Puerto Rico Electric Power Authority.*

TSPR 9,669

/s/ Alejandro López-Rodríguez

Alejandro López-Rodríguez

alopez@sbglaw.com

TSPR 22,996

## 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 PREPA through its counsels of record, Alexis G. River Medina, at [arivera@gmlex.net](mailto:arivera@gmlex.net), and Mirelis Valle Cancel at [mvalle@gmlex.net](mailto:mvalle@gmlex.net).

In San Juan, Puerto Rico, this 5<sup>th</sup> day of June 2024.

*/s/ Alejandro López-Rodríguez*  
Alejandro López-Rodríguez

Exhibit A

(submitted under seal of confidentiality)