

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

NEPR

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IN RE:
INFORMES DE PROGRESO DE
INTERCONEXIÓN DE LA AUTORIDAD
DE ENERGÍA ELÉCTRICA DE PUERTO
RICO

CASE NO. NEPR-MI-2019-0016

SUBJECT:

Joint Motion Requesting Modification of Schedule for the Submission of the Interconnection Progress Reports and Compliance Hearings

**JOINT MOTION REQUESTING MODIFICATION OF SCHEDULE FOR THE
SUBMISSION OF THE INTERCONNECTION PROGRESS REPORTS AND
COMPLIANCE HEARINGS**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW, LUMA ENERGY, LLC as Management Co., and **LUMA ENERGY SERVCO, LLC** (collectively, “LUMA”) and the Puerto Rico Solar Energy and Storage Association (“SESA”), through their respective undersigned legal counsel and respectfully state and submit the following:

1. The captioned proceeding involves oversight by this Honorable Puerto Rico Energy Bureau (“Energy Bureau”) of procedures to handle requests for interconnections of distributed generation systems and microgrids to the Transmission and Distribution System (“T&D System”), pursuant to Acts 57-2014 and 17-2019.

2. Since July 2020, this Energy Bureau has required that the Puerto Rico Electric Power Authority (“PREPA”) submit quarterly progress reports on interconnections. *See* Resolution and Order of July 21, 2020. The docket of this proceeding also reveals that the Energy Bureau has held several compliance hearings.

3. On May 7, 2021, the Energy Bureau issued a Resolution and Order in which it took notice of the transition process underway between LUMA and PREPA (“May 7th Resolution and Order”). On June 1, 2021, LUMA assumed its role as Operator of the T&D System per the terms of the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement dated as of June 22, 2020, as supplemented by the Puerto Rico Transmission and Distribution System Supplemental Terms Agreement.

4. In the May 7th Resolution and Order, the Energy Bureau ordered that LUMA shall file the quarterly progress reports that the Energy Bureau has required in this proceeding. *See* May 7th Resolution and Order on page 1.

5. On October 3, 2023, the Energy Bureau issued a Resolution and Order in which it provided a schedule for filing the Interconnection Progress Reports and Compliance Hearings for 2024 (“October 3rd Resolution and Order”). As such, the Energy Bureau instructed LUMA to file the Interconnection Progress Reports on January 15, April 15, July 15, and October 14, 2024. Meanwhile, it directed LUMA personnel to appear in person at the Compliance Hearings scheduled for January 18, April 18, July 18, and October 18, 2024, respectively. In sum, the Energy Bureau set the Interconnection Progress Reports to be filed three (3) days before each Compliance Hearing.

6. On April 1, 2024, SESA and the ICPO filed a *Joint Motion Requesting Rescheduling of April Compliance Hearing, Allowing Stakeholders Time to Review Progress Report I* (“April 1st SESA and ICPO Joint Motion”). Therein, SESA and the ICPO requested that all parties be granted at least ten (10) days to review the Interconnections Progress Report filed by LUMA before the corresponding Compliance Hearing. *See* April 1st SESA and ICPO Joint Motion, p. 2.

7. On April 4, 2024, the Energy Bureau issued a Resolution and Order whereby, among other considerations, it ordered LUMA to incorporate information into all future Progress Reports, including: (i) revised versions of the chart *Energía Acreditada y exportada por Cliente de Medición neta (MWh/Cliente)* that represents the energy exported and credited by client type; (ii) a list of all behind the meter distributed generators interconnected to LUMA’s system with a nameplate capacity of 100kW or more, identifying the nameplate capacity, generation technology used, available storage, unique identifier, and type of account and metering arrangement; (iii) a count of generators interconnected to LUMA’s system with nameplate capacity within each of nine (9) specified ranges, and the total incremental capacity for each range, specifying the type of account and metering arrangement for each; (iv) complete and file table included as Attachment A(1); (v) complete and file table included as Attachment A(2); and (vi) complete and file the table included as Attachment A(3). *See* April 4th Resolution and Order, pp. 1-2.

8. The April 4th Resolution and Order also modified the Compliance Hearing schedule so that hearings be held ten (10) calendar days after a Progress Report is filed (“April 4th Resolution and Order”). *See* April 4th Resolution and Order, p. 3. Further, the Energy Bureau acknowledged that it was “cognizant of the time and effort that the new content requirements involve.” Thus, it granted LUMA additional time for the January-March 2024 Progress Report and Presentation filing and the Compliance Hearing. *Id.* Specifically, the Energy Bureau set the deadline to file the Interconnection Progress Report by April 25, 2024, and scheduled the Compliance Hearing for May 6, 2024. *Id.*

9. The Compliance Hearing for the instant proceeding was held on May 6, 2024 (“May 6th Hearing”). At the May 6th Hearing, LUMA requested that the Energy Bureau consider setting the deadlines to file the Interconnections Progress Report to forty-five (45) after the close

of each quarter to allow LUMA adequate time to provide a complete and updated tally of customers undergoing or having completed the interconnection process, in light of the statutory 30-day period that must be observed for each interconnection request. Otherwise, there would always be the anomaly of a current quarter reflecting data from the previous quarter, given the impossibility of submitting the current data for the quarter in question in time for the deadline set by the Energy Bureau to file the Interconnection Progress Report while observing the 30-day statutory limit established in Article 9(b) of Act No. 114-2007, as amended, 22 PR Laws Ann. § 1019(b). LUMA expressed that it was in the best interest of transparency to modify the filing schedule of the Interconnection Progress Report forty-five (45) days after the closing of the quarter in question. However, during the May 6th Hearing, the Commissioners present at the Compliance Hearing did not adopt LUMA's proposal.

10. Notably, on June 5, 2024, the ICPO filed a motion entitled *Suplemento a Moción en Cumplimiento de Orden Emitida Durante la Vista de 6 de Mayo de 2024*, (“ICPO’s June 5th Motion”), where, among other considerations, the ICPO highlighted the importance of relying on data that reflects LUMA’s real performance and noted that, in a just and understanding fashion, a modification to the Interconnections Progress Report filing calendar was warranted. *See* ICPO’s June 5th Motion, p. 2. The ICPO recognized that the current submission deadlines do not allow visibility to interconnection requests initiated during the last month of a given quarter, for which the statutory 30-day period has not transpired. Further, the ICPO proposed to extend the deadline to file the Interconnections Progress Report to forty-five (45) days after the close of every quarter to allow LUMA enough time to observe the statutory 30-day period for Interconnection requests received during the last month of a quarter and, after that, have enough time to prepare and present

a more complete and updated Interconnections Progress Report. *See* ICPO's June 5th Motion, pp. 2-3. This Energy Bureau has not issued a ruling on ICPO's June 5th Motion.

11. LUMA and SESA believe that modifying the Interconnection Progress Report filing calendar will improve the accuracy of the data and present a better perspective of the average activation time for expedited cases. Considering the aforementioned, LUMA and SESA very respectfully petition the Energy Bureau to amend the current filing schedule to set the deadline for LUMA to submit the Interconnections Progress Report at forty-five (45) days after a given quarter closes and the date for subsequent Compliance Hearings, ten (10) days after LUMA files the Interconnection Progress Report.

WHEREFORE, LUMA and SESA respectfully request that the Energy Bureau **take notice** of the aforementioned and **modify** the Interconnections Progress Reports filing period so that they are due forty-five (45) days after the end of each quarter, and to amend the calendar of the Compliance Hearings accordingly, to hold the Compliance Hearings ten (10) days after LUMA files the Interconnection Progress Report .

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this July 3rd, 2024.

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to the attorney for PREPA, Alexis Rivera, arivera@gmlex.net. Notice will also be sent to the Office of the Independent Consumer Protection Office, Lcda. Hannia Rivera Diaz, hrivera@jrsp.pr.gov.



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