

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

**IN RE:** IMPLEMENTATION OF THE PUERTO RICO ELECTRIC POWER AUTHORITY INTEGRATED RESOURCE PLAN AND MODIFIED ACTION PLAN

**CASE NO.:** NEPR-MI-2020-0012

**SUBJECT:** First Request for Information in relation to request of approval of two additional energy storage service agreements (ESSAs)

**RESOLUTION AND ORDER**

On May 7, 2024, The Puerto Rico Electric Power Authority ("PREPA") submitted a document titled *Motion to Submit Additional Energy Storage Service Agreements (ESSAs) for the Energy Bureau's Approval* ("May 7 Motion") to the Energy Bureau of the Puerto Rico Public Service Regulatory Board (the "Energy Bureau"). In this motion, PREPA submitted two (2) additional Energy Storage Service Agreements (ESSAs) regarding the Tranche #1 and request the approval of the Energy Bureau. PREPA states that the two Resource Providers submitted proposals in response to the RFP in Tranche #1 on June 18, 2021. Specifically, the ESSAs pertain to two 50 MW battery energy storage systems (BESSs).

*Jim* The Energy Bureau is evaluating the submitted information and has identified the need for further clarification and additional details. Consequently, the Energy Bureau hereby **ORDERS** PREPA to submit a response to the *Request for Information*, as outlined in **Attachment A** to this Resolution and Order, no later than twenty (20) days of the notification of this Resolution and Order.

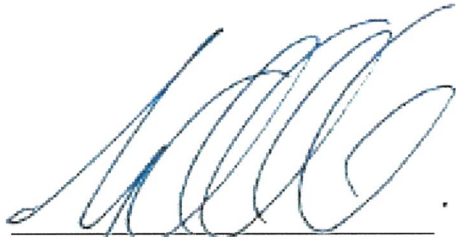
*JA* The Energy Bureau reminds PREPA that, pursuant to Article 6.32(a) of Act 57-2014, it is responsible for submitting and justifying the approval of all agreements (or amendments to agreements) negotiated between PREPA and independent power producers. Therefore, once negotiations with the Resource Providers are completed and an agreement is reached, PREPA must submit the proposed amended PPOA for the Energy Bureau's evaluation and approval, along with a detailed explanation of the analysis and evaluation conducted to justify its recommendation. This submission must include, without limitation, all necessary supporting documentation, an explanation of the provisions of the agreements subject to modifications, and, when applicable, a redlined version of the document.

The Energy Bureau **WARNS** PREPA that:

- am*
- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
  - (ii) any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
  - (iii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000) at the discretion of the Energy Bureau.
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Be it notified and published.





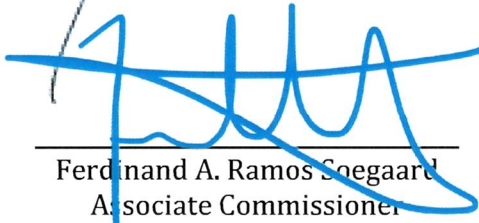
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Edison Avilés Deliz  
Chairman



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Lillian Mateo Santos  
Associate Commissioner



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Ferdinand A. Ramos Soegaard  
Associate Commissioner



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Antonio Torres Miranda  
Associate Commissioner

**CERTIFICATION**

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on July 3, 2024. Associate Commissioner Sylvia B. Ugarte Araujo did not intervene. I also certify that on July 3, 2024, a copy of this Resolution and Order was notified by electronic mail to arivera@gmlex.net; mvalle@gmlex.net; laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com; and I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, on July 3, 2024.



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Sonia Seda Gaztambide  
Clerk



## ATTACHMENT A

1. For each ESSA, please explain why PREPA submitted the ESSAs more than a year after initially indicating they would be submitted *within the coming weeks*.<sup>1</sup> Additionally, provide a detailed description of the exchanges between PREPA and the Proponents, including relevant dates, that led to the final negotiation of the submitted ESSAs.
2. Provide detailed information about the interconnection of each project, including the most recent studies conducted and the specific costs that will be incurred by both the Proponents and PREPA concerning the PREPA Interconnection Facilities.
3. Provide detailed information on the methodology used to determine the interconnection cost recovery rate for each ESSA. Specifically, state the interconnection costs used for the calculation.
4. Provide the *Word*<sup>TM</sup> version of the ESSAs submitted with the May 7 Motion.



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<sup>1</sup> See *Motion to Submit Additional Energy Storage Service Agreements (ESSAs) for the Energy Bureau's Evaluation and Approval* dated May 12<sup>th</sup>, 2023, p. 4, ¶7.