

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

NEPR

Received:

Jul 10, 2024

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

CASE NO.: NEPR-MI-2020-0012

**PARTIAL COMPLIANCE WITH THE JUNE 14TH ORDER AND REQUEST FOR EXTENSION
OF TIME TO COMPLY**

TO THE HONORABLE ENERGY BUREAU,

COMES NOW the Puerto Rico Electric Power Authority ("PREPA") through its undersigned legal representation and, very respectfully, informs and requests as follows:

1. On June 14th, 2024, the Energy Bureau of Puerto Rico Public Service Regulatory Board (the "Energy Bureau") issued a Resolution and Order in the instant case, requiring PREPA to submit certain documents and information within five (5) days of notification of the Resolution and Order (June 14 Order).

2. On June 20th, 2024, PREPA requested an extension until July 10th, 2024, to comply with the June 14 Order.

3. In partial compliance with the June 14 Order, PREPA hereby submits as **Exhibit A** to this Motion the answers to requirements 1-6 of the *Request for Information* of the June 14 Order. These answers refer to the relevant supporting documentation also included with this Motion.

4. PREPA will provide the response to requirement number seven (7) of the Request for Information from the June 14 Order. However, PREPA respectfully requests until July 22nd, 2024, to finish gathering the documentation requested by the Energy Bureau.

WHEREFORE, PREPA respectfully requests the Energy Bureau to: (1) take **NOTICE** of the present Motion; (2) **ACCEPT** answers to requirements 1-6 of the *Request for Information* of the June 14 Order; and (3) **GRANT until July 22nd, 2024**, to provide an answer to requirement 7 of the *Request for Information* and therefore, fully comply with the June 27 Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 10th day of July 2024.

CERTIFICATE OF SERVICE: We hereby certify that this document was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System at <https://radicacion.energia.pr.gov/login>, and courtesy copies were sent via e-mail to LUMA Energy, LLC through its counsels of record at margarita.mercado@us.dlapiper.com, julian.angladapagan@us.dlapiper.com, laura.rozas@dlapiper.com, yahaira.delarosa@us.dlapiper.com and to Genera PR, LLC through its counsels of record at jfr@sbgblaw.com, alopez@sbgblaw.com.

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Exhibit A

1. **Request:** Provide copies of all duly signed PPOAs and ESSAs, as well as any amendments to them.

Response: Attached hereto as Exhibit A-1 are copies of all duly signed Power Purchase and Operating Agreements (PPOAs) and Energy Storage Service Agreements (ESSAs), along with the amendments. ([Link](#))

It is important to mention that seven (7) of the signed PPOAs are not operational due to different reasons, See Exhibit A-3. ([Link](#)) The PPOA between PREPA and Services Providers Pattern Energy (Vega Baja) and Coqui Power ETC, LLC, were automatically terminated pursuant to Section 2.3 (b).

2. **Request:** For each signed PPOA and ESSA provide copies of all duly signed Interconnection Agreements, if applicable.

Response: Attached hereto as Exhibit A-2 are copies of all Interconnection Agreements related to the operational PPOAs and ESSAs. ([Link](#)).

3. **Request:** For each signed PPOA and ESSA, provide the status of the achievement of the Conditions Subsequent and identify any significant challenges or risks encountered during the project development and the strategies implemented to promptly achieve any pending Condition Subsequent.

Response: The last status reports provided by the Service Providers for each operational signed PPOA and ESSA are attached hereto as Exhibit A-4. ([Link](#)).

4. **Request:** For each signed PPOA and ESSA, provide the expected date to start the construction of the facility and the interconnection facility (if applicable) and the expected Commercial Operational Date ("COD").

Response: Please refer to the reports attached as Exhibit A-4. ([Link](#)).

5. **Request:** For each signed PPOA and ESSA, confirm the Service Provider is pursuing certification as an Electric Service Company with the Energy Bureau. Include any relevant case number of the certification request pending before the Energy Bureau.

Response: PREPA will ask the Service Providers to include the Electric Service Company certification status in the next report. Currently, Go Green USA

America Corp is the only company with an active docket. The case number is NEPR-CT-2023-0004.

6. **Request:** For each signed PPOA and ESSA, provide detailed information about the project development, including but not limited to: (a) a detailed timeline of key development milestones achieved, such as site acquisition, facility and interconnection facility engineering design, permitting, financing, construction start, and expected completion dates; (b) information on all regulatory approvals obtained and any pending applications, including permits and licenses required for the project; (c) an update on the financial status of the project, including the secured financing, and any outstanding financial requirements; (d) an update on the current status of engineering design and construction activities, including the percentage of completion and any significant achievements or setbacks; (e) a summary of the preparations for operational readiness, including staffing, training, and commissioning activities, and (1) identification of any significant challenges or risks encountered during the project development and the strategies implemented to address them.

Response: Please refer to the reports attached as Exhibit A-4. ([Link](#)).

7. **Request:** For each signed PPOA and ESSA, provide detailed information about the project finance agreements, including but not limited to: (a) copies of all executed financing agreements related to the project, such as loan agreements, credit facilities, and equity investment agreements; (b) a summary of the key terms and conditions of each financing agreement, including interest rates, repayment schedules, and any covenants or restrictions; (c) identification of all parties involved in the financing arrangements, including lenders, investors, and guarantors; (d) details of any government incentives or subsidies (including those related to the DOE-LPO) received in connection with the project financing; (e) information on the project's financial structure, including the proportion of debt and equity financing; and (f) any amendments or modifications to the original financing agreements.

Response: PREPA requests until July 22nd, 2024, to submit the response to this requirement.