

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

**IN RE:** REQUEST FOR CERTIFICATION  
CEN JUNCOS SOLAR II LLC

**CASE NO:** NEPR-CT-2023-0002

**SUBJECT:** Request for Certification,  
Operational Report and Gross Revenues

**RESOLUTION AND ORDER**

**I. Introduction**

On May 22, 2024, the Energy Bureau issued an Order (“May 22 Resolution”) ordering CEN JUNCOS II to, within ten (10) days from the notification date of the Resolution and Order: (i) to file the credentials for REA<sup>1</sup> as mentioned in Part II (A and B) of the Resolution and Order, (ii) to file the specific and detailed information of scheduled outages in the Operational Report for year 2023, (iii) to file the Certificate of Incorporation and Registration as requested in Part II (B) of the Resolution and Order, (iv) to file the Compiled Financial Statements for year 2023 duly signed by a CPA, and (v) to pay a fine of five hundred dollars \$500 for its failure to comply with Act 57-2014<sup>2</sup> and Regulation 8701<sup>3</sup> by not submitting the documents after being requested to do so on the October 13 Resolution and the March 27 Resolution.

On the May 22 Resolution the Energy Bureau granted confidential designation and treatment, under Article 6.15 of Act 57-2014 and Section 1.15 of Regulation 8701, to the Attachment 2 of the April 8 Motion, and to the Attachment 1 of the April 1 Motion, April 9 Motion and April 29 Motion.

On June 3, 2024, CEN JUNCOS II filed a document titled *Motion in Compliance with Resolution and Order Notified on May 22, 2024* (“June 3 Motion”). In the June 3 Motion CEN JUNCOS II included the following documents to comply with four of the five items requested in the May 22 Order:

**Attachment 1** – Documents for compliance with the first item of the Order:  
Information about the credentials for REA for Years 2023 and 2024.

- (i) Certificate of Authorization to do Business in Puerto Rico in the name of “Renewable Energy Alternatives, LLC”<sup>4</sup> by the Puerto Rico Department of State.
- (ii) Certificate of Authorization to do Business of a Foreign Corporation in the name of “Renewable Energy Alternatives, LLC” by the Puerto Rico Department of State.

**Attachment 2** – Documents for compliance with the first item of the Order:  
Information about the credentials for REA for Years 2023 and 2024.

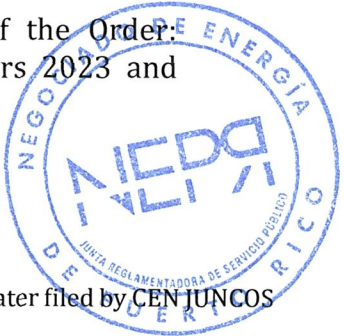
- (i) Organizational Chart

<sup>1</sup> Full name of the entity is *Renewable Energy Alternatives LLC* according to documents later filed by CEN JUNCOS II in the June 3 Motion.

<sup>2</sup> Known as the Transformation and Energetic RELIEF Act of Puerto Rico, as amended (“Act 57-2014”).

<sup>3</sup> Amendment to Regulation 8618, on Certifications, Annual Fees, and Operational Plans for Electric Service Companies in Puerto Rico, as amended.

<sup>4</sup> Certifying that Renewable Energy Alternatives, LLC “is a Foreign For-Profit Limited Liability Company organized under the Laws of Missouri duly authorized to do business in Puerto Rico on this 3<sup>rd</sup> of December 2020 at 02:22 PM.”



**Attachments 3 and 4** – Documents for compliance with the second item of the Order:  
Information about the specific and detailed information of  
scheduled outages in the Operational Report for year 2023.

- (i) 2024 Operational Report Annexes Information: Non-scheduled interruptions, specifying date, time, duration, cause of interruptions of electrical equipment of the company during the period prior to the filing of the operational report. CEN JUNCOS II submitted information about an outage incident.

**Attachment 5** – Documents for compliance with the third item in the Order:  
Certificate of Incorporation and Registration issued by the State of Missouri.

- (i) Articles of Organization of “CEN JUNCOS SOLAR II, LLC” certified by the Secretary of State of Missouri. Filed on December 26, 2019.
- (ii) Certificate of Organization of “CEN JUNCOS SOLAR II, LLC” certified by the Secretary of State of Missouri on December 26, 2019.
- (iii) Certificate of Corporate Records of “CEN JUNCOS SOLAR II, LLC” certified by the Secretary of State of Missouri on May 29, 2024.

**Attachment 6** – Documents for compliance with the Fifth item of the Order:  
Payment of a fine of five hundred dollars \$500 for its failure to  
comply with Act 57-20 14 and Regulation 8701 by not submitting  
the documents after being requested.

- (i) Evidence of electronic payment transaction for the fine of Five hundred dollars (\$500) imposed on the May 22 Resolution.

On the June 3 Motion CEN JUNCOS II requested (i) to be deemed in compliance with Section 2.02 of Regulation No. 8543, (ii) to be deemed in compliance with items One, Two, Three and Five of the May 22 Order, (iii) to be granted until June 13, 2024, to comply with item Four to file its Compiled Financial Statements duly signed by a CPA, (iv) that the information contained in the June 3 Motion be granted confidential treatment by the Energy Bureau, (v) “that the Honorable Energy Bureau issue and order mandating the Puerto Rico Energy Public Policy Program to execute a confidentiality agreement with CEN Juncos Solar II, LLC or provide other alternatives to give confidential treatment of this Motion before said Program, and (vi) that the payment of filing fees be considered to have been made on the date of the Motion.

On June 13, 2024, CEN JUNCOS II filed a document titled *Motion in Compliance with the Fourth Item of the Resolution and Order Notified on May 22, 2024*. (“June 13 Motion”) regarding the remanent item to be fulfilled as requested in the May 22 Order: to file “the Compiled Financial Statements for year 2023 duly signed by a CPA”. In the June 13 Motion CEN JUNCOS included the following documents as attachments:

**Attachment 1** - Organization Chart. Information on the corporate structure including CEN JUNCOS II, its parent company and ownership percentages.

**Attachment 2** - Consolidated Financial Statements for the year ended December 31, 2023.

In the Financial Statements the Gross Revenue was reported with a different amount<sup>5</sup> that the amounts included in the Form NEPR-B05 submitted with the March 1 Motion and with the April 29 Motion.

In the June 13 Motion CEN JUNCOS II requested the information contained in both attachments to be kept confidential subject to Section 6.15 of Act No. 57 of May 17, 2014.

<sup>5</sup> CEN JUNCOS II reported a lesser amount.



II. Applicable Law and Analysis

Act 57-2014<sup>6</sup> requires that every Electric Service Company<sup>7</sup> to obtain a certification<sup>8</sup> to provide services in Puerto Rico, besides presenting specific information in accordance with the requirements established by the Energy Bureau. Regulation 8701 establishes the requirements that any electric service company must comply to provide electric services in Puerto Rico.

A. June 13 Motion regarding Gross Revenues

Section 4.02 and Section 4.03 of Regulation 8701 establishes the requirement for an electric service company to inform the Energy Bureau of their annual gross revenue and the regulatory charge to be paid.

Section 4.02(H) of Regulation 8701 establishes the following:

“In the event of any discrepancy between the information provided in the Annual Gross Revenue report and the Annual Gross Income set forth in the compiled or audited financial statements, as the case may be, the Energy Bureau shall grant the Electric Utility Company the opportunity to explain such discrepancy **and may require such additional information as it deems necessary before:**

- 1) Correct the amount payable to the Electric Utility Company for the regulatory charge.  
...”

(Emphasis supplied)

CEN JUNCOS II reported a different amount of Gross Revenue in three different documents filed in the Energy Bureau:

- 1. Form NEPR-B05 submitted with the March 1 Motion.
- 2. Form NEPR-B05 and Financial Statements submitted with the April 29 Motion.
- 3. Financial Statements submitted with the June 13 Motion.

In each of these documents the amount reported is successively less than the anterior.

In the June 13 Motion CEN JUNCOS II doesn’t include an explanation for the discrepancies between the reported Gross Revenues included in the March 1 and April 29 Motions and the financial statements included in the June 13 Motion.

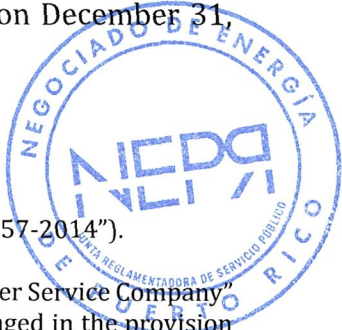
The Energy Bureau **DETERMINES** that CEN JUNCOS II has reported information with discrepancies. The Energy Bureau **ORDERS** CEN JUNCOS II to explain the discrepancy between the three reported Gross Revenues for the Natural Year ending on December 31, 2023, pursuant to Section 4.02(H) of Regulation 9182<sup>9</sup>.

<sup>6</sup> Known as the *Transformation and Energetic RELIEF Act of Puerto Rico*, as amended (“Act 57-2014”).

<sup>7</sup> Section 1.3(l) of Act 57-2014 defines the term “Electric Power Company” or “Electric Power Service Company” as follows: “Shall mean any natural or juridical person or entity, energy cooperative, engaged in the provision of generation services, transmission and distribution services, billing, wheeling, grid services, energy storage, resale of electric power as well as any other electric power service as defined by the Bureau. The Electric Power Authority or its successor as well as any Contractor under a Partnership or Sales Contract executed in relation to PREPA Transactions conducted by virtue of Act No. 120-2018 shall be deemed Electric Power Service Companies for purposes of this Act.”

<sup>8</sup> See Section 6.13 of Act 57-2104. Also see, Section 1.3(h) of Act 57-2014, which define “Certified” as “any electric service company which have been evaluated and authorized by the Energy Bureau.”

<sup>9</sup> Amendment to Regulation 8701.



*B. June 3 and June 13 Motions regarding Operational Report Form*

Section 2.02 and 2.03(A)(2) of Regulation 8701 establishes the requirement for an electric service company to submit its Operational Report and the corresponding fee.

In the May 22 Resolution, the Energy Bureau requested from CEN JUNCOS II information and documents to complete Operational Report Form ("NEPR-B03") for 2024 including the following five items: (i) to file the credentials for REA as mentioned in Part II (A and B) of the Resolution and Order, (ii) to file the specific and detailed information of scheduled outages in the Operational Report for year 2023, (iii) the Certificate of Incorporation and Registration as requested in Part II (B) of the Resolution and Order, (iv) to file the Compiled Financial Statements for year 2023 duly signed by a CPA, and (v) pay a fine of five hundred dollars \$500<sup>10</sup>.

In the June 3 Motion CEN JUNCOS II included several documents to comply with four of the five items requested in the May 22 Resolution. The information submitted by CEN JUNCOS II complies with the following provisions of Regulation 8701.

(i) Section 2.02(A)(a)(d) requires the credentials of the entity to be contracted for all or part of the system's operation. CEN JUNCOS II submitted sufficient information about REA to comply with this requirement<sup>11</sup>.

(ii) Section 2.02(A)(a)(e) requires compliance with any other information required in any appropriate form provided by the Energy Bureau. CEN JUNCOS II submitted the information that the Operational Report requires about scheduled outages. CEN JUNCOS II submitted information about two outage incidents with details on cause, date, time and duration<sup>12</sup>.

(iii) Section 2.01(A)(b) requires a copy of the certificate of incorporation and registration by the competent government of the jurisdiction where the company has been organized. CEN JUNCOS II submitted its Articles of Organization, Certificate of Organization and Certificate of Corporate Records certified by the Secretary of the State of Missouri<sup>13</sup>.

(iv) Section 3.05 of Regulation 8701 empowers the Energy Bureau to levy a sanction or fine, among other measures, in relation to the process of any Request for Certification, Amendment to a Request for Certification, or Request to Amend Certification "[w]here the company has substantially or repeatedly failed to comply with one or more of the Bureau's orders, the Bureau's regulations, or with the provisions of Law 57-2014, as amended." CEN JUNCOS submitted evidence of the payment of the fine imposed in the May 22 Resolution<sup>14</sup>.

The information and documents submitted before the Energy Bureau by CEN JUNCOS II comply with the above-mentioned provisions of Regulation 8701.

The Energy Bureau **DETERMINES** that CEN JUNCOS II complied with four of the five items requested in the May 22 Resolution.

In the June 13 Motion CEN JUNCOS II included one Organizational Chart and the financial statements for the year ended December 31, 2023, to comply with the remaining item

<sup>10</sup> For its failure to comply with Act 57-2014 and Regulation 8701 by not submitting the documents after being requested to do so on the October 13 Resolution and the March 27 Motion.

<sup>11</sup> Puerto Rico State Department certificates included as Attachment 1, and Organizational Chart included as Attachment 2 of the June 3 Motion.

<sup>12</sup> Information included as Attachment 3 and Attachment 4 of the June 3 Motion.

<sup>13</sup> Document and certificates included as Attachment 5 of the June 3 Motion.

<sup>14</sup> Evidence of electronic payment included as Attachment 6 of the June 3 Motion.



requested in the May 22 Resolution. The Organizational Chart describes the ownership structure of CEN JUNCOS II and Renewable Energy Alternatives, LLC, for the Energy Bureau evaluation of the submitted financial statements.

The Energy Bureau **DETERMINES** that CEN JUNCOS II complied with the remaining item of the five items requested in the May 22 Resolution.

After review of the information and documents submitted by CEN JUNCOS II in its June 3 and June 13 Motions Energy Bureau **DETERMINES** that CEN JUNCOS II **complied** with the May 22 Resolution.

### III. Certification Request Evaluation

Sections 2.01, 2.03, 3.03 and 3.07 of Regulation 8701 describe the information, documents and fees that every electric service company that intends to offer services in Puerto Rico must submit with its Request for Certification.

The *Personal Information Electric Power Companies* (Form NEPR-B01), submitted by CEN JUNCOS II has been completed with the necessary information and documents and its filling fee as required by Sections 2.01 and 2.03 of Regulation.

Section 3.03 of Regulation 8701 establishes the requirements that electric service companies must fulfill for their Request of Certification.

Section 3.04 of Regulation 8701 establishes as requirements for evaluating and granting the Request for Certification the following:

“(A) The Energy Bureau shall evaluate, on its merits, every Request for Certification, Amended Request for Certification, and Request to Amend Certification that has been submitted and that contains all the information required by this Regulation and any other order issued by the Energy Bureau.

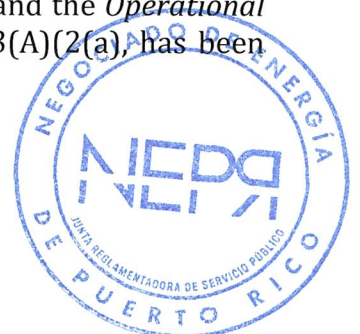
...

C) The Energy Bureau shall grant certification or the amendment to certification in cases where:

- 1) The petitioner has confirmed its legal, technical, financial, physical, moral, and human resources capacity for operating and providing the services it intends to offer;
- 2) The provision of services and operations, as proposed on the Request are consistent with the energy public policy of the Commonwealth of Puerto Rico, the provisions of Law 57-2014, as amended, and any other applicable law, and the Bureau’s Regulations;
- 3) The Request shows that the service that the petitioner intends to offer will be reliable and will not threaten the safety and reliability of the electrical infrastructure; and
- 4) The Request is complete and complies with all of the requirements established by law, this Regulation, and any order the Energy Bureau may have issued in the performance of its functions.

...”

After a review of the Administrative Record the Energy Bureau **DETERMINES** that the information and documents filed by CEN JUNCOS II **complied** with all the requirements for the Request of Certification under Section 3.03 of Regulation 8701, for Personal Information under Section 2.01 of Regulation 8701; and that filing fees for the *Personal Information Form Electric Power Companies* (Form NEPR-B01), under Section 2.03(A)(1) and the *Operational Report Electric Power Companies* (Form NEPR-B03) under Section 2.03(A)(2)(a), has been paid.



The Energy Bureau **DETERMINES** that CEN JUNCOS II had complied with the provisions of Section 3.04 and that the Request for Certification can be granted.

**IV. Confidential Treatment**

Act No. 57-2014 establishes that any person having the obligation to submit information to the Energy Bureau, may request that any information deemed privileged or confidential be treated in such fashion.<sup>3</sup> Specifically, Act 57-2014 requires from the Energy Bureau to treat as confidential the information submitted provided that “after the appropriate evaluation, believes such information should be protected”.<sup>15</sup> In such case, “the Energy Bureau shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted”.<sup>16</sup>

Upon a thorough examination of the arguments brought forth by CEN JUNCOS in the June 3 and June 13 Motions, the Energy Bureau **GRANTS** confidential designation and treatment under Article 6.15 of Act 57-2014 to the information contained in the June 3 Motion and the content of the June 13 motion and its attachments: Attachment 1 - Organization Chart and Attachment 2 - Consolidate Financial Statements for the year ended December 31, 2023.

**V. Conclusion**

The Energy Bureau **GRANTS** confidential designation and treatment to the Confidential Documents, under Article 6.15 of Act 57-2014.

The Energy Bureau **ORDERS** CEN JUNCOS, **within ten (10) days, from the notification date of this Resolution**, (i) to file a detailed explanation of the discrepancies described in Part IIA of this Resolution between the two reported Gross Revenues and the financial statements for the Natural Year ending on December 31, 2023, in compliance with Section 4.02(H) of Regulation 8701, including all supporting documents certified by a Certified Public Accountant (CPA) and, (ii) file an Amended Form NEPR-B05.

The Energy Bureau **DETERMINES** that CEN JUNCOS has **complied** with the May 22 Resolution submitting the information and documents requested.

Upon the review of all documents filed by CEN JUNCOS II as part of the Request for Certification (Form NEPR-B04), the Energy Bureau **DETERMINES** CEN JUNCOS II **complied** with the requirements of Sections 2.01, 2.03, 3.03 and 3.07 of Regulation 8701 and **CERTIFIES** CEN JUNCOS II as an Electric Service Company.

Be it notified and published.

  
\_\_\_\_\_  
Edison Avilés Deliz  
Chairman

  
\_\_\_\_\_  
Lillian Mateo Santos  
Associate Commissioner

  
\_\_\_\_\_  
Ferdinand A. Ramos Soegaard  
Associate Commissioner

  
\_\_\_\_\_  
Sylvia B. Ugarte Araujo  
Associate Commissioner

  
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Antonio Torres Miranda  
Associate Commissioner

<sup>3</sup> Section 6.15 of Act 57-2014.

<sup>15</sup> Id. at (a).

<sup>16</sup> Id.



**CERTIFICATION**

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on July 16 2024. Also certify that on July 16 2024, I have proceeded with the filing of this Resolution and Order and was notified by email to: assetmanagement@rea-investments.com; mqs@mcvpr.com.

I sign this in San Juan, Puerto Rico, today, July 16, 2024.

  
\_\_\_\_\_  
Sonia Seda Gaztambide  
Clerk

