

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

NEPR

Received:

Aug 5, 2024

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IN RE:

REQUEST FOR APPROVAL OF THE
VEGA BAJA DECOMMISSIONING
PLAN

CASE NO.: NEPR-MI-2024-0003

SUBJECT: Motion to Submit Summary Report
of Final Decommissioning Plan in Compliance
with Resolution and Order dated June 27, 2024

**MOTION TO SUBMIT SUMMARY REPORT OF FINAL DECOMMISSIONING PLAN
IN COMPLIANCE WITH RESOLUTION AND ORDER DATED JUNE 27, 2024**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ through its counsels of record, and respectfully submits and prays as follows:

1. On April 17, 2024, Genera submitted a letter to the Chairman of the Public Service Regulatory Board of the Energy Bureau, Mr. Edison Avilés Deliz (“Letter to the Chairman”), in which it requested that the Energy Bureau initiate a formal proceeding to evaluate the Draft Decommissioning Plan (“Preliminary Draft Plan”), submitted as Annex A to the Letter to the Chairman. In this submission, Genera also sought feedback to refine and finalize the decommissioning procedures. The submission of the Letter to the Chairman and the Draft Decommissioning Plan was made entirely under a seal of confidentiality.

2. On April 24, 2024, Genera filed a document entitled *Memorandum of Law in Support of Confidential Treatment of Vega Baja Decommissioning Plan*. In the Letter to the

¹ 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.

Chairman, Genera requested the Energy Bureau's "review" and "input" on the Preliminary Draft Plan.

3. On June 27, 2024, the Energy Bureau issued a Resolution and Order titled *Opening Proceeding and Requirements of Information* ("June 27th Resolution"). In the June 27th Resolution, the Energy Bureau acknowledged Genera's proactive efforts and deemed it appropriate to commence an informal review process of the Preliminary Draft Plan involving Genera, the P3 Authority, and the Energy Bureau staff and consultants. This informal process aims to streamline the procedures mandated by the LGA OMA for the implementation of LGA decommissioning-related activities, particularly those related to PREPA's Vega Baja facility. The Energy Bureau highlighted that this review would allow it to gather information that may inform the evaluation of the final plan. Additionally, the Energy Bureau's inquiries may provide Genera with insights into areas of interest that should be addressed in the final plan.

4. As such, the Energy Bureau ordered Genera and the members of the Energy Bureau staff, with the participation of the P3 Authority, to begin an informal review process for the Preliminary Draft Plan, as outlined in Part III of the June 27th Resolution, no later than seven (7) days following the issuance of the June 27th Resolution. Additionally, the Energy Bureau required Genera to submit a summary of the progress made towards the expedited evaluation of a final decommissioning plan for the Vega Baja facility no later than thirty (30) days thereafter.

5. In compliance with the June 27th Resolution, Genera has submitted a summary of the progress made towards the expedited evaluation of a final decommissioning plan for the Vega Baja facility as Exhibit A to this Motion.

WHEREFORE, for the reasons stated above, Genera respectfully requests the Energy Bureau to **take notice** of the above; **accept** Genera's summary of the progress made towards the

expedited evaluation of a final decommissioning plan for the Vega Baja facility, submitted herein as *Exhibit A*; and **deem** Genera to be in compliance with the June 27th Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 5th day of August 2024.

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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.

In San Juan, Puerto Rico, this 5th day of August 2024.

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez

Exhibit A
Summary Report

Docket Number: NEPR-MI-2024-0003

In Re: Request for Approval of the Vega Baja Decommissioning Plan

Re: Summary Report in Compliance with Resolution and Order dated June 27, 2024

GPR-PREB-NEPRMI20240003-20240805-#1

The following is a summary of the progress made today by Genera towards the expedited evaluation of a final decommissioning plan for the Vega Baja facility:

- Genera had an initial meeting with the Energy Bureau consultants and the P3 Authority on July 16, 2024, regarding the decommissioning of Vega Baja.
- During the meeting, Genera used a presentation to discuss the Preliminary Draft Plan. In the meeting, the parties agreed that the Energy Bureau staff would provide comments on the Preliminary Draft Plan, allowing Genera to present a summary of the progress made towards the expedited evaluation of the final decommissioning plan for the Vega Baja facility.
- The decommissioning plan has been revised to include all available details on the timing of each decommissioning steps, along with a Gantt chart illustrating the decommissioning activities, including procurement activities.
- The decommissioning plan has been updated to include a comprehensive discussion of the activities anticipated to impact the proposed decommissioning budget and the measures Genera intends to implement to mitigate the risks of budget overruns.

- The decommissioning plan now details the sources of all funds constituting the decommissioning budget and proposed monthly

- expenditure budgets and cash flow projections for each applicable Contract Year during which the Decommissioning Services are anticipated to be provided.
- The decommissioning plan has been updated to include provisions for submitting at least quarterly reports to the Energy Bureau and P3A on the progress of the decommissioning project, beginning from the date of the plan's approval by the Energy Bureau.

Genera plans to begin the review of the final version of the decommissioning plan during this week and be ready for submission to the Energy Bureau within the next couple of weeks for evaluation.