

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

IN RE: REVIEW OF GENERA PR, LLC
REQUEST TO OPERATE PALO SECO MP
AND MAYAGUEZ CT WITH NATURAL GAS
AS PRIMARY FUEL

CASE NO.: NEPR-MI-2024-0004

SUBJECT: Request to Genera's *Motion for Extension to Submit Response to Request of Information in Compliance with Resolution and Order dated August 15, dated August 23, 2024.*

RESOLUTION AND ORDER

I. Relevant Background

On February 21, 2024, Genera PR LLC ("Genera") presented before the Energy Bureau of the Puerto Rico Public Service Regulatory Board (the "Energy Bureau") a document titled *Request for Leave to Operate Palo Seco MP and Mayagüez CT with Natural Gas as the Primary Fuel* (the "Fuel Swap Request"),¹ as part of the ongoing case evaluating the Fuel Optimization Plan.²

On April 15, 2024, the Energy Bureau issued a *Resolution and Order* in the Fuel Optimization Plan Case requiring Genera to respond to the Requirement of Information attached ("ROI #1").

On April 24, 2024, Genera presented a document titled *Motion to Submit First Set of Responses to Request for Information in Compliance with Resolution and Order dated April 15, 2024* ("April 24 Motion") to the Energy Bureau in the Fuel Optimization Plan Case. This motion addressed requests for information detailed in Attachment A of the ROI #1.

On April 30, 2024, Genera presented to the Energy Bureau, in the Fuel Optimization Plan Case, a document titled *Motion to Submit Second Set of Responses to Request for Information in Compliance with Resolution and Order dated April 15, 2024* ("April 30 Motion"), responding to Attachment B of the ROI #1.

On May 6, 2024, Genera presented to the Energy Bureau, in the Fuel Optimization Plan Case, a document titled *Request to Make Responses to Case No. NEPR-MI-2021-0014 April 11, 2024 Order Part of the docket of the Case of Caption* ("May 6 Motion").

On May 9, 2024, the Energy Bureau issued a *Resolution and Order* initiating this independent administrative procedure to evaluate the Fuel Swap Request ("May 9 Resolution"). Through this resolution, the Energy Bureau include the following documents as part of this case: Fuel Swap Request, the April 30 Motion, the May 6 Motion and copy of the May 9 Resolution.

On June 6, 2024, the Energy Bureau issued a *Resolution and Order* ordering Genera to submit responses to the *Second Request for Information* ("ROI #2") attached ("June 6 Resolution").

On June 14, 2024, Genera presented to the Energy Bureau a document titled *Motion to Submit Response to Second Request for Information in Compliance with Resolution and Order dated June 6, 2024 and Request for Extension* ("June 14 Motion"). This motion partially responded to the ROI #2 and requested an extension until June 21, 2024, for responding to ROI's 4(c), 4(d) and 4(e) of the ROI #2.

¹ The Fuel Swap Request is accompanied by several attachments.

² See *In Re: Genera PR LLC Fuel Optimization Plan*, Case No.: NEPR-MI-2023-0004 ("Fuel Optimization Plan Case").



On the deadline day of the requested extension, Genera submitted a new request for an extension until July 5, 2024.³

On July 5, 2024, Genera presented to the Energy Bureau a document titled *Motion to Submit Complete Response to Second Request for Information in Compliance with Resolution and Order dated June 6, 2024* ("July 5 Motion"). Through this motion Genera alleges completed the responses to the ROI #2.

On August 15, 2024, the Energy Bureau issued a Resolution and Order ("August 15 Resolution") ordering Genera to supplement and/or clarify some responses for the ROI #1 and ROI #2 within the next ten (10) days following the notice date of the August 15 Resolution to enable the Energy Bureau to finalize its determination on the Fuel Swap Request.

On August 19, 2024 Genera requested a meeting the Energy Bureau's engineering staff and consultants to have a better understanding of the specific information the Energy Bureau is requesting.

On August 23, 2024, Genera met with the Energy Bureau's engineering staff and consultants and clarifications were made to Genera about the information that the Energy Bureau is requesting.

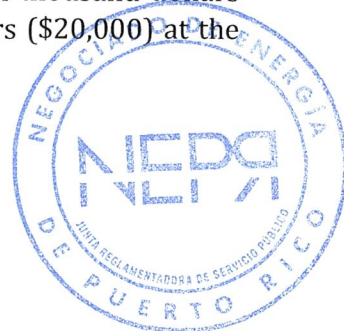
On August 23, 2024, Genera filed a document titled Request for Extension to Submit Response to Request for Information in Compliance with Resolution and Order dated August 15, 2024 ("August 23 Request") in which Genera requests the Energy Bureau to grant an extension of time until August 30, 2024 for Genera continue its discussions with the Energy Bureau's consultants and submit the supplemental responses to the ROIs in the August 15 Resolution.

The Energy Bureau **GRANTS** Genera until August 30, 2024 to continue its discussions with the Energy Bureau's consultants and submit the supplemental responses to the ROIs in the August 15 Resolution.

The Energy Bureau **WARNS** Genera that:

- (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.


Be it notified and published.



³ See *Urgent Request for Extension to Submit Complete Response to Second Request for Information in Compliance with Resolution and Order dated June 6, 2024*, dated June 21st, 2024.

Edison Avilés Deliz
Chairman


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner


Sylvia B. Ugarte Araujo
Associate Commissioner


Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau have agreed on August 28, 2024. I also certify that on August 28, 2024 a copy of this Resolution and Order was notified by electronic mail to jfr@sbgblaw.com; alopez@sbgblaw.com; legal@genera-pr.com; regulatory@genera-pr.com and I have moved forward with filing the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today August 28, 2024.




Sonia Seda Gaztambide
Clerk