

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

NEPR Received: Aug 19, 2024 4:42 PM
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IN RE:

REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN –
DECEMBER 2020

CASE NO.: NEPR-MI-2021-0002

SUBJECT: Motion to Clarify and Request
Amendment of Resolution and Order dated
August 8, 2024

**MOTION TO CLARIFY AND REQUEST AMENDMENT OF RESOLUTION AND
ORDER DATED AUGUST 8, 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 July 24, 2024, Genera filed a document titled *Motion to Submit Two Scope of Work for Critical Infrastructure Projects at the Aguirre Power Plant and the San Juan Steam Plant* (“July 24th Motion”). In the July 24th Motion, Genera submitted therein as Exhibit A a Scope of Work (“SOW”) titled *“FAASt (Aguirre Power Plant 003 Combined Cycle)-Generation”* and as Exhibit B a SOW titled *“FAASt Repair Unit 9 San Juan Steam Plant”* for the review and approval of the Energy Bureau.

2. On August 8, 2024, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order titled *Determination on*

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority (“P3 Authority”) and Genera, Genera is the sole operator and administrator of the Legacy Generation Assets (defined in the LGA OMA) the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

GENERA's July 24 Motion to Submit Two Scope of Work for Critical Infrastructure Projects at the Aguirre Power Plant and the San Juan Steam Plant ("August 8th Resolution"). After review Genera's SOWs submitted with the July 24th Motion, the Energy Bureau determined that the projects are necessary to enhance the reliability and resiliency of the electrical system and approved the projects as outlined in Attachment A to the August 8th Resolution.

3. Additionally, the August 8th Resolution required Genera, **within five (5) days** from the notification of the August 8th Resolution, to explain if the works included in tasks 10 and 17 of Table 1,² pertaining to "*Recirculating Fan Duct and GRF*" and "*Traveling Screens*," might duplicate efforts previously approved in the Energy Bureau's Resolution and Order dated April 23, 2024.

4. On August 13, 2024, Genera filed a document titled *Urgent Request for Extension to Submit Response to Resolution and Order Dated August 8, 2024* ("August 13th Motion"), through which Genera requested an extension of time, until Monday, August 19, 2024, to provide a response to the August 8th Resolution.

5. However, while diligently preparing the response to comply with the August 8th Resolution, Genera encountered discrepancies within Table 1 that inhibit a comprehensive response. Specifically, the Resolution directs Genera to clarify whether the work included in Tasks #10 and #17 may represent duplication for the works of "*Recirculating Fan Duct and Gas Recirculating Fans (GRF)*" and "*Traveling Screens*." Nevertheless, upon review, it becomes evident that Table 1 lists only 16 tasks, omitting Task #17. Furthermore, Task #10, which is detailed as "*Unit 9 Rehabilitation Electrical Motors*," includes the GRF but lacks any reference to Traveling Screens. This discrepancy not only raises questions about the completeness and accuracy of the

² See August 8th Resolution, pp. 2-3.

Task list provided but also necessitates a thorough review to ensure that all relevant tasks are properly documented and assigned.

6. In light of the aforementioned discrepancies and to ensure that Genera can provide a detailed and accurate response in accordance with the requirements of the August 8th Resolution, Genera respectfully requests that the Energy Bureau clarify the composition of Table 1 of the August 8th Resolution, particularly regarding the specifics of Tasks #10 and #17. A prompt resolution of these discrepancies will enable Genera to fulfill its obligations under the August 8th Resolution accurately and expediently.

WHEREFORE, Genera respectfully requests that this Energy Bureau take notice of the above for all purposes and clarify the order given in the August 8th Resolution as it pertains to the request for explanation by Genera regarding potential duplication of the works of "Recirculating Fan Duct and GRF" and "Traveling Screens" in Tasks #10 and #17.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 19th 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 and that we will send an electronic copy of this motion to the PREPA's counsel, Mirelis Valle Cancel, at mvalle@gmlex.net, and Alexis Rivera, at arivera@gmlex.net; and to LUMA's counsel, Margarita Mercado, at margarita.mercado@us.dlapiper.com, and Yahaira De La Rosa, at yahaira.delarosa@us.dlapiper.com.

In San Juan, Puerto Rico, this 19th day of August 2024.

/s/ Alejandro López-Rodríguez
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