

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

NEPR
Received:
Sep 13, 2024
4:18 PM

IN RE:

10 YEAR PLAN FEDERALLY FUNDED
COMPETITIVE PROCESS

CASE NO.: NEPR-MI-2022-0005

SUBJECT: Motion to Submit Monthly Report on the Status of Emergency Generation and Black-Start Generation Procurement in Compliance with Resolution and Order Dated July 30, 2024

**MOTION TO SUBMIT MONTHLY REPORT ON THE STATUS OF EMERGENCY
GENERATION AND BLACK-START GENERATION PROCUREMENT
IN COMPLIANCE WITH RESOLUTION AND ORDER DATED JULY 30, 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 January 23, 2023, the Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) entered an order with the subject *Determination for the Project Application Package for the Seven (7) Additional Peakers to be used as Generation* (“January 23rd Order”). In this order, among other directives, the Energy Bureau provided PREPA the flexibility to consider the best mix of locations for emergency generation.

2. On November 8, 2023, after several procedural events, the Energy Bureau issued a Resolution and Order titled *Motion to Submit Supplement to September 8, 2023, Motion in Compliance with Resolution and Order Dated August 23, 2023 - Genera Competitive Procurement*

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.

of *Black Start and Emergency Generation* ("November 8th Order") approving the Request for Proposal package submitted by Genera for the procurement of black start and emergency generation services.

3. On February 29, 2024, Genera filed a document titled *Motion to Submit Bi-Monthly Report on the Status of Emergency Generation and Black-Start Generation Procurement in Compliance with Resolution and Order Dated January 23, 2023* ("February 29th Motion"), in which Genera stated that the initial award was scheduled for March 2024.

4. On July 1, 2024, Genera filed a document with the Energy Bureau titled *Motion to Submit Bi-Weekly Report on the Status of Emergency Generation and Black-Start Generation Procurement in Compliance with Resolution and Order Dated January 23, 2023* ("July 1st Motion"). In this document, Genera included as Exhibit A the Bi-Weekly Report describing the status of the Emergency Generation and Black-Start Generation Procurement.

5. On July 30, 2024, the Energy Bureau issued a Resolution and Order titled *Resolution and Order to Motion to Submit Bi-weekly Report on the Status of Emergency Generation and Black-Start Generation Procurement in Compliance with Resolution and Order of January 23, 2023* ("July 30th Resolution"). In the July 30th Resolution, pertinent to this Motion, the Energy Bureau ordered Genera to submit monthly reports instead of bi-weekly reports on the status of Emergency Generation and Black-Start Generation Procurement, commencing August 15, 2024.

6. In compliance with the July 30th Resolution, Genera respectfully submits the monthly report on the status of Emergency Generation and Black-Start Generation Procurement for the month of August, included herein as Exhibit A.

WHEREFORE, Genera respectfully requests that the Energy Bureau **take notice** of the above; **accept** Genera's report on the status of Emergency Generation and Black-Start Generation Procurement submitted herein as *Exhibit A*; and **deem** Genera to be in partial compliance with the July 30th Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 13th day of September 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 PREPA through its counsels of record, Alexis G. Rivera Medina, at arivera@gmlex.net, and Mirelis Valle Cancel at mvalle@gmlex.net.

In San Juan, Puerto Rico, this 13th day of September 2024.

/s/ Alejandro López-Rodríguez
Alejandro López-Rodríguez

Exhibit A

Report on the status of Emergency Generation and Black-Start Generation Procurement

Docket Number: NEPR-MI-2022-0005

In Re: 10 YEAR PLAN FEDERALLY FUNDED COMPETITIVE PROCESS

Re: Monthly Progress Report

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On the July 30th Resolution and order the Energy Bureau ordered Genera to submit monthly reports instead of bi-weekly reports on the status of emergency Generation and Black-Start Generation Procurement, commencing August 15, 2024. Additionally, the Energy Bureau ordered Genera to include, as part of the net and subsequent monthly progress reports, at a minimum, the following:

- a. Breakdown of each task, estimated cost, cost amount consumed and timeline for completion of such task.

Response:

Peakers Project Preliminary Cost Estimate

Equipment Purchase	\$432,920,000
Site Development & Construction	\$478,420,000
Project Development	
Permitting	
Decommissioning & Demolition	
Construction	
Commissioning	
Interconnection	
	\$911,340,000.00



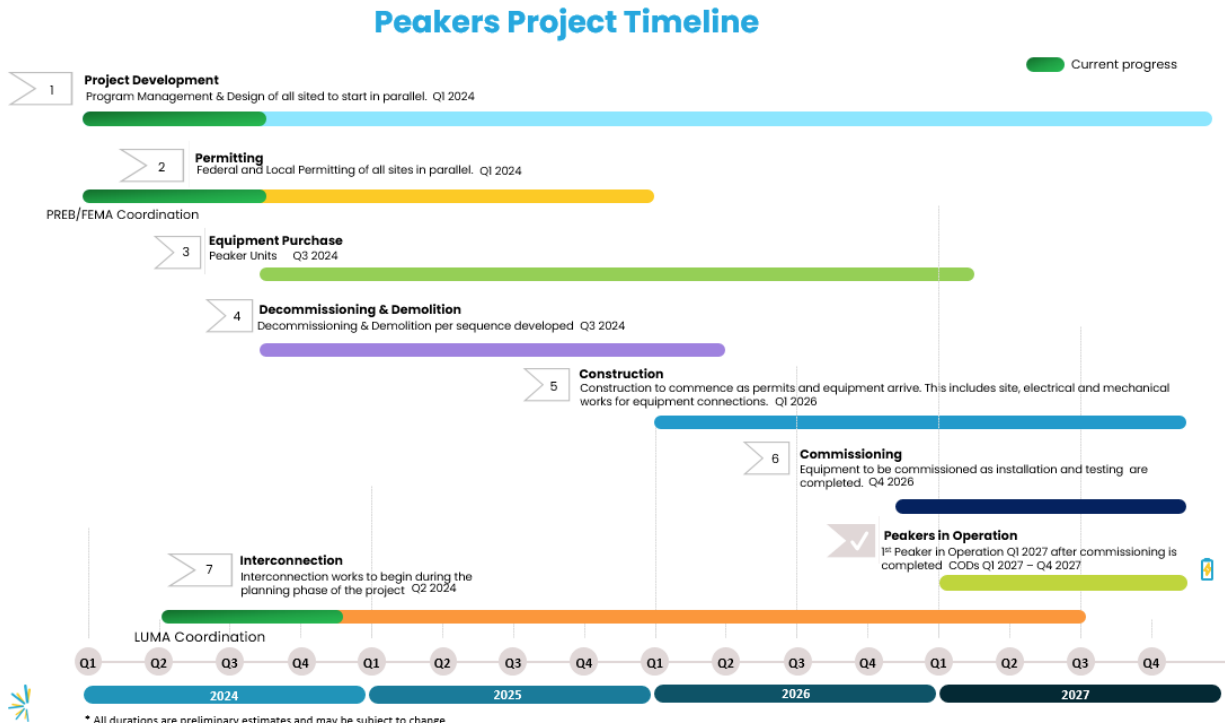
Peakers Project Timeline

We are currently exploring ways to improve last month's timeline by engaging in negotiations with proponents and revisiting the construction sequences. Our goal is to identify areas where adjustments can be made to optimize construction efficiency without compromising quality. By collaborating closely with equipment proponents, we aim to streamline processes, eliminate bottlenecks, and reconfigure certain phases of construction. This approach will help us potentially exceed our original project deadlines while ensuring smooth workflow. An updated timeline reflecting these adjustments will be provided in next month's report.

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b. The stages of each task, timeline, present status and estimated time for completion.

Response:

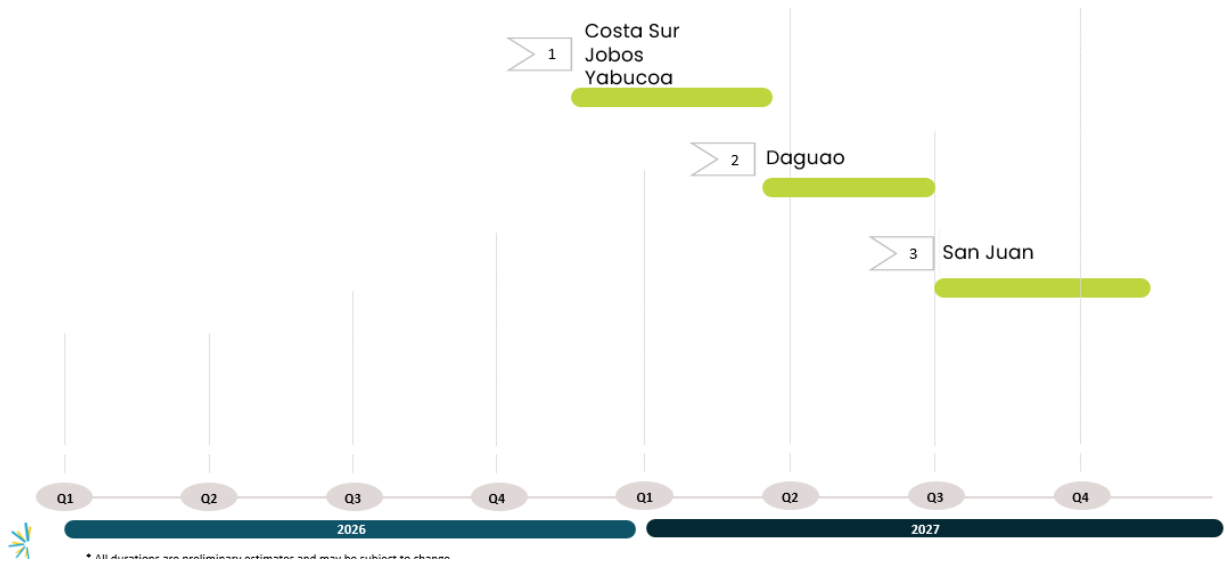


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c. Project timeline chart (e.g. Gant Chart) with critical path for the Commercial Operation Date (COD) of the project.

Response:

Peakers – Commissioning Timeline



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- d. Permit list, permits obtained, estimated timeline for each permit and status of such permit.

Response:

NEPA Permit Status

Permit	Applicable Sites	Status	Estimated Submittal	Estimated Approval
EHP NEPA Review (Record of Environmental Consideration expected)	All Peaker projects	DSOW Drafted. Originally an EA was expected to be required. In recent talks, FEMA has indicated they think an EA will not be needed, and that the Peakers could be processed under a REC.	Sept 2024	Dec 2024-Jan 2025
Coastal Zone Consistency Certification	San Juan Costa Sur	Peakers expected to be covered under FEMA and PRPB's existing blanket Coastal Certification (in effect until 2028)	Sept 2024	N/A
Biological Resources Endangered Species Act (ESA) Section 7	All Peaker projects	Memo to FEMA drafted	Sept 2024	N/A *if FEMA agrees with no effects determination no USFWS consultation required
National Historic Preservation Act Consultation	All Peaker projects	All arch reports received except Daguao – expected end of Sept 2024	Sept 2024	Dec 2024



Note: All dates are preliminary estimates and are subject to change

Local Permit Status

Permit	Applicable Sites	Status	Estimated Submittal	Estimated Approval
DNER Rule 141 – Environmental Impact Documentation	All Peaker projects	General Arrangement Plans being finalized prior to filing.	January 2025	March 2025
PRFC Fire Review	All Peaker projects	Will be filed by Contractor	Q2 2025	60 days after submission
Permiso Unico Incidental (PUI)	All Peaker projects	Will be filed by Contractor	Q2 2025	30 days after submission
DNER Asbestos/Lead Removal	All Peaker projects	Will be filed by Contractor	Q2 2025	30 days after submission

Note: All dates are preliminary estimates and are subject to change

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- e. Task required in preparation for each site where the project shall be installed. Details on any demolition and permits required in preparation for the installation of the project.

Response:

See responses to questions a through d.

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f. Permit and cost for each site to accommodate the project.

Response:**NEPA Permit Costs**

Permit	Applicable Sites	Estimated Cost
EHP/NEPA Review	All Peaker sites	\$150,000 for all sites. Includes EHP Review coordination
Coastal Zone Consistency Certification	San Juan Costa Sur	\$8,000/site
Biological Resources Endangered Species Act (ESA) Section 7	All Peaker projects	\$15,000/site
National Historic Preservation Act Consultation	All Peaker projects	\$15,000/site



Note: All costs are preliminary estimates and are subject to change

Local Permit Costs

Permit	Applicable Sites	Estimated Cost
DNER Rule 141 – Environmental Impact Documentation	All Peaker projects	\$35,000/site
PRFC Fire Review	All Peaker projects	\$3,000/site
Permiso Unico Incidental (PUI)	All Peaker projects	\$25,000/site
DNER Asbestos/Lead Removal	All Peaker projects	\$15,000/site

Note: All costs are preliminary estimates and are subject to change