

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

<b>NEPR</b>  <b>Received:</b>  <b>Sep 18, 2024</b>  <b>9:05 PM</b>
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**IN RE:**  
IN RE: REVIEW OF THE PUERTO RICO  
ELECTRIC POWER AUTHORITY'S 10-  
YEAR INFRASTRUCTURE PLAN-  
DECEMBER 2020

**CASE NO. NEPR-MI-2021-0002**  
  
**SUBJECT: Request for Extension of Time to  
Comply with Resolution and Order Issued on  
September 4, 2024**

**REQUEST FOR EXTENSION OF TIME TO COMPLY WITH RESOLUTION  
AND ORDER ISSUED ON SEPTEMBER 4, 2024**

**TO THE PUERTO RICO ENERGY BUREAU:**

**COME NOW LUMA Energy, LLC** (“ManagementCo”), and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly referred to as “LUMA”), and respectfully state the following:

1. On March 26, 2021, this Puerto Rico Energy Bureau of the Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“March 26<sup>th</sup> Order”) requiring the Puerto Rico Electric Power Authority (“PREPA”) to submit each specific capital investment project proposed by PREPA be funded with Federal Emergency Management Agency (“FEMA”) funds or any other federal funds for approval of the Energy Bureau at least thirty (30) days before their submittal to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency (“COR3”), FEMA or any other federal agency. *See* March 26<sup>th</sup> Order on pages 18-19.

2. On October 27, 2023, Genera PR, LLC (“Genera”) filed an *Amended Motion for Leave to Submit Amendment to Project and 406 BESSs Initial Scope of Work* (“Genera October 27<sup>th</sup> Motion”) in which Genera presented to the Energy Bureau a proposal to “use existing points of interconnection (“POI”) in PREPA’s legacy generation facilities to install utility-scale batteries”, an approach which Genera indicated would “provide flexibility and resiliency to the operation of the generation fleet” (as described in the Genera October 27<sup>th</sup> Motion, the “Genera

BESS Projects”). *See* Genera October 27<sup>th</sup> Motion on pages 5-6. Genera also requested the Energy Bureau leave to present to the COR3 and FEMA a Project Amendment and a Section 406 Initial scope of work (“SOW”) for the Genera BESS Projects and “to continue with all activities required to complete the essential documentation and analysis to complete the [Genera BESS Projects]”. *See id.* at pages 8-9.

3. On November 8, 2023, the Energy Bureau issued a Resolution and Order (“November 8<sup>th</sup> Order”) conditionally approving the Genera BESS Projects, subject to the submittal by Genera of detailed SOWs for each project and compliance with subsequent steps of providing the Energy with copy of COR3 and/or FEMA approvals and information on obligated costs, contracted costs and project completion. *See* November 8<sup>th</sup> Motion on pages 2-3. The Energy Bureau also recognized that “the BESSs [sic] can be used as an asset for power generation, for power transmission and distribution, or both” and that their resolution was “not limiting its use neither making a determination on any party operation or maintenance responsibility”, which would “be addressed by the Energy Bureau on a separate Resolution”. *See id.*

4. On November 21, 2023, Genera filed a *Motion Submitting Response in Compliance with Resolution and Order Dated November 8, 2023, and Request a [sic] Time Extension to Provide the Detailed Scope of Work per Site* where it submitted a detailed explanation of the steps needed to complete the SOWs per site and proposed to submit a monthly progress report on the interconnection studies to be conducted by LUMA, the development status of the SOWs, and other processes described in their motion.

5. On November 30, 2023, the Energy Bureau issued a Resolution and Order (“November 30<sup>th</sup> Order”) in which, among others, it ordered LUMA to submit “a status of LUMA’s due diligence to allow the [Genera BESS Projects] to interconnect at the various sites”.

6. On December 7, 2023, LUMA filed *LUMA 's Motion to Submit Information on Status of Due Diligence to allow Genera BESS Projects to Interconnect, in Compliance with the Resolution and Order of November 30, 2023*, submitting its response to the status requested of LUMA's due diligence to allow the Genera BESS Projects to interconnect.

7. On September 4, 2024, the Energy Bureau issued a Resolution and Order ("September 4<sup>th</sup> Order") in which it took notice of the monthly progress reports for the Genera BESS Project filed by Genera for the months of March to July 2024 and determined that "the BESS Project can provide grid support services to manage expected large influx and can best serve areas most susceptible to power losses and provide support for Generation assets" and that, consequently, "it is in the best interest on the electric system consumers to further accelerate the implementation of the Genera BESS Project". See September 4<sup>th</sup> Order on page 3. The Energy Bureau then ordered LUMA to present, within twenty (20) days of the notification of the September 4<sup>th</sup> Order, "a list of the alternate [transmission and distribution ("T&D")] assets sites and/or generation sites where BESS units contemplated in Genera BESS Project can be installed **without requiring demolition and/or cleanup work or interconnection costs**, for the Energy Bureau's review and approval". See *id.*

8. Additionally, on September 10, 2024, the Energy Bureau issued a bench order ("September 10<sup>th</sup> Bench Order") during a Virtual Technical Workshop in Case No. NEPR-MI-2024-0002 requesting LUMA to take into account in the preparation of the list of sites required by the September 4<sup>th</sup> Order, whether the proposed site has the necessary communication and control capabilities.

9. LUMA herein informs that it has been diligently conducting the necessary assessment to compile the list of potentially suitable T&D asset sites for the potential deployment

of Genera BESS units as contemplated for the Genera BESS Projects and preparing a preliminary list of such sites. However, LUMA anticipates it will need an additional ten (10) business days to complete a reasonably vetted list of these sites with the most current and accurate information. This additional time will also allow LUMA to add up-to-date hosting capacity information of each of the identified sites, communications capability and the capability to inject power from the new BESS units into the electric grid. In sum, LUMA will be able to develop and provide a list of T&D sites that is better aligned with the Energy Bureau's objectives and LUMA's commitment to provide accurate and up-to-date information that will allow for a meaningful engagement on the subject.

10. LUMA respectfully submits that this extension is the minimum necessary to complete this effort and should not unreasonably delay this proceeding. LUMA restates its commitment to comply with the September 4<sup>th</sup> Order, as clarified by the September 10<sup>th</sup> Bench Order.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **grant** LUMA an extension of ten (10) business days, until October 8, 2024, to comply with the September 4<sup>th</sup> Order.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 18<sup>th</sup> day of September 2024.

We hereby certify that this motion was filed using the electronic filing system of this Energy Bureau. We also certify that a copy of this motion will be notified to the Puerto Rico Electric Power Authority, through attorney Alexis G. Rivera Medina, arivera@gmlex.net, and Mirelis Valle Cancel, mvalle@gmlex.net and to Genera PR LLC, through its counsel of record,

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