

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

IN RE: 10 YEAR PLAN FEDERALLY
FUNDED COMPETITIVE PROCESS

CASE NO. NEPR-MI-2022-0005

SUBJECT: Resolution and Order pertaining to *Memorandum of Law in Support of Confidential Treatment for the Supplement to the Response to the Order to Show Cause Dated August 28, 2024*, filed by Genera PR, LLC.

RESOLUTION AND ORDER

On September 12, 2024, Genera PR, LLC (“Genera”) filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) a document titled *Motion to Submit a Supplement to the Response to the Order to Show Cause dated August 28, 2024* (“September 12 Motion”). Through its September 12 Motion, Genera submitted supplemental information, as Exhibit A, aiming to provide the Energy Bureau with a detailed account of the factors contributing to the delay in the awarding of the RFPs¹ for the procurement of Black-Start and Emergency Peaking Resources. Particularly, Genera maintained that throughout the awarding process for PREPA’s RFPs 3784 and 3800, many exceptions and clarifications from proponents were identified and received, requiring thorough review and consideration.² Exhibit A to the September 12 Motion details those clarifications and exceptions reported by the proponents, which total 532. Genera submitted Exhibit A to the September 12 Motion under seal of confidentiality, due to the inclusion of sensitive commercial details related to the RFP process. Genera requested the Energy Bureau to maintain its confidentiality and indicated it would provide a memorandum of law, within ten (10) days, to support said request.³

On September 17, 2024, the Energy Bureau granted Genera’s petition to submit a memorandum of law in support of its confidentiality request.

On September 23, 2024, Genera filed a document titled *Memorandum of Law in Support of Confidential Treatment for the Supplement to the Response to the Order to Show Cause Dated August 28, 2024* stating the legal basis for the request to treat Exhibit A to the September 12 Motion as confidential (“September 23 Motion”).

Upon review of the September 23 Motion, the Energy Bureau **GRANTS** confidentiality to Exhibit A to the September 12 Motion on the grounds of containing sensitive commercial information related to an ongoing RFP process, as argued by Genera.

Be it notified and published.


Edison Avilés Deliz
Chairman

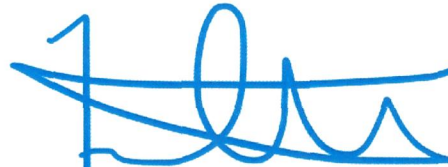
¹ Request for Proposal (“RFP”).

² September 12 Motion, p. 2, ¶ 3.

³ *Id.*, p. 3, ¶ 5.




Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner

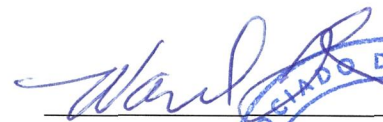

Sylvia B. Ugarte Araujo
Associate Commissioner


Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on September 25, 2024. I also certify that on September 25, 2024 a copy of this Resolution and Order was notified by electronic mail to arivera@gmlex.net; mbustelo@gmlex.net; mvalle@gmlex.net; 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

For the record, I sign in San Juan, Puerto Rico, today, September 25, 2024.


Wanda I. Cordero Morales
Interim Clerk

