

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

NEPR

Received:

Oct 15, 2024

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IN RE: 10-YEAR PLAN FEDERALLY
FUNDED COMPETITIVE PROCESS

Case No.: NEPR-MI-2022-0005

Motion to Submit Monthly Report on the
Status of Emergency Generation and Black-
Start Generation Procurement in Compliance
with *Resolution and Order* of 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 OF JULY 30, 2024**

TO THE ENERGY BUREAU:

COMES NOW, GENERA PR, LLC (“Genera”), through its undersigned counsel and, very respectfully, states and prays as follows:

1. On January 23, 2023, the Puerto Rico Energy Bureau (“PREB”) issued a *Resolution and Order* (“January 23 Order”) that conditionally approved PREPA’s RFP process for the procurement of emergency peaker generation systems at Jobos, Daguao, and Palo Seco (“the Projects”), subject to various conditions.

2. On November 8, 2023, the PREB issued another *Resolution and Order* (“November 8 Order”) approving the RFP 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-weekly Report on the Status of Emergency Generation and Black-Start Generation Procurement in Compliance with Resolution and Order Dated January 23, 2023* (“February 29 Motion”), in which Genera stated that initial award was scheduled for March 2024.

4. On July 1, 2024, Genera filed a document 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 1 Motion”), in which Genera included as Exhibit A the Bi-Weekly report describing the status of the Emergency Generation and Black-Start Generation Procurement. Genera also informed that starting on July 1, 2024, pursuant to Footnote 16 of the January 23 Order, reports would be submitted on a quarterly basis, consistent with the fiscal year’s quarters (*e.g.*, July 1 to September 30 for Q1, October 1 to December 31 for Q2, and so forth), and that their next report was due by October 9, 2024.

5. On July 30, 2024, the PREB issued a *Resolution and Order* (“July 30 Resolution”) in which, in relevant part, denied Genera’s request to submit quarterly reports instead of bimonthly reports, and ordered Genera to submit monthly reports beginning on August 15, 2024.

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

WHEREFORE, Genera respectfully requests that the PREB **take notice** of the above; **accept** Genera’s report on the status of Emergency Generation and Black-Start Generation Procurement for the month of September, included herein as Exhibit A; and **deem** Genera in partial compliance with the July 30 Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th day of October, 2024.

It is hereby certified that this motion was filed using the electronic filing system of this Energy Bureau, and that electronic copies of this Motion will be notified to the following attorneys who have filed a notice of appearance in this case: **Lcdo. Alexis Rivera**, arivera@gmlex.net;

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Exhibit A – Monthly Report (September 2024)

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



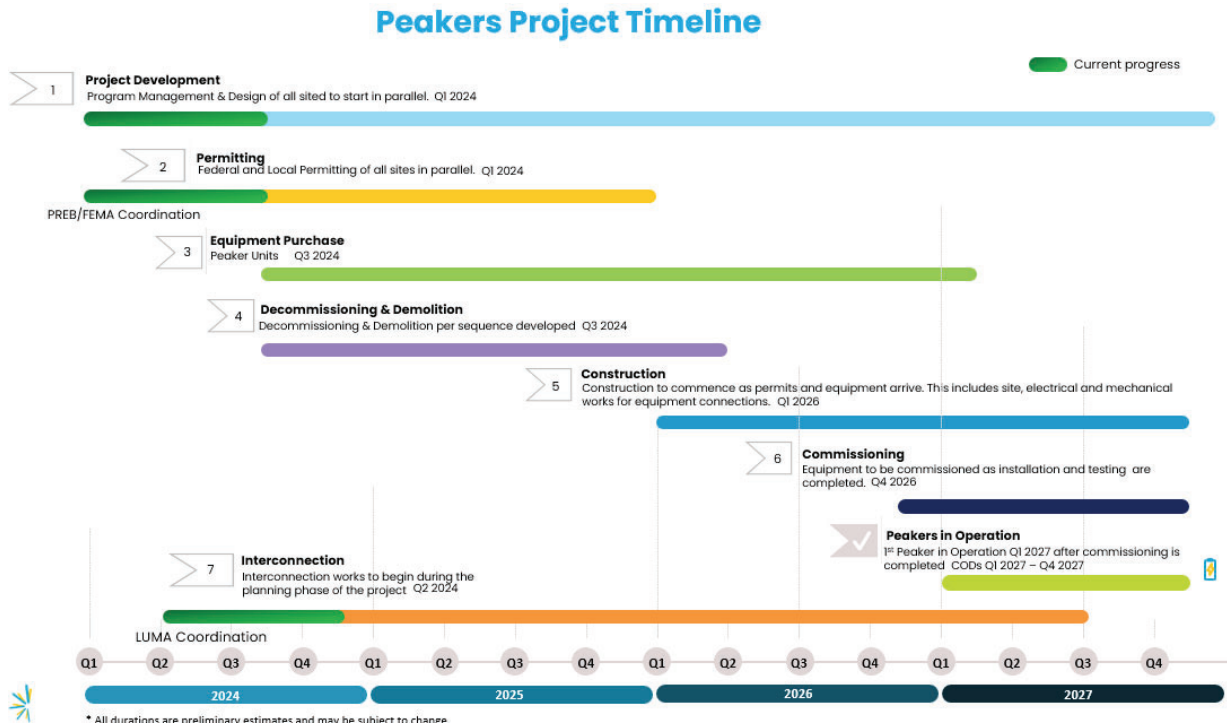
Peakers Project Timeline

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:



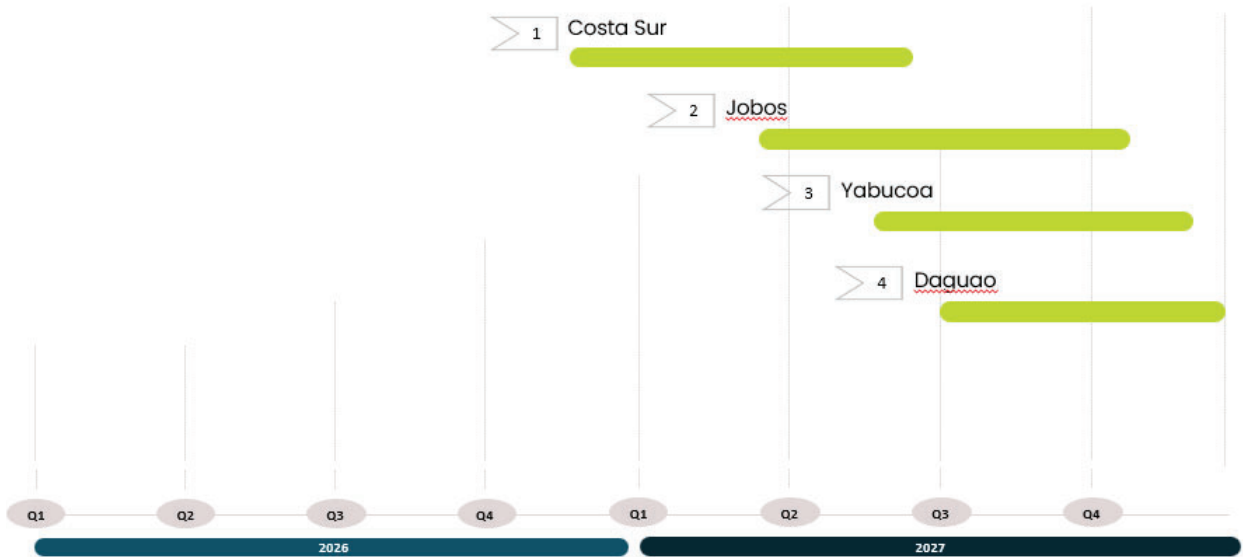
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- c. Project timeline chart (e.g. Gant Chart) with critical path for the Commercial Operation Date (COD) of the project.

Response:

Peakers – Commissioning Timeline

From Precommissioning Start to Commissioning Completion



* All durations are preliminary estimates and may be subject to change.

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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	Submittal Date	Estimated Approval
EHP NEPA Review (Record of Environmental Consideration expected)	All Peaker projects	DSOW submitted 9/18/24. 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 <u>Peakers</u> could be processed under a REC.	9/18/24	Dec 2024-Jan 2025
Coastal Zone Consistency Certification	Costa Sur	Peakers expected to be covered under FEMA and PRPB's existing blanket Coastal Certification (in effect until 2028)	9/18/24	N/A
Biological Resources Endangered Species Act (ESA) Section 7	All Peaker projects	Information submitted with DSOW.	9/18/24	N/A *if FEMA agrees with no effects determination no USFWS consultation required
National Historic Preservation Act Consultation	All Peaker projects	Archaeological reports submitted with DSOW	9/18/24	Dec 2024-Jan 2025

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