

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

IN RE: THE PERFORMANCE OF THE
PUERTO RICO ELECTRIC POWER
AUTHORITY

CASE NO.: NEPR-MI-2019-0007

SUBJECT: Updated Data Template for
Quarterly Reporting.

RESOLUTION AND ORDER

I. Introduction

On May 14, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("May 14 Resolution") in which it determined that it would be in the public interest to commence as soon as possible PREPA's data gathering process in order to help the Energy Bureau and the stakeholders in developing measures, metrics, and targets and to provide useful information for developing incentive and penalty mechanisms. The May 14 Resolution required PREPA to provide quarterly reports of key performance metrics/indicators, beginning September 15, 2019.

On May 21, 2021, the Energy Bureau issued a Resolution and Order ("May 21 Resolution") establishing baselines and benchmarks for certain performance metrics.¹ The Energy Bureau ordered the Puerto Rico Electric Power Authority ("PREPA") and LUMA Energy, LLC as Management Co., and LUMA Energy ServCo, LLC (collectively, "LUMA") to submit the required quarterly reports using the Excel template ("data template") included as part of the May 21 Resolution.

On January 15, 2023, the Energy Bureau approved an operation and maintenance agreement with GENERA PR, LLC ("Genera").² Genera took over operation of the legacy generation assets beginning on July 1, 2023. While PREPA still owns the assets, Genera became responsible for the performance of the units and reporting data to this docket beginning in FY24.³

On April 3, 2023, the Energy Bureau issued a Resolution and Order ("April 3 Resolution") to update the quarterly report data template in this docket.

On October 20, 2023, LUMA filed its *Submission of Performance Metrics Report for July through September 2023*. As part of its submission, LUMA provided a file containing its performance data called "Resumen Metricas Master_October2023.xlsx" along with supporting data workbooks. The "Resumen Metricas" file also contained data submitted on behalf of Genera. This was the first quarter where Genera was responsible for reporting data.

On December 21, 2023, the Energy Bureau issued a Resolution and Order ("December 21 Resolution") that summarized the fiscal year 2023 performance of LUMA and PREPA.

On January 19, 2024, the Energy Bureau issued a Resolution and Order ("January 19 Resolution") to update the quarterly report data template in this docket. LUMA and Genera were ordered to use this template going forward, starting with the October, November, and December 2023 report.

¹ See Resolution and Order, *In Re: The Performance of the Puerto Rico Electric Power Authority*, Case No. NEPRMI-2019-0007, May 21, 2021 ("May 21 Resolution").

² See Resolution and Order (Energy Compliance Certificate), *In re: Certificate of Energy Compliance*, Case No.: NEPR-AP-2022-0001, January 15, 2023.

³ See, *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement dated as of January 24, 2023 by and among The Puerto Rico Electric Power Authority as Owner, The Puerto Rico Public-Private Partnerships Authority as Administrator, and GENERA PR LLC as Operator*, <https://docs.pr.gov/files/P3-PublicaPrivadas/Projects/Projects/THERMAL%20GENERATION%20FACILITIES/230124-LGA-OM-Agreement.pdf> (last visit, September 19, 2024).



On January 29, 2024, LUMA filed its "Submission of Performance Metrics Report for October through December 2023." This included a motion, a workbook entitled "Copy of Resumen Metricas Master_January2024", along with supporting data workbooks. The "Resumen Metricas" file also contained data submitted on behalf of Genera.

On January 29, 2024, Genera filed its "Motion to Submit Response to Requirement of Information in Compliance with Resolution and Order Dated December 21, 2023, and Quarterly Report of Performance Metrics" ("January 29 Motion"). In Exhibit 1 of this motion, Genera confirmed in its response to ROI 16 of the December 21 Resolution that Genera is tracking the pollutants PM, SO₂, NO_x, CO₂, VOC, and Pb and could report these separately in this docket. In the "Resumen Metricas" file submitted by LUMA, Genera had left comments noting that NME expenses should be categorized as capital, rather than operational expenses in the workbook.

On April 22, 2024, LUMA filed its Submission of Quarterly Report on System Data for January through March 2024 ("April 22 Motion"). This included a motion, a workbook entitled "Resumen Métricas Máster_April2024", along with supporting data workbooks. The "Resumen Metricas" file used the template as finalized by the January 19 Resolution and had data provided to LUMA by Genera. LUMA's motion also renewed its earlier request to add the Toa Baja operational district to the reliability metrics, requested to modify the Days Sales Outstanding-Government ("DSO Government") metric to align with the metric specification adopted in the *In re: Performance Targets for LUMA Energy Servco, LLC*, Case No. NEPR-AP-2020-0025 proceeding ("LUMA Targets Proceeding"), and provided an update on the "Net Work Orders Balance" metric.

On July 10, 2024, the Energy Bureau issued a Resolution and Order ("July 10 Resolution") in which it determined several modifications to make to the quarterly report data template in response to LUMA's template modification requests in its January 29 and April 22 motions and Genera's response to ROI 16 of the Energy Bureau's December 21 Resolution. To maintain consistency in reporting, rather than making modifications in the middle of the reporting year, the Energy Bureau determined that it would make the modifications to the template to be used in the Q1 FY2025 report.

II. Discussion

The changes ordered herein seek to (1) align the data reported in the instant docket with the metric specifications in the *In re: Performance Targets for LUMA Energy Servco, LLC*, Case No. NEPR-AP-2020-0025 proceeding, where applicable, and (2) to increase transparency and clarity around the metrics currently being reported by LUMA and Genera in the instant docket.

A. *Alignment with In re: Performance Targets for LUMA Energy Servco, LLC, Case No. NEPR-AP-2020-0025 Proceeding*

The Energy Bureau has determined it necessary to provide guidance on the specifications of those metrics in the instant docket that have also been identified as performance incentive metrics in the related LUMA Targets Proceeding. The Energy Bureau is aware that some metrics currently reported in the instant docket overlap with metrics in the LUMA Targets Proceeding, but that there may be differences in the definitions and/or calculation methodologies between the two dockets. These discrepancies are largely a result of differences between how PREPA had historically reported the data in the instant docket and the Energy Bureau's final determinations on metric specifications in the LUMA Targets Proceeding.⁴

⁴ Final Resolution and Order on Performance Targets for LUMA Energy Servco, LLC., *In re: Performance Targets for LUMA Energy ServCo LLC* Case No.: NEPR-AP-2020-0025, January 26, 2024.



Alignment of these metric specifications across the instant docket and the LUMA Targets Proceeding will improve clarity, reduce confusion, and eliminate inconsistencies between the data that is being reported in the two dockets. Starting with FY2025, all performance incentive metrics approved by the Energy Bureau in LUMA Targets Proceeding should be tracked and reported on in this docket. Additionally, the specification of these metrics –that is, how each is defined and the specific method for calculation– should be the same across both dockets. Where there is an inconsistency in the definitions and/or calculation methodologies for metrics reported both in the instant proceeding and in the LUMA Targets Proceeding, the definition and calculation methodology prescribed in LUMA Targets Proceeding will prevail, with any needed revisions made to the specification of the metric in the instant proceeding to achieve consistency in reporting across the two proceedings.

The metrics approved by the Energy Bureau for performance incentive in the LUMA Targets Proceeding include:

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1. J.D. Power Customer Satisfaction Survey (Residential Customers);
 2. J.D. Power Customer Satisfaction Survey (Business Customers);
 3. Average Speed of Answer (minutes);
 4. Customer Complaint Rate;
 5. First Call Resolution;
 6. Abandonment Rate;
 7. OSHA Recordable Incident Rate;
 8. OSHA Fatalities;
 9. OSHA Severity Rate;
 10. OSHA DART Rate;
 11. System Average Interruption Frequency Index (SAIFI);
 12. System Average Interruption Duration Index (SAIDI);
 13. Customers Experiencing Multiple Interruptions (CEMI);
 14. Momentary Average Interruption Frequency Index (MAIFI);
 15. Distribution Line Inspections & Targeted Corrections;
 16. Transmission Line Inspections & Targeted Corrections;
 17. T&D Substation Inspections & Targeted Corrections;
 18. NEM Project Activation Duration;
 19. Energy Savings as % of Total Energy Sales;
 20. Peak Demand Savings as % of Total Peak Demand;
 21. Vegetation Maintenance Miles Completed;
 22. Operating Budget;
 23. Capital Budget: Federally Funded;
 24. Capital Budget: Non-Federally Funded;
 25. Days Sales Outstanding: General Customers;
 26. Days Sales Outstanding: Government Customers;
 27. Reduction in Network Line Losses; and
 28. Overtime.

The following subset of metrics are currently already being reported in the instant docket and should be aligned in definition and methodology with the LUMA Targets Proceeding starting in FY2025:

Table 1: Metric crosswalk between NEPR-MI-2019-0007 and NEPR-AP-2020-0025

Metric name in NEPR-MI-2019-0007	Metric name in NEPR-AP-2020-0025
Average speed to answer	Average speed of answer
Call abandonment rate	Abandonment Rate
12-Month Rolling OSHA Recordable Rate	OSHA Recordable Incident Rate
12-Month Rolling OSHA Fatality Rate	OSHA Fatalities
12-Month Rolling OSHA DART Rate	OSHA DART Rate



Metric name in NEPR-MI-2019-0007	Metric name in NEPR-AP-2020-0025
12-Month Rolling OSHA Severity Rate	OSHA Severity Rate
SAIFI (T&D) 12-month rolling average	SAIFI
SAIDI (T&D) 12-month rolling average	SAIDI
MAIFI 12-month rolling average ⁵	MAIFI
Distribution line inspections	Distribution Line Inspections & Targeted Corrections
Transmission line inspections	Transmission Line Inspections & Targeted Corrections
T&D substation inspections	T&D Substation Inspections & Targeted Corrections
Operational expenses vs. budget	Operating Budget
DSO (Days Sales Outstanding) – General Customers	Days Sales Outstanding: General Customers
DSO (Days Sales Outstanding) – Government Customers	Days Sales Outstanding: Government Customers
Overtime	Overtime

In its FY 2025 Q1 report, LUMA should indicate for each metric in Table 1, above, whether the definition and calculation methodology currently used in the instant docket aligns with the approach approved by the Energy Bureau in the LUMA Targets Proceeding.⁶ If there are discrepancies, LUMA should describe any changes needed to align the metrics and begin reporting values that reflect these required changes.

The Energy Bureau would also like to maintain consistency in methodology within the instant docket for metrics that are reported by both LUMA and Genera. In particular, Genera should refer to the Energy Bureau’s determination on the definition of budget metrics in the LUMA Targets Proceeding so that LUMA and Genera are using the same methodology for capital and operating expenses versus budget metrics.

B. Updates to Metrics Reporting Template

Below, the Energy Bureau lists the modifications it has made to the quarterly report data template, which includes the addition, removal, and revision of numerous metrics. This also includes the addition of a new informational tab. An updated data template is included as **Attachment A** to this Resolution and Order. LUMA and Genera should use this updated template starting with the FY2025 Q1 report. To accommodate any additional time that may be required to update the data reporting to use the new template, the Energy Bureau is extending the original reporting deadline by one month, from October 20, 2024 to November 20, 2024.

C. Modifications as Stated in July 10 Resolution

The updated template includes changes previously ordered by the Energy Bureau in its July 10 Resolution, which include:

- 1. Adding new rows to the data template to separate emissions and emissions rates by the pollutants listed in Genera’s January 29 Motion;
- 2. Revision to the categorization of NME spending to reflect that it is a capital rather than an operational expense;

⁵ In the current quarterly data template from the January 19 Resolution, the metric had simply been labeled as “MAIFI”. As part of the updates from this Resolution and Order, the Energy Bureau has revised the template to specify separate lines for monthly MAIFI and MAIFI 12-month rolling average, as is the practice for the other reliability metrics. To date, LUMA has not yet had the required systems in place to track and report data on MAIFI.

⁶ See Final Resolution and Order on Performance Targets for LUMA Energy Servco, LLC. *In re: Performance Targets for LUMA Energy ServCo LLC.*, Case No.: NEPR-AP-2020-0025, January 26, 2024 Table 4 p.20.



3. Adding Toa Baja to the list of operational districts for reliability metrics; and
4. Correcting the monthly thermal generation at San Juan - Combined Cycle from May 2023. The value was originally entered as 275,805 GWh and was corrected to be 275.8 GWh.

D. Addition of Metrics

The updated template also includes the addition of performance incentive metrics approved by the Energy Bureau in the LUMA Targets Proceeding which are not currently tracked in the instant docket.

These include: ⁷

1. J.D. Power Customer Satisfaction Survey (Residential Customers);
2. J.D. Power Customer Satisfaction Survey (Business Customers);
3. Customer Complaint Rate;
4. First Call Resolution;
5. Customers Experiencing Multiple Interruptions (CEMI);
6. NEM Project Activation Duration;
7. Vegetation Maintenance Miles Completed;
8. Capital expenses vs. budget (federally funded); and
9. Capital expenses vs. budget (non-federally funded).

For these additional metrics, LUMA should provide the definition in English and Spanish in its FY2025 Q1 report. The Energy Bureau publishes these definitions as part of the PREPARE Dashboard.

E. Removal of Metrics

The updated template removes some metrics that are deemed to be duplicative of other metrics (e.g., reporting both cumulative and incremental values) or unnecessary for the Energy Bureau to collect on a quarterly basis in this docket. LUMA and Genera should continue to track these metrics internally as necessary for their own operational purposes but are no longer required to report these metrics to the Energy Bureau.

The Energy Bureau has removed the following metrics in the updated template:

1. Technical loss reduction as a percent of net generation;
2. Non-technical loss (NTL) reduction as a percent of net generation;
3. Cash recovered on theft;
4. Timely submission of monthly operating report;
5. Inventory turns;
6. Inventory value;
7. Inventory control;
8. Incremental installed distributed generation capacity- Photovoltaic and Wind
9. Incremental number of distributed generation installations per month- Photovoltaic and Wind;
10. Incremental installed BESS capacity;
11. Incremental number of BESS installations;
12. Timeliness of permitting- new and renewals; and
13. Number of customers on AMI.



⁷ The Energy Bureau is aware that the energy savings and peak demand savings performance metrics are not included in this list. Consistent with the Energy Bureau's determinations in the LUMA Targets Proceeding, the Energy Bureau will add energy efficiency and demand response metrics to the data template once these metrics are approved and finalized by the Energy Bureau as part of LUMA's three-year energy efficiency plan.

F. Addition of methodology tab

To increase the transparency and clarity of the reported data, the Energy Bureau has added a new tab to the data template to gather information about the methodology being used to calculate each metric. This additional detail will help to ensure that stakeholders reviewing the data can more easily interpret the numbers being presented. LUMA and Genera will be responsible for providing this information for each metric and submitting it with the FY2025 Q1 report. This information should detail the steps required to produce the data, along with any relevant formulas and data sources.

III. Conclusion

The Energy Bureau **ISSUES** a revised data template, included as **Attachment A** of this Resolution and Order to reflect the changes discussed above.

The Energy Bureau **ORDERS** LUMA to identify and describe in detail in their FY2025 Q1 quarterly report the changes needed to align the reporting of metrics in this docket listed in Table 1 with the definitions and calculation methodologies approved by Energy Bureau in the LUMA Targets Proceeding⁸.

The Energy Bureau **ORDERS** LUMA and Genera to make any identified methodology changes to the metrics in Table 1 to align them with the LUMA Targets Proceeding beginning with the FY2025 Q1 report.

The Energy Bureau **ORDERS** LUMA and Genera to populate and use the data template included as **Attachment A** of this Resolution and Order for all future quarterly report submissions, starting with the FY 2025 Q1 data to be submitted **on or before November 20, 2024**. Should LUMA be unable to timely provide data on any of the new metrics included in this Resolution and Order, LUMA **SHALL** explain in detail the reason and provide an estimate of when it will be able to provide this information as part of the FY2025 Q1 filing.

The Energy Bureau **WARNS** LUMA and Genera that, in accordance with Act No. 57-2014⁹, as amended:

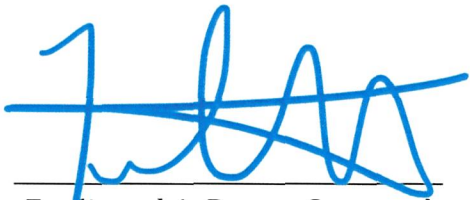
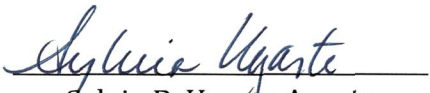
- i. noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
- ii. any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
- iii. for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000), at the discretion of the Energy Bureau.

Be it so notified and published.



⁸ Final Resolution and Order on Performance Targets for LUMA Energy Servco, LLC. *In re: Performance Targets for LUMA Energy ServCo LLC.*, Case No.: NEPR-AP-2020-0025, January 26, 2024 Table 4 p.20.

⁹ Known as *Puerto Rico Energy Transformation and RELIEF Act*, as amended ("Act 57-2014").


Edison Avilés Deliz
Chairman
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 has so agreed on October 18, 2024. I also certify that on October 18, 2024, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau, and was notified by electronic mail to margarita.mercado@us.dlapiper.com, Yahaira.delarosa@us.dlapiper.com; Valeria.belvis@us.dlapiper.com; mvalle@gmlex.net; arivera@gmlex.net; alopez@sbgblaw.com, jfr@sbgblaw.com, hrivera@jrsp.pr.gov, legal@genera-pr.com; regulatory@genera-pr.com.

I sign this in San Juan, Puerto Rico, on October 18, 2024.


Sonia Seda Gaztambide
Clerk

Attachment A

Updated Quarterly Reporting Template *(In original Excel format)*

