

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

IN RE: REQUEST FOR CERTIFICATION
CEN JUNCOS SOLAR, LLC

CASE NO.: NEPR-CT-2019-0003

SUBJECT: Gross Revenues and Financial Statements Report; Operational Report and Annexes. and Request for Confidential Treatment.

RESOLUTION AND ORDER

I. Introduction

On August 8, 2024, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("August 8 Resolution") in which it granted CEN JUNCOS SOLAR, LLC ("CEN JUNCOS") until September 30, 2024, to comply with the July 17 Order¹. In the July 17 Order, the Energy Bureau ordered CEN JUNCOS to: (i) submit a detailed explanation of the discrepancies between the two reported Gross Revenues and the financial statements for the natural year ending on December 31, 2023 in compliance with Section 4.02(H) of Regulation 8701², (ii) submit the Financial Statements certified by a CPA in compliance with Section 4.02(E) of Regulation 8701, and (iii) submit an amended *Gross Revenue and Financial Statements Report* (Form NEPR-B05).

On September 30, 2024, CEN JUNCOS filed a document titled *Motion to Comply with July 17th Resolution and Order* ("September 30 Motion"), with the following documents:

Attachments with Unredacted Documents:

Attachment 1 – Unredacted copy of the report signed by a Certified Public Accountant explaining the cause of the discrepancies between the two reported Gross Revenues and the financial statements for the Natural Year ending on December 31, 2023.

Attachment 2 – Unredacted copy of the compiled financial statements for the year ended on December 31, 2023, duly signed by a Certified Public Accountant.

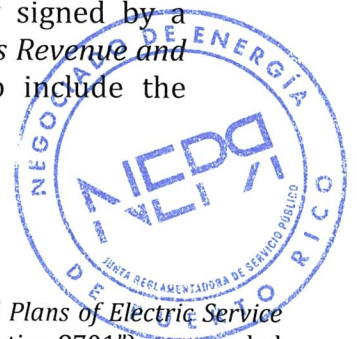
Attachment 3 – Unredacted copy of the *Gross Revenue and Financial Statements Report* (Form NEPR-B05) amended to include the correct financial information.

Attachment with Redacted Documents:

Attachment 4 – (i) Redacted copy of the report signed by a Certified Public Accountant explaining the cause of the discrepancies between the two reported Gross Revenues and the financial statements for the Natural Year ending on December 31, 2023; (ii) Redacted copy of the compiled financial statements for the year ended on December 31, 2023, duly signed by a Certified Public Accountant; and (iii) Redacted copy of the *Gross Revenue and Financial Statements Report* (Form NEPR-B05), amended to include the correct financial information.

¹ Resolution and Order, July 17, 2024 ("July 17 Order").

² *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, Regulation 8701, Energy Bureau, February 17, 2016 ("Regulation 8701"), as amended by Regulation No. 9182, Amendment to Regulation No. 8701, *on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, Regulation 9182, Energy Bureau, June 24, 2020 ("Regulation 9182").



In the September 30 Motion CEN JUNCOS requested confidential treatment to the unredacted financial information submitted in its attachments.

II. Applicable Law and Analysis

Act No. 57-2014³ requires that every Electric Service Company⁴ obtain a certification⁵ to provide services in Puerto Rico, besides presenting specific information under the requirements established by the Energy Bureau. Regulation 8701 establishes the requirements that any electric service company must comply to provide electric services in Puerto Rico.

- A. *August 8 Resolution First Request – Submit a detailed explanation of the financial discrepancies between the reported gross revenues and the financial statements*

Section 4.02(H) of Regulation 8701 requires that in cases where there is a discrepancy between the information provided on the gross income annual report and that provided in the compiled or audited financial statements, whatever the case may be, the Energy Bureau shall grant the electric service company the opportunity to explain said discrepancy and it may require whichever additional information it deems necessary.

In the report submitted by CEN JUNCOS as Attachment 1 with the September 30 Motion, CEN JUNCOS CPA explained that the discrepancy between the Form NEPR-B05 and the financial statements was due to allocation errors in their accounting process reflected in the information submitted to the Energy Bureau.

The Energy Bureau **DETERMINES** CEN JUNCOS complied with the August 8 Resolution.

- B. *August 8 Resolution Second Request - Submit the Financial Statements certified by a CPA in compliance with Section 4.02(E) of Regulation 8701.*

Section 4.02(E) of Regulation 8701 requires that the financial statements must be signed by a Certified Public Accountant.

In the September 30 Motion CEN JUNCOS submitted as Attachment 2 its financial statements for the Natural Year ending on December 31, 2023. The financial statements included an Accountant's Compilation Report duly signed by a Certified Public Accountant.

The Energy Bureau **DETERMINES** CEN JUNCOS complied with the August 8 Resolution.

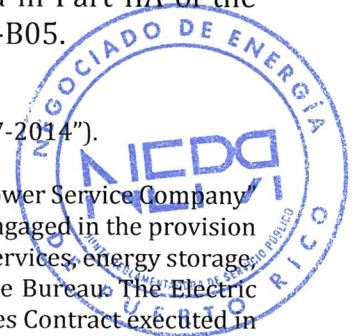
- C. *August 8 Resolution Third Request - Submit an amended Gross Revenue and Financial Statements Report (Form NEPR-B05).*

Section 4.02(A) of Regulation 8701 requires that all electric service companies must inform the gross revenue generated during the preceding Natural Year. The Form established by the Energy Bureau for this information is the *Gross Revenue and Financial Statements Report* (Form NEPR-B05). Due to the correction of the discrepancies indicated in Part IIA of the August 8 Resolution CEN JUNCOS has to submit an amended Form NEPR-B05.

³ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended ("Act 57-2014").

⁴ Section 1.3(l) of Act 57-2014 defines the term "Electric Power Company" or "Electric Power Service Company" as follows: "Shall mean any natural or juridical person or entity, energy cooperative, engaged in the provision of generation services, transmission and distribution services, billing, wheeling, grid services, energy storage, resale of electric power as well as any other electric power service as defined by the Bureau. The Electric Power Authority or its successor as well as any Contractor under a Partnership or Sales Contract executed in relation to PREPA Transactions conducted by virtue of Act No. 120-2018 shall be deemed Electric Power Service Companies for purposes of this Act."

⁵ See Section 6.13 of Act 57-2014. See also Section 1.3(h) of Act 57-2014 which defines the term "Certified" as follows: "Shall mean every electric power service company that has been evaluated and authorized by the Energy Bureau."



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In the September 30 Motion CEN JUNCOS submitted as Attachment 3 an amended *Gross Revenue and Financial Statements Report* (FORM NEPR-B05) with the correct financial information.

The Energy Bureau **DETERMINES** CEN JUNCOS complied with the August 8 Resolution.

III. Confidential Treatment

In the September 30 Motion CEN JUNCOS requested that the financial information attached be granted confidential treatment. CEN JUNCOS submitted redacted and unredacted versions of the documents to comply with Section 6.15 of Act 57-2014, Section 1.15 of Regulation 8701 and the Resolution, *In Re: Policy on Management of Confidential Information in Procedures before the Commission*, CEPR-MI-2016-009, August 31-2016 (“Confidential Treatment Resolution”).

Act No. 57-2014 establishes that any person having the obligation to submit information to the Energy Bureau, may request that any information deemed privileged or confidential be treated in such fashion⁶. Specifically, Act 57-2014 requires from the Energy Bureau to treat as confidential the information submitted provided that “after the appropriate evaluation, believes such information should be protected”⁷. In such case, “the Energy Bureau shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted”⁸.

The Energy Bureau **TAKES NOTICE** of the Information presented by CEN JUNCOS in the September 30 Motion and upon an examination of the arguments brought forth by CEN JUNCOS, the Energy Bureau **GRANTS** confidential designation and treatment to the information contained in its attachments.

IV. Conclusion

The Energy Bureau **GRANTS** confidential designation and treatment to the Confidential Documents, under Article 6.15 of Act 57-2014.

The Energy Bureau **DETERMINES** CEN JUNCOS complied with the August 8 Resolution.

Be it notified and published.

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

⁶ Section 6.15 of Act 57-2014.

⁷ *Id.* at (a)

⁸ *Id.*



Certification

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on October 23, 2024. Also certify that on October 23, 2024, I have proceeded with the filing of this Resolution and was notified by email to: mqs@mcvpr.com; cfl@mcvpr.com and natalie@sixty-west.com.

I sign this in San Juan, Puerto Rico, today, October 23, 2024.



Sonia Seda Gaztambide
Clerk

