

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

NEPR

Received:

Nov 1, 2024

1:16 PM

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY'S PERMANENT RATE

CASE NO.: NEPR-MI-2020-0001

MOTION REQUESTING CONFIDENTIAL COMMUNICATION FROM AAFAF

TO THE HONORABLE ENERGY BUREAU:

COMES NOW, the **PUERTO RICO ELECTRIC POWER AUTHORITY** (PREPA) through its undersigned legal counsel and respectfully States and Prays as follows:

1.1 On October 30, 2024, the Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order ("October 30 Resolution") addressing matters related to PREPA's compliance with its obligations under the Transmission and Distribution System Operation and Maintenance Agreement ("T&D OMA") and the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement ("LGA OMA").

1.2 In its October 30 Resolution, the Energy Bureau referenced a confidential communication from the Secretary of State and Executive Director of the Puerto Rico Fiscal Agency and Financial Advisory Authority ("AAFAF"), Hon. Omar J. Marrero Diaz. Access to this communication would offer important insights into AAFAF's assessment of PREPA's liquidity situation, enable PREPA to thoroughly evaluate its financial constraints, and consider any recommendations that AAFAF may have presented to the Energy Bureau

1.3 Based on the aforementioned, it is respectfully requested that the Energy Bureau provide PREPA with access to the referenced confidential communication from AAFAF.

1.4 This confidential communication appears to be highly relevant to the Energy Bureau's directives and the ongoing proceedings before this body. Access to the AAFAF communication would enable PREPA to better assess and address the financial constraints highlighted therein and to assist the Energy Bureau in reaching an informed resolution on these pressing issues.

1.5 PREPA acknowledges the confidential nature of the communication from AAFAF and is willing to implement appropriate confidentiality measures, including restricted internal access and/or any additional protective provisions deemed necessary by the Energy Bureau, to ensure the information remains secure.

WHEREFORE, PREPA respectfully requests that this Honorable Energy Bureau grant PREPA access to the confidential communication from AAFAF or, in the alternative, establish a secure procedure for PREPA's review of the document to assist in compliance with the October 30 Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico this 1st day of November 2024.

CERTIFICATE OF SERVICE: We hereby certify that this document was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System at <https://radicacion.energia.pr.gov/login>, and courtesy copies were sent via e-mail to

LUMA Energy, LLC through its counsels of record at margarita.mercado@us.dlapiper.com, Yahaira.delarosa@us.dlapiper.com, to Genera PR, LLC through its counsels of record at jfr@sbgblaw.com; alopez@sbgblaw.com, and to AAFAF through Omar Marrero, Esq. at omar.marrero@aafaf.pr.gov.

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