

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

IN RE: ENERGY EFFICIENCY AND DEMAND
RESPONSE TRANSITION PERIOD PLAN

CASE NO.: NEPR-MI-2022-0001

SUBJECT: Resolution and Order to Request
for Extension of Deadlines and Modification
of a Reporting Requirement in Resolution
and Order of October 23, 2024.

RESOLUTION AND ORDER

On August 13, 2024, LUMA¹ submitted to the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") its fourth quarter administrative cost report for Energy Efficiency ("EE") and Demand Response ("DR") programs ("August 13 Motion").² This report briefly described implementation progress, participation, performance, and costs of the EE and DR programs operated in that quarter and some year-to-date information. In its motion, LUMA requested approval for an updated version of the standardized report template as suitable for later filings.

On September 16, 2024, LUMA submitted a motion seeking clarification on the timeline for completing key studies required to prepare the upcoming EE and DR Three-Year Plan ("September 16 Motion").³ LUMA stated that the studies, known as the Market Baseline Study and the Potential Study, were crucial for developing a data-driven plan for EE and DR programs in Puerto Rico. These studies assess the current state of energy efficiency on the island and identify cost-effective opportunities for future savings. The motion emphasized that the results of the Market Baseline and Potential Studies were essential for setting realistic energy savings targets and designing effective EE and DR programs. Without these studies, LUMA argued it would lack the data to optimize resource allocation and meet Puerto Rico's long-term energy efficiency goals.

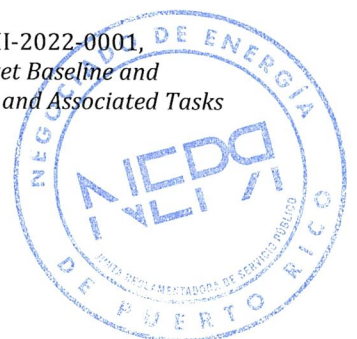
LUMA stated in the September 16 Motion that these studies were in progress and may not be completed until the end of 2024. LUMA requested clarification on the expected completion date of the studies and to extend the deadline to submit the draft Three-Year Plan, which would otherwise be due on December 1, 2024. LUMA proposed a new deadline six months after the studies are finalized, with corresponding extensions for stakeholder engagement and submission of the final plan. Additionally, LUMA requested an extension of the existing Transition Period Plan (TPP), which is set to expire at the end of FY24 on June 30, 2025.

On October 23, 2024, the Energy Bureau issued a Resolution and Order ("October 23 Order"), through which the Energy Bureau conditionally approved LUMA's template for quarterly reports submitted in the August 13 Motion and ordered LUMA to include several changes in

¹ LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred as "LUMA").

² In re: Energy Efficiency and Demand Response Transition Period Plan, Case No. NEPR-MI-2022-0001, Motion to Submit FY2024 Q4 Consolidated Transition Period Plan and Demand Response Administrative Cost Quarterly Report and Request for Approval of Template for these Quarterly Reports, filed by LUMA on August 13, 2024

³ In re: Energy Efficiency and Demand Response Transition Period Plan, Case No. NEPR-MI-2022-0001, Informative Motion, Request for Clarification Regarding Timeline for Completion of Market Baseline and Potential Studies, and Request for Extension of Deadline to File the Draft Three-Year Plan and Associated Tasks and Deadlines, filed by LUMA on September 16, 2024.



the administrative cost reports going forward.⁴ The Energy Bureau also deferred the submission of the draft Three-Year Plan until December 2024, considering the delays in the completion of Market Baseline and Potential studies required by regulation which contain key information for the preparation of the Three-Year Plan. The Energy Bureau ordered deadlines to start stakeholder engagement by April 15, 2025, and file the Three-Year Plan on or before July 15, 2025.⁵ In addition, the Energy Bureau ordered to prepare and file a revised TPP and proposed permanent Customer Battery Energy Sharing (“CBES”) program by December 2, 2024, and a new proposed backup generator emergency DR program to be implemented by June 2025 and subject to monthly reporting starting on January 15, 2025.⁶

JAN On November 25, 2024, LUMA filed a document titled *Motion for Extension of Deadlines and Modification of a Reporting Requirement in Resolution and Order of October 23, 2024* (“November 25 Motion”) through which LUMA explains that it will need an additional sixty (60) days to conduct the necessary analysis to complete and submit a revised TPP. LUMA states that the revised TPP will be the precursor to the ramp-up of cost-effective programs to be included in the Three-Year Plan, including the transition from pilot to permanent CBES program and is important for LUMA to analyze as much program data as it can to provide insights on potential adjustments to the TPP programs.⁷ Also, since the revised TPP will set the stage for the permanent CBES program, LUMA is requesting additional time to comply with the submission of the permanent CBES program.⁸ LUMA asserts that the proposed extension of time will not affect the deadline to prepare the draft Three-Year Plan or submit the final Three-Year Plan. *am*

The Energy Bureau **TAKES NOTICE** of LUMA’s request and **GRANTS** LUMA until **January 31, 2025**, to complete and submit the revised TPP and permanent CBES program.

lm LUMA is also requesting the Energy Bureau to modify the frequency of the reporting ordered in the October 23 Order regarding the new proposed backup generator emergency DR program from monthly reports to quarterly to ensure better allocation of resources and informative reports.

The Energy Bureau established a monthly reporting frequency to account for the need to receive updates throughout the winter and spring as the program is being developed and launched, to understand and address any delays in the program and what resources will be available for the summer peak season. The Energy Bureau **DENIES** LUMA’s request to modify the frequency of reporting on the new proposed backup generator emergency DR program, which stays as a monthly report.

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7 Be it notified and published.

⁴ October 23 Order, p. 2.

⁵ *Id.*

⁶ *Id.*

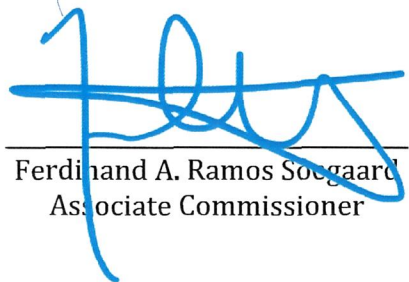
⁷ November 25 Motion, p. 14.

⁸ November 25 Motion, p. 15.






Edison Avilés Deliz
Chairman

Lillian Mateo Santos
Associate Commissioner

Ferdinand A. Ramos Soogaard
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 December 5, 2024. I also certify that on December 5, 2024 a copy of this Resolution and Order was notified by electronic mail to julian.angladapagan@us.dlapiper.com; margarita.mercado@us.dlapiper.com; laura.rozas@us.dlapiper.com; lionel.santa@prepa.pr.gov, hriviera@jrsp.pr.gov; javrua@sesapr.org; mrios@arroyorioslaw.com; jordgraham@tesla.com; forest@cleanenergy.org; customerservice@sunnova.com; pjcleanenergy@gmail.com; agraitfe@agraitlawpr.com, info@sesapr.org; shanson@veic.org. I also certify that today, December 5, 2024, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today December 5, 2024.



Sonia Seda Gaztambide
Clerk