

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

**NEPR**

**Received:**

**Dec 9, 2024**

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**IN RE:**

REVIEW OF THE PUERTO RICO  
ELECTRIC POWER AUTHORITY'S 10-  
YEAR INFRASTRUCTURE PLAN –  
DECEMBER 2020

**CASE NO.:** NEPR-MI-2021-0002

**SUBJECT:** Motion to Submit Monthly BESS  
Progress Report in Compliance with Resolutions  
and Orders Dated February 1, 2024, and April  
23, 2024

**MOTION TO SUBMIT MONTHLY BESS PROGRESS REPORT IN  
COMPLIANCE WITH RESOLUTIONS AND ORDERS  
DATED FEBRUARY 1, 2024, AND APRIL 23, 2024**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES NOW GENERA PR LLC** (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),<sup>1</sup> through its counsels of record, and respectfully submits and prays as follows:

1. On February 1, 2024, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order titled *Determination on GENERA's November 21 Motion Submitting Response in Compliance with the Resolution and Order Dated November 8, 2023, and Requesting a Time Extension to Provide the Detailed Scope of Work per Site* (“February 1<sup>st</sup> Order”). In the February 1<sup>st</sup> Order, the Energy Bureau approved the projects included in Attachment A therein and noted that Genera is required to present these approved projects to the Federal Emergency Management Agency (“FEMA”) and the Puerto Rico

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<sup>1</sup> Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera, Genera is the sole operator and administrator of the Legacy Generation Assets (defined in the LGA OMA) the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services (as defined in the LGA OMA) provided by Genera under the LGA OMA.

Central Office for Recovery, Reconstruction and Resiliency (“COR3”) to finalize their approval process.

2. Additionally, in the February 1<sup>st</sup> Order, the Energy Bureau ordered Genera to submit **monthly** reports on the progress of the interconnection studies to be undertaken by LUMA<sup>2</sup>, as well as updates on the development status of the detailed Scope of Works (“SOW”) and the Battery Energy Storage System (“BESS”) Request for Proposals (“RFP”) (“Monthly Progress Report for the BESS Project”).

3. On April 23, 2024, the Energy Bureau issued a Resolution and Order titled *Resolution and Order on Motion to Submit Scope of Work in Compliance with Resolution and Order dated November 8, 2023, filed by Genera on March 28, 2024 and Memorandum of Law in Support of Confidential Treatment of Scope of Work Submitted on March 28, 2024, in Compliance with Resolution and Order dated November 8, 2023, filed by Genera on April 8, 2024* (“April 23<sup>rd</sup> Resolution”). In the April 23<sup>rd</sup> Resolution, pertinent to this motion, the Energy Bureau reiterated to Genera the February 8<sup>th</sup> Order regarding the Monthly Progress Report for the BESS Project and, additionally, directed Genera to include in the Monthly Progress Report for the BESS Project any updated information concerning the locations and MW quantities comprising the total of 430 MW of BESS projects across the full set of nine (9) project locations originally included in the October 27<sup>th</sup> Motion<sup>3</sup> and referenced in Figure 1 of Exhibit A to the March 28<sup>th</sup> Motion<sup>4</sup>.

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<sup>2</sup> LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as "LUMA")

<sup>3</sup> See, *In re: Review of the Puerto Rico Electric Power Authority's 10-Year Infrastructure Plan – December 2020*, Case No. NEPR-MI-2021-0002, *Amended Motion for Leave to Submit Amendment to Project and 406 BESSs Initial Scope of Work*, filed by Genera on October 27, 2023 (“October 27<sup>th</sup> Motion”).

<sup>4</sup> See, *In re: Review of the Puerto Rico Electric Power Authority's 10-Year Infrastructure Plan – December 2020*, Case No. NEPR-MI-2021-0002, *Motion to Submit Scope of Work in Compliance with Resolution and Order dated November 8, 2023*, filed by Genera on March 28, 2024 (“March 28<sup>th</sup> Motion”).

4. In compliance with the February 1<sup>st</sup> Order and the April 23<sup>rd</sup> Resolution, Genera respectfully submits to the Energy Bureau its Monthly Progress Report for the BESS Project for the month of November as *Exhibit A* to this motion.

**WHEREFORE**, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **deem** Genera to be in partial compliance with the February 1<sup>st</sup> Order and April 23<sup>rd</sup> Resolution.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 9<sup>th</sup> day of December 2024.

**ECIJA SBGB**  
PO Box 363068  
San Juan, Puerto Rico 00920  
Tel. (787) 300.3200  
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo  
Jorge Fernández-Reboredo  
jfr@sbgbllaw.com  
TSPR 9,669

/s/ Alejandro López-Rodríguez  
Alejandro López-Rodríguez  
alopez@sbgbllaw.com  
TSPR 22,996

## CERTIFICATE OF SERVICE

We hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that we will send an electronic copy of this motion to the PREPA's counsel, Mirelis Valle Cancel, at [mvalle@gmlex.net](mailto:mvalle@gmlex.net), and Alexis Rivera, at [arivera@gmlex.net](mailto:arivera@gmlex.net); and to LUMA's counsel, Margarita Mercado, at [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com), and Yahaira De La Rosa, at [yahaira.delarosa@us.dlapiper.com](mailto:yahaira.delarosa@us.dlapiper.com).

In San Juan, Puerto Rico, this 9<sup>th</sup> day of December 2024.

/s/ Alejandro López-Rodríguez  
Alejandro López-Rodríguez

Exhibit A.  
Monthly Progress Report for the BESS Project

Docket Number: NEPR-MI-2021-0002

IN RE: REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY'S 10-YEAR  
INFRASTRUCTURE PLAN – DECEMBER2020

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### **BEES Monthly Report – November 2024**

Genera filed on November 29, 2024, a motion to inform the Energy Bureau of the limited waiver of the incentive payment related to the Vega Baja units decommissioning. Genera did this with the aim of expediting the final approval of the decommissioning activities, since the waiver would obviate the need to address complex questions around funding for incentives and OMA obligations at this time. Final approval of the waiver would allow for the commencement of the physical decommissioning activities and avoidance of further delays.

This waiver followed the filing by Genera on November 18, 2024, of a redline version of the Proposed Decommissioning Plan reflecting changes in compliance with the Energy Bureau's November 13, 2024, Resolution.

Other updates:

#### ***Cambalache RFP:***

- Oct. 14, 2024 – Published BESS Installation RFP for Cambalache Project.
- Oct. 16, 2024 – BESS RFP Presentation Kick Off Meeting
- Oct. 30, 2024 – Principles Presentation (Civil, Architectural, Mechanic, Electrical)
- Dec. 6, 2024 – BESS RFP Proposal Submission

#### ***Vega Baja***

- Oct. 18, 2024 – Demolition RFP Awarded to Homeca
- Nov. 12, 2024 – Public-Private Partnerships Authority (P3A) approval of the Contract for Demolition activities to Homeca

#### ***Palo Seco***

- Nov. 4, 2024 – Request for information regarding the Palo Seco decommissioning sent by LUMA, after a Notice for Decommissioning was

requested by Genera to the P3A. Genera to provide responses as soon as possible.

### ***Interconnection***

- Nov. 26, 2024 – Scopes of Work for Cambalache, Vega Baja, Aguirre, Palo Seco and Yabucoa submitted for LUMA's evaluation, as agreed during the in-person meeting on Nov. 20, 2024. Information sent to LUMA will provide a real cost and time expectancy for the interconnection study.

### ***Permits***

- Nov. 6, 2024 – DNER approval of Rule 141 Vega Baja
- Nov. 20, 2024 – DNER approval of Rule 141 for Aguirre, Palo Seco, Yabucoa and Cambalache
- For the Vega Baja site, Rule 13 to be submitted to Planning Board in Dec. 2024. The Elevation Certificate is used to document floodplain management compliance for Post-Flood Insurance Rate Map. Rule 13 also to be filed for Cambalache and Costa Sur.

### ***Procurement***

- October 3, 2024 – BESS Notice of Intend to Award issued to Tesla
- Genera in process of finalizing the Contract with Tesla for submittal to P3A and FOMB in December 2024 for their evaluation and approval. Once approved, an initial payment to be issued according to the terms and conditions of the agreement.