

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

<b>NEPR</b>
<b>Received:</b>
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**IN RE:**  
IN RE: PUERTO RICO ELECTRIC POWER  
AUTHORITY PERMANENT RATE

**CASE NO. NEPR-MI-2020-0001**

**SUBJECT: Urgent Request for Extension of  
Time to Comply with the December 6<sup>th</sup> Order**

**URGENT REQUEST FOR EXTENSION OF TIME TO COMPLY WITH THE  
DECEMBER 6<sup>TH</sup> ORDER**

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

COME NOW LUMA Energy, LLC (“ManagementCo”), and LUMA Energy Servco, LLC (“ServCo”) (jointly referred to as the “Operator” or “LUMA”), through the undersigned counsel, and respectfully state and request the following:

1. On September 16, 2024, LUMA filed before the Puerto Rico Energy Bureau (“Energy Bureau”) a *Motion Submitting Quarterly Reconciliations and FCA, PPCA, and FOS Calculated Factors and Request for Confidential Treatment* (“September 16<sup>th</sup> Submission”). LUMA submitted the quarterly reconciliations for the Fuel Charge Adjustment (“FCA”) and Purchased Power Charge Adjustment (“PPCA”) riders for June through August 2024, and the calculated proposed factors for the FCA, PPCA, and Fuel Oil Subsidy (“FOS”) riders for the period from October 1 until December 31, 2024. As part of the filing, LUMA included Excel spreadsheets filed publicly and confidential Excel spreadsheets with formulae intact.

2. On September 24, 2024, the Energy Bureau entered a Resolution and Order in which it requested LUMA to provide or clarify certain information (“September 24<sup>th</sup> Order”). The

Energy Bureau issued a second request for information directed to Genera PR, LLC (“Genera”) to be fulfilled by the same deadline<sup>1</sup>.

3. On September 26, 2024, LUMA filed a *Motion in Partial Compliance with Resolution and Order of September 24, 2024*. LUMA submitted its responses to the requests for information posed by the Energy Bureau in Attachment A of the September 24<sup>th</sup> Order, together with supporting materials.

4. On September 26, 2024, Genera provided the information pertaining to the requests for information concerning the Puerto Rico Electric Power Authority (“PREPA”)’s Thermal Generation Facilities.

5. On September 26, 2024, LUMA filed a *Motion in Further Compliance with Resolution and Order of September 24, 2024*. Therein, LUMA submitted the outstanding responses provided by Genera to the requests for information posed by the Energy Bureau in Attachment A of the September 24<sup>th</sup> Order.

6. Thereafter, on September 27, 2024, LUMA filed a *Second Motion in Further Compliance with Resolution and Order of September 24, 2024*, whereby LUMA submitted its responses to the requests for information in Attachment B of the September 24<sup>th</sup> Order and supporting materials.

7. On that same day, September 27, 2024, Genera filed a *Motion to Submit Amended Responses to Request for Information Issued on September 24 2024*.

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<sup>1</sup> On September 25, 2024, LUMA filed an *Urgent Informative Motion on Resolution and Order of September 24, 2024, and Partial Request for Extension to Submit Responses to Attachment B*. Therein, LUMA requested a brief extension until noon on September 27, 2024, to file its responses to the Energy Bureau’s requests for information in Attachment B. On that same day, September 25, 2024, the Energy Bureau issued a Resolution and Order granting LUMA until noon on September 27, 2024, to submit its responses to the requests for information included in Attachment B of the September 24<sup>th</sup> Order (“September 25<sup>th</sup> Order”).

8. On September 30, 2024, this Energy Bureau entered a Resolution and Order maintaining the previous quarter's FCA, PPCA, and FOS factors to the period from October 1, 2024, until December 31, 2024, or until this Energy Bureau modifies them ("September 30<sup>th</sup> Order").

9. On October 1, 2024 ("October 1<sup>st</sup> Order"), this Energy Bureau requested LUMA to provide or clarify certain information and included several requests in Attachments A and B of said Order. The Energy Bureau granted LUMA until October 8, 2024, at 2 p.m., to file the requested information.

10. On October 8, 2024, LUMA filed a *Motion in Compliance with Resolution and Order of October 1, 2024*. Therein, LUMA submitted its responses to the requests for information posed by the Energy Bureau Attachments A and B of the October 1<sup>st</sup> Order and supporting materials in form of two (2) pdf files titled "*Annex A\_System Status Daily Update (June 2024-August 2024).pdf*" and "*Annex C\_Jun-Aug 2024 Fuel Purchased Power Drivers.pdf*" and in the form of an Excel spreadsheet titled "*Annex D\_Estimated Incremental Fuel Costs Analysis for June-August 2024.xlsx*". In addition, LUMA included Genera's responses to certain requests for information, as reflected in Annex B, which was included with the submission.

11. On October 16, 2024 the Energy Bureau entered a Resolution and Order ("October 16<sup>th</sup> Order"), indicating that LUMA should provide more precise information in connection with the request for information of Attachment B of the October 1<sup>st</sup> Order regarding dispatch, including a precise and reasonable estimate of when the information would be available.

12. On October 21, 2024, LUMA filed a *Motion in Compliance with the Resolution and Order of October 16, 2024*. LUMA submitted its estimate of when the supplemental information

requested in Attachment B of the October 1<sup>st</sup> Order would be available and offered to file the information by November 15, 2024.

13. On November 18, 2024, after submitting a request for a brief extension of time, *see Urgent Request for Extension to Submit LUMA's Supplemental Responses to Attachment B of the October 1st Order*, LUMA filed a *Motion Submitting LUMA's Supplemental Responses to Attachment B of the October 1st Order* ("November 18<sup>th</sup> Motion"), through which it submitted its supplemental responses to the requests for information of Attachment B of the October 1<sup>st</sup> Order.

14. During the evening hours of Friday, November 22, 2024, this Energy Bureau served notice of a Resolution and Order ("November 22<sup>nd</sup> Order"), whereby it ordered LUMA to:

(i) Provide a detailed description of the generation dispatch sequence that was implemented during the June 2, 2024 and June 12, 2024 blackouts, specifying the activated generating units and the operating time of each unit.

(ii) Submit a breakdown of the fuel costs incurred due to the use of the generating units during the massive of June 2, 2024 and June 12, 2024 blackouts, versus the costs of the dispatch sequence if such events had not occurred.

*See* November 22<sup>nd</sup> Order, p. 2 (translation ours).

15. LUMA was granted up until Monday, December 2<sup>nd</sup>, 2024, at noon (12:00 p.m.), to file its responses to the requests for information issued by this Energy Bureau in the November 22<sup>nd</sup> Order.

16. On November 26, 2024, LUMA filed an *Urgent Request for Extension of Time to Comply with the November 22<sup>nd</sup> Order* ("November 26<sup>th</sup> Request"). Therein, LUMA informed this honorable Energy Bureau that, despite its best efforts, it required a brief extension of forty-eight (48) hours, up until Wednesday, December 4<sup>th</sup>, 2024 to file its response in compliance with the November 22<sup>nd</sup> Order.

17. On December 2, 2024, this Energy Bureau granted LUMA's November 26<sup>th</sup> Request and, consequently, extended the deadline for LUMA's filing in response to the November 22<sup>nd</sup> Order up to, and including, December 4, 2024 at noon. *See* Resolution and Order of December 2, 2024 ("December 2<sup>nd</sup> Order").

18. Accordingly, on December 4, 2024, LUMA filed its *Motion in Compliance with the November 22<sup>nd</sup> Order* ("December 4<sup>th</sup> Motion"), whereby it submitted information in compliance with the November 22<sup>nd</sup> Order.

19. Thereafter, on December 6, 2024, this Energy Bureau issued a new Resolution and Order ("December 6<sup>th</sup> Order"). It stated that, upon evaluation of the responses submitted by way of LUMA's December 4<sup>th</sup> Motion, the Energy Bureau had additional follow-up questions, contained in Attachment A of the December 6<sup>th</sup> Order. The Energy Bureau ordered LUMA to respond to the referenced requests of information on or before December 11, 2024 at noon.

20. LUMA has arduously worked – and continues to work – to address the Energy Bureau's request for additional information regarding the dispatch sequence used during the blackouts of June 2 and 12, 2024 as well as associated costs, by today's deadline. However, despite its best efforts, LUMA respectfully informs that it requires a brief extension of time to finalize its responses in compliance with the December 6<sup>th</sup> Order.

21. Accordingly, LUMA respectfully requests an extension of five (5) hours, up until today, December 11<sup>th</sup>, 2024, at 5 p.m., to comply with the December 6<sup>th</sup> Order.

22. It is respectfully informed that this request for extension is made in good faith and is not intended to cause unnecessary delay.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the above; **grant** this *Urgent Request for Extension* and, consequently, **grant** LUMA until today, December 11<sup>th</sup>, 2024, at 5 p.m., to comply with this Energy Bureau's December 6<sup>th</sup> Order.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, on this 11<sup>th</sup> day of December 2024.

I hereby certify that this Motion was filed using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to the Puerto Rico Electric Power Authority, through: Alexis Rivera, [arivera@gmlex.net](mailto:arivera@gmlex.net); Juan M. Martínez Nevárez, [jmartinez@gmlex.net](mailto:jmartinez@gmlex.net); and Juan R. González Galarza, [jgonzalez@gmlex.net](mailto:jgonzalez@gmlex.net); to Genera PR, LLC through: Luis Roman Negrón, [lrn@roman-negron.com](mailto:lrn@roman-negron.com); [legal@genera-pr.com](mailto:legal@genera-pr.com); and [regulatory@genera-pr.com](mailto:regulatory@genera-pr.com); and to the Independent Consumer Protection Office, through Director Hannia Rivera, [hrivera@jrsp.pr.gov](mailto:hrivera@jrsp.pr.gov).



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