

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

IN RE: LUMA'S ACCELERATED STORAGE
ADDITION PROGRAM

CASE NO.: NEPR-MI-2024-0002

SUBJECT: Resolution pertaining to *Informative Motion*, filed by the Puerto Rico Electric Power Authority and *Informative Motion and to Submit Evidence of PREPA Governing Board Approval of Three Phase 1 SO Agreements, In Compliance with Resolution and Order of December 4, 2024, and Request for Confidentiality*, filed by LUMA Energy, LLC and LUMA Energy ServCo, LLC.

RESOLUTION

On December 4, 2024, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") ordered LUMA Energy, LLC and LUMA Energy ServCo, LLC (referred to jointly as "LUMA") to provide, within seven (7) days, evidence that the Puerto Rico Electric Power Authority ("PREPA") approved the filed *Accelerated Storage Addition Program* ("ASAP") Phase 1 Standard Offer Agreements ("SO Agreements").

On December 10, 2024, PREPA filed a document titled *Informative Motion* ("December 10 Motion"), in which it informed that, through Resolution 5163 submitted as Exhibit 1 to the December 10 Motion, PREPA's Governing Board approved three (3) SO Phase 1 Agreements.¹ PREPA also submitted the referenced agreements as approved by its Governing Board as Exhibits 2, 3, and 4 to the December 10 Motion.

On December 11, 2024, LUMA filed a document titled *Informative Motion and to Submit Evidence of PREPA Governing Board Approval of Three Phase 1 SO Agreements, In Compliance with Resolution and Order of December 4, 2024, and Request for Confidentiality* ("December 11 Motion"). In its December 11 Motion, LUMA submitted that its statement regarding the approval of the three (3) SO Phase 1 Agreements by PREPA's Governing Board was based on a recording of PREPA's Governing Board held on November 18, 2024 and provided a link to the recording.² LUMA also referenced the written resolution of this determination submitted by PREPA in its December 10 Motion.³ Additionally, LUMA informed that on November 26, 2024, PREPA requested LUMA to correct minor typographical errors in the three (3) SO Phase 1 Agreements to finalize them (identified in Exhibit 1 to the December 11 Motion), which LUMA did and submitted to PREPA on December 6, 2024.⁴ LUMA further requested that the Energy Bureau grant confidential treatment to Exhibit 1 to the December 11 Motion and filed a redacted version as the public version of the Exhibit. LUMA stated that Exhibit 1 includes confidential trade secret information and personal information that should not be disclosed, including the names of Phase 1 participants, as well as names of individuals, phone numbers, and email addresses, which LUMA submitted should remain confidential until the respective SO Agreements are executed.⁵

The Energy Bureau **TAKES NOTICE** of the December 10 and 11 Motions. Regarding Exhibits 2, 3, and 4 to the December 10 Motion (SO Agreements), the Energy Bureau **GRANTS** confidential designation and treatment on the grounds of containing trade secrets, in

¹ December 10 Motion, p. 5, ¶9.

² December 11 Motion, p. 4, ¶8.

³ *Id.*

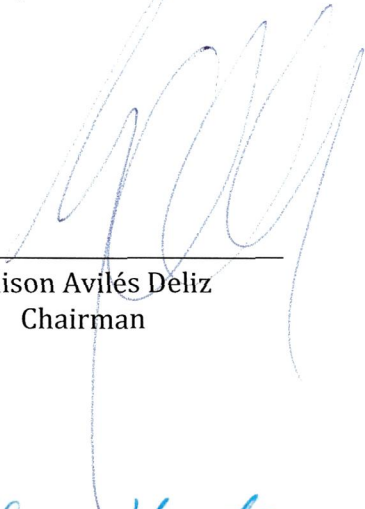
⁴ *Id.*, pp. 4 – 5, ¶9.

⁵ *Id.*, pp. 9 – 14, ¶¶ 22 – 28.

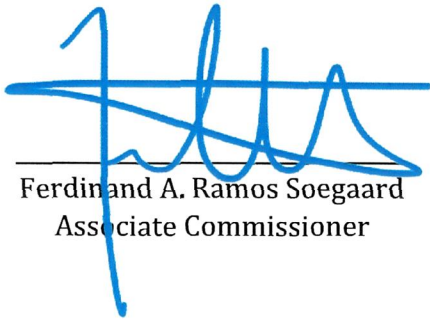


accordance with our Resolution issued on December 6, 2024. The Energy Bureau further **GRANTS** LUMA’s request to keep confidential Exhibit 1 to the December 11 Motion on the grounds of containing trade secrets and personal information and **TAKES NOTICE** that LUMA submitted a redacted version of such document, in compliance with the Energy Bureau’s Policy in Management of Confidential Information.

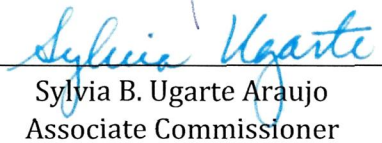
Be it notified and published.



Edison Avilés Deliz
Chairman



Ferdinand A. Ramos Soegaard
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 agreed on December 12, 2024. Associate Commissioner Lillian Mateo Santos did not intervene. Also certify that on December 12, 2024, I have proceeded with the filing of this Resolution and was notified by email to yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; arivera@gmlex.net.

I sign this in San Juan, Puerto Rico, today, December 12, 2024.


Sonia Seda Gaztambide
Clerk