

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

**NEPR**

**Received:**

**Jan 14, 2025**

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**IN RE: THE DEPLOYMENT OF  
ELECTRIC VEHICLE INFRASTRUCTURE**

**CASE NO. NEPR-MI-2021-0013**

**SUBJECT: Informative Motion on Progress of DDEC Study in Compliance with Resolution and Order of August 11, 2023, as Modified by Resolution and Order of December 12, 2023**

**INFORMATIVE MOTION ON PROGRESS OF DDEC STUDY IN COMPLIANCE  
WITH RESOLUTION AND ORDER OF AUGUST 11, 2023, AS MODIFIED BY  
RESOLUTION AND ORDER OF SEPTEMBER 12, 2023**

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

**COMES now LUMA Energy ServCo, LLC (“LUMA”),** through the undersigned legal counsel, and respectfully states and requests the following:

**I. Introduction**

As the electric system operator, LUMA is responsible for facilitating the implementation of Puerto Rico’s energy public policy, including supporting initiatives such as the Electric Vehicle (“EV”) Market Study. This motion provides an update on the status of the study following the Request for Proposals (“RFP”) issued by the Department of Economic Development and Commerce (“DDEC”, by its Spanish acronym) on March 21, 2024. As informed by DDEC, the proposals received through the RFP exceeded the available budget, leading to the rejection of all submissions.

LUMA and DDEC have engaged in bi-weekly meetings to discuss a viable path forward for the study. Among the solutions discussed were the potential involvement of an expert from the University of Puerto Rico, Mayagüez (“UPRM”), to help streamline the RFP process and reduce costs, as well as LUMA conducting a de-scoping analysis. This analysis aimed to identify the most

essential components of the EV Market Study in an attempt to make the project more streamlined and financially feasible while achieving its core objectives.

## **II. Relevant Background and Procedural History**

1. On January 13, 2023, the Energy Bureau issued a Resolution and Order (“January 13<sup>th</sup> Resolution and Order”), making, among others, findings and determinations regarding the Draft of the First Phase of an EV Charging Infrastructure Development Plan (“Phase I EV Plan”) filed by LUMA on September 1, 2022<sup>1</sup>, including mandating LUMA to “[p]roduce an analysis that reflects the likely effects of federal funding on (a) EV load and (b) charging infrastructure buildout on the company’s distribution system” and to file a Final Phase I EV Plan by April 30, 2023. *See* January 13<sup>th</sup> Resolution and Order, p 5.

2. On May 1, 2023, LUMA submitted to the Energy Bureau the Final Phase I EV Plan in the form of a document titled Puerto Rico’s Electric Vehicle Adoption Plan (“PR-EVAP”). *See Motion to Submit Final Phase I EV Plan in Compliance with Resolution and Order of January 13, 2023*. In what is pertinent to this Motion, in the PR-EVAP, LUMA indicated that it would “work closely with the DDEC to commission an accurate analysis to identify impacts on EV load and charging infrastructure buildout on the company’s distribution system”. *See id.*, Exhibit 1, p.31.

3. On June 6, 2023, the Energy Bureau issued a Resolution and Order (“June 6<sup>th</sup> Resolution and Order”) taking notice of the filing of the PR-EVAP and making various findings and determinations. In what is pertinent to this motion, the Energy Bureau indicated that LUMA had not updated its EV load and charging infrastructure buildout analysis “to reflect the potential effects of federal funding” and did not “provide dates for [the study with DDEC] to be completed, or which entity will fund it.” *See* June 6<sup>th</sup> Resolution and Order, p. 3.

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<sup>1</sup> As corrected by the September 2<sup>nd</sup> Motion. The term “Draft Phase I EV Plan” as used in this Motion refers to this corrected version.

4. On July 13, 2023, LUMA submitted a motion to the Energy Bureau (“July 13<sup>th</sup> Motion”) requesting clarification of various aspects of the June 6<sup>th</sup> Resolution and Order, including requesting the Energy Bureau to take notice that LUMA cannot conduct a meaningful buildout analysis until the DDEC completes the market study (which includes a market research study on the sale and demand of electric vehicles and plug-in hybrid vehicles in Puerto Rico) (“DDEC Study”), which study will be funded by DDEC, and to grant a term for LUMA to complete the requested update to the EV load and charging infrastructure buildout analysis, following the completion of the DDEC Study. *See Motion to Request Clarification of Resolution and Order of June 6, 2023*, p. 18.

5. On August 11, 2023, the Energy Bureau issued a Resolution and Order (“August 11<sup>th</sup> Resolution and Order”) determining, among others, to accept LUMA's request to update the EV load and charging infrastructure buildout analysis after the DDEC Study is completed. *See August 11<sup>th</sup> Resolution and Order*, p. 4. The Energy Bureau also ordered LUMA to:

(i) inform the Energy Bureau every two (2) weeks, commencing on August 31, 2023 of the progress of the DDEC [S]tudy, (ii) file a copy of the DDEC [S]tudy with the Energy Bureau within five (5) days after its completion, and (iii) complete the update to the EV load and charging infrastructure buildout analysis to reflect the potential effects of federal funding, within forty- five (45) days after the DDEC [S]tudy completion.

*See id.* (Emphasis added.)

6. On August 31, 2023, LUMA filed a *Motion Submitting Progress Report on DDEC Study in Compliance with Resolution and Order of August 11, 2023, and Request for Change in Reporting Frequency* (“August 31<sup>st</sup> Motion”) whereby LUMA submitted, as an Exhibit 1, a first progress report on the status of the DDEC Study up to that date.

7. In the August 31<sup>st</sup> Motion, LUMA also requested the Energy Bureau to reduce the frequency of these progress reports to create more efficiencies in the preparation efforts, as well

as to achieve more meaningful reports. Specifically, LUMA proposed to file two interim reports (one at kick-off and one at close out), and a final report with the final study.

8. On September 12, 2023, the Energy Bureau issued a Resolution and Order (“September 12<sup>th</sup> Resolution and Order”) modifying the progress report filing frequency to: “(a) one interim report at kick-off, which LUMA SHALL file five (5) calendar days from the commencement of the DDEC Study; (b) one interim report at close out, which LUMA SHALL file five (5) calendar days from the DDEC Study close out; and (c) a final report, which LUMA SHALL file with the Energy Bureau within five (5) days from the completion of the DDEC Study and accompany the same with a complete and exact copy of the DDEC Study”. *See* September 12<sup>th</sup> Resolution and Order, p. 1. The Energy Bureau determined that LUMA shall “provide updates to the Energy Bureau on significant changes on the progress of the DDEC [S]tudy outside of the foregoing reporting schedule”. *See id.* , p. 1.

9. In the September 12<sup>th</sup> Order, the Energy Bureau also determined that LUMA “shall complete the update on the EV loading and Charging infrastructure buildout analysis within forty-five (45) days from the completion of the DDEC Study”. *See id.*

## **II. Information on Progress of DDEC Study**

10. LUMA hereby provides, in *Exhibit 1*, an update on the status of the DDEC Study and its ongoing collaboration with DDEC towards the study’s commencement.

**WHEREFORE**, LUMA respectfully requests the Energy Bureau to take notice of the aforementioned.

**RESPECTFULLY SUBMITTED**

In San Juan, Puerto Rico, this 14<sup>th</sup> day of January, 2025.

We hereby certify that we filed this motion using the electronic filing system of this Energy Bureau and that we will send an electronic courtesy copy of this motion to the attorneys for

PREPA, Mirelis Valle Cancel, mvalle@gmlex.net and Alexis Rivera, arivera@gmlex.net, and to the Independent Office of Consumer Protection by submittal to Hannia Rivera, hrivera@jrsp.pr.gov. LUMA understands that other participants or stakeholders in this proceeding will be notified as a result of the publicity of the filings in this process. Notwithstanding, LUMA will send a courtesy copy of the filing to the following stakeholders: agalloza@aggpr.com; alberto.cortes@warrendelcaribe.com; aldo@skootel.com; angel.d.rodriguez@outlook.com; antonio@velocicharge.com; apietrantoni@pmalaw.com; azayas@azeng.net; bigwheelcorp@gmail.com; blazquezmalu@gmail.com; brightsunpr@gmail.com; carlosxcedeno@gmail.com; clrivera@caguasexpressway.com; flota@caguasexpressway.com; cnegrette@solrenew.com; CR.Tejera@ddec.pr.gov; dacosta@aggpr.com; daniel.perez@totalenergies.pr; dcordova@group-em.com; direxec@ciapr.org; divine.energy@hotmail.com; ecruz@pmalaw.com; eduardo.pinera@toyota.com; Edwin.Acevedo@ddec.pr.gov; emelyies.torres@toyota.com; epenergypr@gmail.com; erica.cosme@gsonnell.com; Fberrios@peritoselectricistas.org; francisco.berrios@hotmail.com; franciscojrullan@yahoo.com; gerard.berlinski@toyota.com; gerardo\_cosme@solartekpr.net; gperez@solrenew.com; hamely@motorambar.net; ialsina@plazalasericas.com; idiaz@glenninternational.com; info@carlosmatta.com; jack@pantekpartners.com; jameauxl@aim.com; jan.rodriguez@toyota.com; javrua@sesapr.org; jbouza@caguasexpressway.com; jcardona@aggpr.com; jmartinez@pmalaw.com; jorrodriguez@motorambar.net; jortiz@caguasexpressway.com; jose.maeso@crowley.com; jpibernus@motorambar.com; JSantana@motorambar.com; jtosado@motorambar.net; juan.diaz.galarza@guidehouse.com; jvazquez905@gmail.com; kenan.d.davila@sargentlundy.com; kkoch@tesla.com; l.marcano@aconer.org; lsundeen@tesla.com; luisgmoreno@gmail.com; Marangelly.Cruz@toyota.com; marilyn.maldonado@toyota.com; mlandron@plazaad.com; mpietrantoni@pmalaw.com; nannette.berrios@solpetroleum.com; nmontes@ccmpr.com; nrodriguez@senado.pr.gov; Ochavez@Padigm.com; odette@grupofernandezpr.com; omundo@plazalasericas.com; patlopez00@gmail.com; dany.oliva@toyota.com; pjcleanenergy@gmail.com; rdiaz@glenninternational.com; repagan@burnsmcd.com; rry@tcm.law; Ruben.Gonzalez@pumaenergy.com; rvega@guidehouse.com; salvadorlopez5@hotmail.com; shehaly.rosado@ddec.pr.gov; Veronica@pantekpartners.com; Victor.Aponte@toyota.com; victor.martinez@totalenergies.pr; wilfredsonllc@gmail.com; zlopez@efonalledas.com; mara.cruz@toyota.com; lizette.cotto@toyota.com.



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*Exhibit 1*  
*Progress Report on DDEC Study*



Update on the Status of the Department of  
Economic Development and Commerce (DDEC)  
Electric Vehicle Infrastructure Market Study  
January 14, 2025

# DDEC Electric Vehicle Market Study

B On target
 Y Caution
 O Off plan
 G Complete

## Key Activity Summary

- DDEC issued an RFP on March 21, 2024. As informed by DDEC, the proposals received exceeded the available budget, resulting in DDEC rejecting the proposals and notifying LUMA in April 2024.
- LUMA and DDEC have been meeting on a bi-weekly basis to discuss possible paths forward. The teams discussed involving an expert from the University of Puerto Rico, Mayagüez (UPRM) in the RFP process to reduce costs along with a descoping analysis conducted by LUMA. These efforts were conducted with the goal of identifying the key elements that would make the EV Markey Study possible and financially viable.
- Based on these efforts, DDEC plans to re-issue the RFP in 2025 to ensure that proposals are within budget.

## Key Milestones

Key Milestones	Date	Status
• DDEC issued an RFP on March 21, 2024. Proposals were too high, and DDEC informed LUMA in April.	March 21 / April 2024	O
• Meeting with UPRM expert for RFP Assessment	July 30, 2024	G
• RFP Scope of Work Analysis sent to DDEC	August 21, 2024	G
• RFP Relaunch	2025	B

## Risk/Issues:

- Collaboration with external organizations and contractors requires ongoing commitment, clear communication and coordination, which would reduce the associated risks.
- Risks associated with agencies’ prioritization due to changes in leadership.

