

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

IN RE: THE PERFORMANCE OF THE
PUERTO RICO ELECTRIC POWER
AUTHORITY

CASE NO.: NEPR-MI-2019-0007

SUBJECT: Updated Data Template for
Quarterly Reporting.

RESOLUTION AND ORDER

I. Introduction

On May 14, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("May 14 Resolution") in which it determined that it would be in the public interest to begin as soon as possible PREPA's data gathering process to help the Energy Bureau and the stakeholders in developing measures, metrics, and targets and to provide useful information for developing incentive and penalty mechanisms. The May 14 Resolution required PREPA to provide quarterly reports of key performance metrics/indicators, beginning September 15, 2019.

On May 21, 2021, the Energy Bureau issued a Resolution and Order ("May 21 Resolution") establishing baselines and benchmarks for certain performance metrics.¹ The Energy Bureau ordered the Puerto Rico Electric Power Authority ("PREPA") and LUMA Energy, LLC as Management Co., and LUMA Energy ServCo, LLC (collectively, "LUMA") to submit the required quarterly reports using the Excel template ("data template") included as part of the May 21 Resolution.

On January 15, 2023, the Energy Bureau approved an operation and maintenance agreement with GENERA PR, LLC ("Genera")², and Genera has effectively taken over operation of the legacy generation assets beginning on July 1, 2023. While PREPA still owns the assets, Genera became responsible for the performance of the units and reporting data to this docket beginning in FY24.

On April 3, 2023, the Energy Bureau issued a Resolution and Order to update the quarterly report data template in this docket.

On October 20, 2023, LUMA filed its *Submission of Performance Metrics Report for July through September 2023*. As part of its submission, LUMA provided a file containing its performance data called "Resumen Metricas Master_October2023.xlsx" along with supporting data workbooks. The "Resumen Metricas" file also contained data submitted on behalf of Genera. This was the first quarter where Genera was responsible for reporting data.

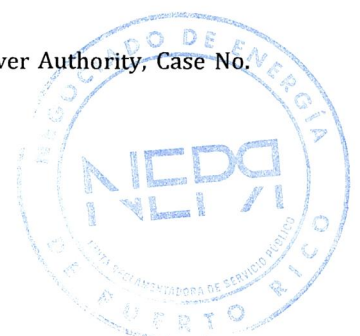
On December 21, 2023, the Energy Bureau issued a Resolution and Order ("December 21 Resolution") that summarized the fiscal year 2023 performance of LUMA and PREPA.

On January 19, 2024, the Energy Bureau issued a Resolution and Order ("January 19 Resolution") to update the quarterly report data template in this docket. LUMA and Genera were ordered to use this template going forward, starting with the October through December 2023 report.

On January 29, 2024, LUMA filed its "Submission of Performance Metrics Report for October through December 2023." This included a motion, a workbook entitled "Copy of Resumen Metricas Master_January2024", along with supporting data workbooks. The "Resumen Metricas" file also contained data submitted on behalf of Genera.

¹ See Resolution and Order, In Re: The Performance of the Puerto Rico Electric Power Authority, Case No. NEPRMI-2019-0007, May 21, 2021 ("May 21 Resolution").

² See NEPR-AP-2022-0001, January 15, 2023 Energy Compliance Certificate.



On January 29, 2024, Genera filed its *Motion to Submit Response to Requirement of Information in Compliance with Resolution and Order Dated December 21, 2023, and Quarterly Report of Performance Metrics* ("January 29 Motion"). In Exhibit 1, Genera confirmed in its response to ROI 16 of the December 21 Resolution that Genera is tracking the pollutants PM, SO₂, NO_x, CO₂, VOC, and Pb and could report these separately in this docket. In the "Resumen Metricas" file submitted by LUMA, Genera had left comments noting that NME expenses should be categorized as capital, rather than operational expenses in the workbook.

On April 22, 2024, LUMA filed its *Submission of Quarterly Report on System Data for January through March 2024* ("April 22 Motion"). This included a motion, a workbook entitled "Resumen Métricas Máster_April2024", along with supporting data workbooks. The "Resumen Metricas" file used the template as finalized by the January 19 Resolution and had data provided to LUMA by Genera. LUMA's motion also renewed its earlier request to add the Toa Baja operational district to the reliability metrics, requested to modify the Days Sales Outstanding-Government ("DSO Government") metric to align with the methodology adopted in the NEPR-AP-2020-0025 proceeding ("Targets Proceeding"), and provided an update on the network orders balance metric.

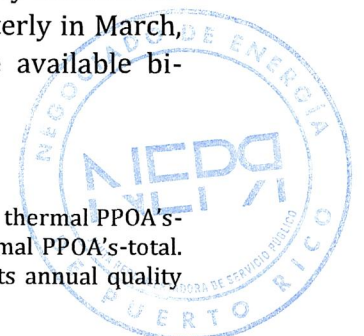
On July 10, 2024, the Energy Bureau issued a Resolution and Order ("July 10 Resolution") in which it determined several modifications to make to the quarterly report data template in response to LUMA's template modification requests in its January 29 and April 22 motions and Genera's response to ROI 16 of the Energy Bureau's December 21 Resolution. To maintain consistency in reporting, rather than making modifications three-quarters of the way through the year, the Energy Bureau determined that it would make the modifications to the template to be used in the Q1 FY2025 report.

On October 18, 2024, the Energy Bureau issued a Resolution and Order ("October 18 Resolution") in which it directed LUMA to report data for all metrics approved for performance incentive in the Targets Proceeding and to align the quarterly reporting in this docket with the approved methodology from the Targets Proceeding. The Energy Bureau further instructed LUMA to identify any metrics reported in this docket that had relied on a different methodology than what was approved in the Targets Proceeding. The Energy Bureau issued a revised data template that added rows for new metrics, removed extraneous metrics that no longer need to be reported, and included a methodology tab for LUMA and Genera to populate with information for each metric. Finally, the Energy Bureau extended the FY2025 Q1 reporting deadline to November 20, 2024.

On November 20, 2024, LUMA filed its *Submission of Quarterly Report Data for July through September 2024 and in Compliance with Order of October 18, 2024* ("November 20 Submission"). In this submission, LUMA filed a Quarterly Report using the revised data template in the October 18 Resolution. In its accompanying Motion, LUMA explained the changes it made to align methodologies between this docket and the Targets Proceeding, provided explanations and timelines for metrics that are not available, stated that it had restated FY2024 historical values for several metrics³ and requested the Energy Bureau to rename metrics in this proceeding to continue aligning with the Targets Proceeding.

LUMA began reporting data starting with July 2024 values for the following metrics: J.D. Power Customer Satisfaction Survey (Residential Customers), J.D. Power Customer Satisfaction Survey (Commercial Customers), Customer Complaint Rate, Capital expenses vs. budget – Federally Funded, Capital expenses vs. budget – Non-federally funded, NEM Project Activation Duration, Vegetation Maintenance Miles Completed, and reliability metrics for Toa Baja. LUMA notes that J.D. Power Residential results are available quarterly in March, June, September, and December, and J.D. Power Commercial Results are available bi-annually in July and November.

³ LUMA corrected a unit conversion error for the following metrics: Purchased Energy from thermal PPOA's-EcoEléctrica, Purchased Energy from thermal PPOA's-AES and Purchased Energy from thermal PPOA's-total. Additionally, LUMA restated values for SAIDI, SAIFI and CAIDI to reflect the outcome of its annual quality revision.



In the Motion, LUMA stated that it is unable to provide data for the First Call Resolution (FCR), CEMI, and MAIFI metrics. LUMA estimates it will be able to report FCR by the second quarter of FY2026 and expects it will be able to report MAIFI and CEMI values in three to five years. Also, LUMA notes it will report the annual MAIFI and CEMI metrics on a FYTD basis once it is able to report on them.

On December 26, 2024, the Energy Bureau issued a Resolution and Order (“December 26 Resolution”) in which it summarized the performance of LUMA and Genera over the 12-month period from July 2023 through June 2024 (“Fiscal Year 2024” or “FY24”). The Energy Bureau summarized the data in Attachment A, and ordered Genera and LUMA to file, on or before January 15, 2025, a motion explaining, to the extent possible, the cause underlying the lack of improvement for each metric so designated in Tables 1 through 5 in Attachment A, save for those metrics already discussed in LUMA’s August 30, 2024 motion titled *Motion Submitting Response to the Request for Information Issued in the Resolution and Order of August 9, 2024*.

On January 14, 2025, Genera submitted a motion titled, *Request for Extension to Submit Response to Resolution and Order Issued on December 26, 2024* (“January 14 Motion”). Genera stated that certain metrics in Attachment A to the December 26 Resolution, along with the underlying assumptions or calculations, appear inconsistent with data that Genera has previously reviewed. Therefore, Genera requested the Energy Bureau: i) provide the original spreadsheet the Energy Bureau used so that Genera can understand and verify the calculations, ii) grant a meeting with the Energy Bureau’s consultants to discuss any inconsistencies and to ensure Genera’s filing is comprehensive and precise; and iii) grant an extension of time to submit responses of at least seven business days following discussions with the Energy Bureau’s consultants.

II. Discussion

A. Updates to Template

LUMA states it has reported the following system metrics on a fiscal year to date (FYTD) basis: 12-Month Rolling OSHA Recordable Rate, 12-Month Rolling OSHA Fatality Rate, 12-Month Rolling OSHA DART Rate, 12-Month Rolling OSHA Severity Rate, SAIFI (T&D) 12-month rolling average, and SAIDI (T&D) 12-month rolling average. Also, LUMA states it was previously calculating and reporting the following metrics on a per month basis and changed the calculation period to FYTD: Average Speed to Answer, Call Abandonment Rate, Distribution Line Inspections, Transmission Line Inspections, T&D Substation Inspections, Operational Expenses vs Budget, DSO (Days Sales Outstanding) – Government Customers, DSO (Days Sales Outstanding) – General Customers, and Overtime. Because of these changes, LUMA requested the Energy Bureau consider changing the names of these metrics to avoid confusion and ensure consistency.

The Energy Bureau agrees with LUMA that it is necessary to change the names of these metrics and changed the metric names to include (“FYTD”) to differentiate from other metrics reported on a per month basis. The table below displays i) the metric name used in the targets docket (*i.e.*, NEPR-2020-0025), ii) the old metric name in this docket, and iii) the new name to be used starting with LUMA’s FY2025 Q3 submission.

The Energy Bureau made these changes based on the information available to it. The Energy Bureau would welcome any additional recommended changes that would increase clarity and or reduce confusion. LUMA or Genera should provide any recommendations they have to the Energy Bureau in its motion accompanying its FY2025 Q3 submission.



Table 1: Metric crosswalk between NEPR-MI-2019-0007 and NEPR-AP-2020-0025

Metric name in NEPR-AP-2020-0025	Old name in NEPR-MI-2019-0007	New name in NEPR-MI-2019-0007
Average speed of answer	Average speed to answer	Average speed of answer (FYTD)
Abandonment Rate	Call abandonment rate	Call abandonment rate (FYTD)
OSHA Recordable Incident Rate	12-Month Rolling OSHA Recordable Rate	OSHA Recordable Incident Rate (FYTD)
OSHA Fatalities	12-Month Rolling OSHA Fatality Rate	OSHA Fatalities (FYTD)
OSHA DART Rate	12-Month Rolling OSHA DART Rate	OSHA DART Rate (FYTD)
OSHA Severity Rate	12-Month Rolling OSHA Severity Rate	OSHA Severity Rate (FYTD)
SAIFI	SAIFI (T&D) 12-month rolling average	SAIFI (T&D FYTD)
SAIDI	SAIDI (T&D) 12-month rolling average	SAIFI (T&D FYTD)
Distribution Line Inspections & Targeted Corrections	Distribution line inspections	Distribution line inspections (FYTD)
Transmission Line Inspections & Targeted Corrections	Transmission line inspections	Transmission line inspections (FYTD)
T&D Substation Inspections & Targeted Corrections	T&D substation inspections	T&D substation line inspections (FYTD)
Operating Budget	Operational expenses vs. budget	Operational expenses vs. budget (FYTD) ^a
Capital Budget (Federally Funded)	Capital Budget - Federally Funded	Capital Budget (FYTD)- Federally Funded ^a
Capital Budget (Non-Federally Funded)	Capital Budget Non-Federally Funded	Capital Budget (FYTD) Non-Federally Funded ^a
Days Sales Outstanding: General Customers	DSO (Days Sales Outstanding) – General Customers	Days Sales Outstanding (FYTD)– General Customers
Days Sales Outstanding: Government Customers	DSO (Days Sales Outstanding) – Government Customers	Days Sales Outstanding (FYTD)– Government Customers
Overtime	Overtime	Overtime (FYD)

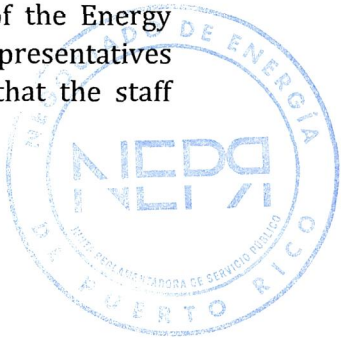
^a The new name applies for both T&D and Generation budget metrics.

B. Re-reporting of Historical Data

To avoid confusion and allow for comparison of LUMA’s performance over time, the Energy Bureau determined it necessary that LUMA report historical data or re-report historical data using the current methodology for (1) metrics for which LUMA changed the methodology to align with the Targets proceeding or (2) new metrics LUMA has reported on since it took over operation of the T&D system. LUMA should include this historical data as part of LUMA’s FY2025 Q3 submission. If there are metrics for which LUMA is unable to provide historical data since it began operations, LUMA must explain why it is unable to provide the data.

C. Genera’s December 14 Motion

Genera states that it seeks to reconcile the data in the December 26th Resolution with data sets that Genera has relied upon to track performance metrics. The Energy Bureau agrees that a meeting to discuss any inconsistencies and clarify any confusion will facilitate a more reliable and accurate response and finds Genera’s request to meet with the Energy Bureau’s consultants reasonable and within the public interest. Additionally, the Energy Bureau agrees to Genera’s request to set a new deadline for submitting responses to the Energy Bureau’s December 26th Resolution to seven business days following a meeting with the Energy Bureau’s consultants. To the extent deemed advisable, members of the Energy Bureau staff and its consultants may conduct informal meetings with Genera representatives to clarify matters related to this matter. It is hereby clarified, however, that the staff




members and/or consultants are not authorized to make representations or take decisions on behalf of the Energy Bureau.

III. Conclusion

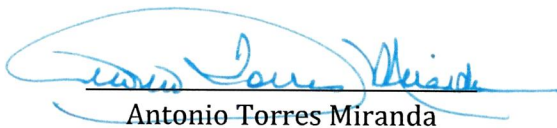
The Energy Bureau **ORDERS** LUMA and Genera to respond to the Requirements of Information included as **Attachment A** to this Resolution and Order within fifteen (15) days of the notification of this Resolution and Order, and to populate and use the data template included as **Attachment B** to this Resolution and Order and for all future quarterly report submissions, starting with the FY2025 Q3 data. The Energy Bureau **ORDERS** LUMA to provide historical data since LUMA began operations for new metrics or metrics for which LUMA has changed the methodology, starting with the FY2025 Q3 submission. Additionally, the Energy Bureau **GRANTS** Genera’s requests for an extension of time and to schedule a meeting with the Energy Bureau’s consultants and **ORDERS** Genera to submit its response to the requirements in the Energy Bureau’s December 26 Resolution within seven (7) business days following the meeting with the Energy Bureau’s consultants.

Be it notified and published.



Edison Avilés Deliz
Chairman

Lillian Mateo Santos
Associate Commissioner

Sylvia B. Ugarte Araujo
Associate Commissioner

Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on January 17, 2025. Associate Commissioner Ferdinand A. Ramos Soegaard did not intervene. I also certify that on January 17, 2025, a copy of this Resolution and Order was notified by electronic mail to margarita.mercado@us.dlapiper.com, julian.angladapagan@us.dlapiper.com; Yahaira.delarosa@us.dlapiper.com; mvalle@gmlex.net; arivera@gmlex.net; alopez@sbgblaw.com, jfr@sbgblaw.com, hrivera@jrsp.pr.gov, legal@genera-pr.com; regulatory@genera-pr.com and I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, on January 17, 2025.



Sonia Seda Gaztambide
Clerk

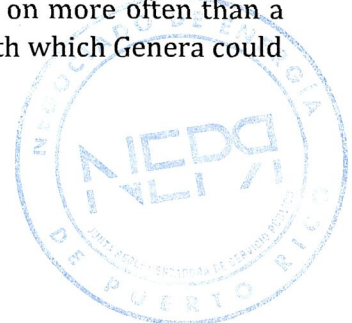

ATTACHMENT A
Requirements of Information (ROIs)

LUMA Questions

1. Refer to the Methodology tab of "Resumen-Metricas-Master_November2024". Please define "offered interactions" as used in the methodology of Call abandonment rate.
2. In the NEPR-AP-2020-0025 proceeding, there are three metrics that include "Inspections & Targeted Corrections" in the name. In this proceeding, these metrics are named "Distribution line inspections", "Transmission line inspections", and "T&D substation inspections".
 - a. Define a targeted correction and how it is tracked regarding this metric.
 - b. State if and how LUMA includes the number of targeted corrections in the calculation methodology for these three metrics.
3. Provide a list of metrics in this proceeding that LUMA reports on more often than a quarterly basis (e.g., monthly, weekly, daily) in other dockets or venues. For each listed, include the docket or venue in which LUMA reports each metric.
4. Provide a list of metrics that LUMA has the ability to report on more often than a quarterly basis. For each listed, state the level of frequency with which LUMA could provide preliminary numbers (e.g., monthly, weekly, daily).
5. For any metrics not listed in questions 3 and 4 above, explain why LUMA cannot provide preliminary numbers more often than a quarterly basis.

Genera Questions

1. Refer to the calculation methodology for Operational expenses vs. budget and Capital expenses vs. budget on the GenCo Methodology tab of "Resumen-Metricas-Master_November2024".
 - a. Explain how the values for Operational expenses vs. budget and Capital expenses vs budget on the "Generation" tab are calculated consistently with the methodology on the GenCo Methodology tab. The GenCo Methodology tab implies a fiscal year to date calculation whereas the reported values do not seem to reflect this. Provide any relevant workpapers supporting Genera's response.
 - b. Are the calculation methodologies consistent with the T&D Operational expenses vs. budget and Capital expenses vs budget metrics?
 - c. Is the calculation methodology for the Operational expenses vs. budget – System metric consistent with the definition of "Operation Cost Efficiency" in the Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement ("LGA OMA")? If no, what changes would be needed to align the methodology with the definition in the LGA OMA?
2. Is the calculation methodology for the Plant availability (system) metric consistent with the Equivalent Availability Factor (EAF) as described in the LGA OMA? What changes would be needed to align the Plant availability metrics with the EAF metrics in the LGA OMA, other than reporting separately the EAF for baseload and peaking units?
3. Refer to the calculation methodology for OSHA Recordable Rate, OSHA DART Rate, OSHA Severity Rate, and OSHA Fatality Rate on the GenCo Methodology tab of "Resumen-Metricas-Master_November2024".
 - a. Are the calculation methodologies consistent with the T&D calculation methodologies for the same metrics?
4. Are severe injuries in the OSHA Fatality Rate metric?
5. Provide a list of metrics in this proceeding that Genera reports on more often than a quarterly basis (e.g., monthly, weekly, daily) in other dockets or venues. For each listed, include the docket or venue in which Genera reports each metric.
6. Provide a list of metrics that Genera has the ability to report on more often than a quarterly basis. For each listed, state the level of frequency with which Genera could provide preliminary numbers (e.g., monthly, weekly, daily).



7. For any metrics not listed in questions 3 and 4 above, explain why Genera cannot provide preliminary numbers more often than a quarterly basis.



ATTACHMENT B
Updated Data Template for Quarterly Reporting

