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

IN RE:	**CASE NO. NEPR-MI-2021-0002**
IN RE: REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY'S 10-YEAR INFRASTRUCTURE PLAN-DECEMBER 2020	**SUBJECT: Submission of One Scope of Work, Request for Confidentiality and Supporting Memorandum of Law, and Request for Expedited Approval**

MOTION SUBMITTING ONE SCOPE OF WORK, REQUEST FOR CONFIDENTIALITY AND SUPPORTING MEMORANDUM OF LAW, AND REQUEST FOR EXPEDITED APPROVAL

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and **LUMA Energy ServCo, LLC**, (jointly referred to as "LUMA"), through the undersigned legal counsel and, respectfully submit the following:

I. Submittal of Scope of Work and Request for Confidentiality

1. On March 26, 2021, this Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order in the instant proceeding (the "March 26 Order"), ordering —in pertinent part— that the Puerto Rico Electric Power Authority ("PREPA") submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency ("FEMA") funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3"), FEMA or any other federal agency. *See* March 26 Order on pages 18-19. The Energy Bureau thereafter determined that this directive should be applied to both PREPA and LUMA. *See* Resolution and Order of August 20, 2021 ("August 20 Order") on page 3.

2. Consequently, LUMA has submitted several Transmission and Distribution projects to this Energy Bureau beginning on July 8, 2021. LUMA has submitted 263 initial scopes

of work ("SOW") as to date. The Energy Bureau has approved all the SOWs submitted by LUMA as of August 23, 2024.

3. In accordance with the March 26 Order issued in this instant proceeding, LUMA hereby submits to the Energy Bureau one SOW for this Energy Bureau's review and approval prior to submittal to COR3 and FEMA and in alignment with the System Improvement Plan required to stabilize the electric grid while permanent work is performed under substation, transmission line, and distribution feeder rebuild projects. *See In re Priority Plan for the Stabilization of the Electric Grid*, NEPR-MI-2024-0005.

4. Section 428 of the Stafford Act, administered by FEMA, provides funding through grants to states, local, tribal, and territorial governments through its Public Assistance Program to help communities respond to and recover from major disasters. LUMA has presented and received approval from the Energy Bureau for 263 initial SOWs for projects under Section 428 as of this date. The Energy Bureau's approval of these SOWs allows LUMA to engage with COR3 and federal agencies to seek appropriate federal funding sources. These include FEMA Hazard Mitigation funding under Section 406 of the Stafford Act. Section 406 provides FEMA with discretionary authority to fund mitigation measures and repair disaster-damaged facilities. The application for and determination of Section 406 funding is part of the preliminary engineering phase for projects approved by the Energy Bureau and the assignment of FAASt numbers by FEMA to award Section 428 funding. At the time of submission of the initial SOW to the Energy Bureau, it is unknown whether and in what amounts funding through Section 406 will be available, if any. LUMA develops proposals for additional hazard mitigation measures consistent with the damages. The proposals are reviewed and approved by FEMA and COR3. LUMA's efforts to add

mitigation measures under Section 406 comply with the Energy Bureau directives and are consistent with LUMA's commitment to pursue federal funding from all potential sources, maximize available funds, and efficiently execute proposed projects.

5. As previously stated, this SOW describes work under the System Improvements Plan required to stabilize the electric grid while permanent work is performed under substation, transmission line, and distribution feeder rebuild projects. The SOW contemplates installing transformers at substations during construction to ensure the substation and adjacent facilities can be adequately energized during the performance of permanent work that would otherwise stress the system. The availability of this transformer will prevent system overload and outages while permanent work is being performed at the substation, connected transmission lines, and distribution feeders. The transformer will be uninstalled and moved to its permanent location in the substation rebuild design at the appropriate time. In order to facilitate FEMA's compliance process, and considering the urgency of the SOW, LUMA will leverage existing Substation Rebuilds projects and incorporate this SOW therein.

6. Therefore, due to the urgency of the SOW, LUMA is requesting that the Energy Bureau consider and **expedite approval** of the "System Improvements Plan: Monacillos TC, Sabana Llana TC & Costa Sur TC" T&D Project.

7. LUMA hereby requests that *Exhibit 1* be maintained confidential and is submitting a redacted version for public disclosure and an unredacted non-public version under seal of confidentiality. LUMA submits its Memorandum of Law below, stating the legal basis for which the unredacted version of *Exhibit 1* should be filed under seal of confidentiality. As will be explained below, the SOW in *Exhibit 1* should be protected from public disclosure as these

documents contain confidential information associated with Critical Energy Infrastructure Information ("CEII") as defined in federal regulations, 18 C.F.R. §388.113; 6 U.S.C. §§ 671-674, and per the Energy Bureau's Policy on Management of Confidential Information (the "SOW with CEII"). *See* Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009 ("Policy on Management of Confidential Information"), issued on August 31, 2016, as amended by the Resolution dated September 20, 2016.

8. In addition, the SOW includes personal identifying information of individuals who are LUMA staff or contractors that are protected under Puerto Rico's legal framework on privacy emanating from the Puerto Rico Constitution and should also be protected pursuant to the Energy Bureau's Policy on Management of Confidential Information.

II. Memorandum of Law in Support of Request for Confidentiality

A. Applicable Laws and Regulations to Submit Information Confidentially Before the Energy Bureau

9. The bedrock provision on the management of confidential information filed before this Energy Bureau, is Section 6.15 of Act 57-2014, known as the "Puerto Rico Energy Transformation and Relief Act".". It provides, in pertinent part, that: "[i]f any person who is required to submit information to the [Energy Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Energy Bureau] to treat such information as such […]" 22 LPRA §1054n. If the Energy Bureau determines, after appropriate evaluation, that the information should be protected, "it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted." *Id*. §1054n(a).

10. Access to confidential information shall be provided "only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement." *Id*. §1054n(b). Finally, Act 57-2014 provides that this Energy Bureau "shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Energy Bureau] who needs to know such information under nondisclosure agreements. However, the [Energy Bureau] shall direct that a non-confidential copy be furnished for public review." *Id*. §1054n(c).

11. Relatedly, in connection with the duties of electric power service companies, Section 1.10 (i) of Act 17-2019 provides that electric power service companies shall provide the information requested by customers, except for confidential information in accordance with the Puerto Rico Rules of Evidence.

12. Moreover, the Energy Bureau's Policy on Management of Confidential Information details the procedures a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the referenced Policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 20, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and why each claim or designation conforms to the applicable legal basis of confidentiality. *Id. at* ⁋ 3. The party who seeks confidential treatment of information filed with the

Energy Bureau must also file both a "redacted" or "public version" and an "unredacted" or "confidential" version of the document that contains confidential information. *Id. at* ¶ 6.

13. The Energy Bureau's Policy on Management of Confidential Information states the following regarding access to validated Trade Secret Information and CEII:

> 1. Trade Secret Information
>
> > Any document designated by the [Energy Bureau] as Validated Confidential Information because it is a trade secret under Act 80-2011 may only be accessed by the Producing Party and the [Energy Bureau], unless otherwise set forth by the [Energy Bureau] or any competent court.
>
> 2. Critical Energy Infrastructure Information ("CEII")
>
> > The information designated by the [Energy Bureau] as Validated Confidential Information on the grounds of being CEII may be accessed by the parties' authorized representatives only after they have executed and delivered the Nondisclosure Agreement.
> >
> > Those authorized representatives who have signed the Non-Disclosure Agreement may only review the documents validated as CEII at the [Energy Bureau] or the Producing Party's offices. During the review, the authorized representatives may not copy or disseminate the reviewed information and may bring no recording device to the viewing room.

Id. at § D (on Access to Validated Confidential Information).

14. Energy Bureau Regulation No. 8543, Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings, also includes a provision for filing confidential information in proceedings before this Energy Bureau. To wit, Section 1.15 provides that "a person has the duty to disclose information to the [Energy Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged information, request the [Energy Bureau] the protection of said information, and provide

supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed according to […] Article 6.15 of Act No. 57-2015, as amended." *See also* Energy Bureau Regulation No. 9137 on Performance Incentive Mechanisms, § 1.13 (addressing disclosure before the Energy Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

B. Request for Confidentiality

15. The SOW with CEII included in Exhibit 1 contains portions of CEII that, under relevant federal law and regulations, are protected from public disclosure. LUMA stresses that the SOW with CEII warrants confidential treatment to protect critical infrastructure from threats that could undermine the system and negatively affect electric power services to the detriment of the interests of the public, customers, and citizens of Puerto Rico. In several proceedings, this Energy Bureau has considered and granted requests by PREPA to submit CEII under seal of confidentiality.[1] In at least two proceedings on Data Security[2] and Physical Security,[3] this Energy

[1] *See e.g., In re Review of LUMA's System Operation Principles,* NEPR-MI-2021-0001 (Resolution and Order of May 3, 2021); *In re Review of the Puerto Rico Power Authority's System Remediation Plan*, NEPR-MI-2020-0019 (order of April 23, 2021); *In re Review of LUMA's Initial Budgets*, NEPR-MI-2021-0004 (order of April 21, 2021); *In re Implementation of Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan,* NEPR MI 2020-0012 (Resolution of January 7, 2021, granting partial confidential designation of information submitted by PREPA as CEII); *In re Optimization Proceeding of Minigrid Transmission and Distribution Investments*, NEPR MI 2020-0016 (where PREPA filed documents under seal of confidentiality invoking, among others, that a filing included confidential information and CEII); *In re Review of the Puerto Rico Electric Power Authority Integrated Resource Plan*, CEPR-AP-2018-0001 (Resolution and Order of July 3, 2019 granting confidential designated and request made by PREPA that included trade secrets and CEII) *but see* Resolution and Order of February 12, 2021 reversing in part, grant of confidential designation).

[2] *In re Review of the Puerto Rico Electric Power Authority Data Security Plan,* NEPR-MI-2020-0017.

[3] *In re Review of the Puerto Rico Electric Power Authority Physical Security Plan,* NEPR-MI-2020-0018.

Bureau, motu proprio, has conducted proceedings confidentially, thereby recognizing the need to protect CEII from public disclosure.

16. Additionally, this Energy Bureau has granted requests by LUMA to protect CEII in connection with LUMA's System Operation Principles. *See* Resolution and Order of May 3, 2021, table 2 on page 4, Case No. NEPR-MI-2021-0001 (granting protection to CEII included in LUMA's Responses to Requests for Information). Similarly, in the proceedings on LUMA's proposed Initial Budgets and System Remediation Plan, this Energy Bureau granted confidential designation to several portions of LUMA's Initial Budgets and Responses to Requests for Information. *See* Resolution and Order of April 22, 2021, on Initial Budgets, table 2 on pages 3-4, and Resolution and Order of April 22, 2021, on Responses to Requests for Information, table 2 on pages 8-10, Case No. NEPR-MI-2021-0004; Resolution and Order of April 23, 2021, on Confidential Designation of Portions of LUMA's System Remediation Plan, table 2 on page 5, and Resolution and Order of May 6, 2021, on Confidential Designation of Portions of LUMA's Responses to Requests for Information on System Remediation Plan, table 2 at pages 7-9, Case No. NEPR-MI-2020-0019.

17. As mentioned above, the Energy Bureau's Policy on Management of Confidential Information provides for the management of CEII. It directs that the parties' authorized representatives access information validated as CEII only after executing and delivering a Non-Disclosure Agreement.

18. Generally, CEII or critical infrastructure information is exempted from public disclosure because it involves assets and information that pose public security, economic, health, and safety risks. Federal Regulations on CEII, particularly 18 C.F.R. § 388.113, state that:

> Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:
>
> (i) Relates details about the production, generation, transportation, transmission, or distribution of energy;
> (ii) Could be useful to a person in planning an attack on critical infrastructure;
> (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
> (iv) Does not simply give the general location of the critical infrastructure.

Id.

19. Additionally, "[c]ritical electric infrastructure means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters. *Id*. Finally, "[c]ritical infrastructure means existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters." *Id*.

20. The Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671-674 (2020), part of the Homeland Security Act of 2002, protects critical infrastructure information ("CII").[4]

[4] Regarding protection of voluntary disclosures of critical infrastructure information, 6 U.S.C. § 673, provides in pertinent part, that CII:

> (A) shall be exempt from disclosure under the Freedom of Information Act;
> (B) shall not be subject to any agency rules or judicial doctrine regarding ex parte communications with a decision-making official;
> (C) shall not, without the written consent of the person or entity submitting such information, be used directly by such agency, any other Federal, State, or local authority, or any third party, in any civil action arising under Federal or State law if such information is submitted in good faith;
> (D) shall not, without the written consent of the person or entity submitting such information, be used or disclosed by any officer or employee of the United States for purposes other than the purposes of this part, except—
> (i) in furtherance of an investigation or the prosecution of a criminal act; or
> (ii) when disclosure of the information would be--

CII is defined as "information not customarily in the public domain and related to the security of critical infrastructure or protected systems [...]" 6 U.S.C. § 671 (3).[5]

21. The SOW contains diagrams that qualify as CEII because it contains information on the engineering and design of critical infrastructure, as existing and proposed, relating to the transmission of electricity, which is provided in sufficient detail that it could potentially be helpful to a person planning an attack on this or other energy infrastructure facilities interconnected with or served by this facility and equipment. In addition, the SOW with CEII in Exhibit 1 qualifies as CEII because each of these documents contains the express coordinates to power transmission and

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(I) to either House of Congress, or to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee thereof or subcommittee of any such joint committee; or

(II) to the Comptroller General, or any authorized representative of the Comptroller General, in the course of the performance of the duties of the Government Accountability Office

(E) shall not, be provided to a State or local government or government agency; of information or records;

(i) be made available pursuant to any State or local law requiring disclosure of information or records;

(ii)otherwise be disclosed or distributed to any party by said State or local government or government agency without the written consent of the person or entity submitting such information; or

(iii)be used other than for the purpose of protecting critical Infrastructure or protected systems, or in furtherance of an investigation or the prosecution of a criminal act.

(F) does not constitute a waiver of any applicable privilege or protection provided under law, such as trade secret protection.

[5] CII includes the following types of information:

(A)actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;

(B)the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or

(C)any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, construction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

distribution facilities (18 C.F.R. § 388.113(iv)), and these specific coordinates could potentially be helpful to a person planning an attack on the energy facilities listed as part of this SOW. The information identified as confidential in this paragraph is not common knowledge and is not made publicly available. Therefore, it is respectfully submitted that, on balance, the public interest in protecting CEII weighs in favor of protecting the relevant portions of the SOW with CEII in *Exhibit 1* from disclosure, given the nature and scope of the details included in those portions.

22. Based on the above, LUMA respectfully submits that the SOW with CEII should be designated as CEII. This designation is a reasonable and necessary measure to protect the specific location and other engineering and design information of the energy facilities listed or discussed in this SOW in *Exhibit 1*. Given the importance of ensuring the safe and efficient operation of the generation assets and the T&D System, LUMA respectfully submits that these materials constitute CEII that should be maintained confidentially to safeguard their integrity and protect them from external threats.

23. In addition, the SOW in *Exhibit 1* contains the name, signature, and role of two individuals who are LUMA employees and a contractor, respectively, who reviewed the SOW as part of LUMA's internal review and approval of each document. LUMA respectfully requests that information on the names, signatures, and roles of these individuals be maintained confidentially in the context that these reveal details of their employment duties and that their protection is in the public interest and aligned with Puerto Rico's legal framework on privacy which protects from the disclosure of personal information. *See e.g.*, Const. ELA, Art. II, Sections 8 and 10, which protect the right to control personal information and distinctive traits, which applies *ex proprio vigore* and against private parties. *See also e.g. Vigoreaux v. Quiznos,* 173 D.P.R. 254, 262 (2008); *Bonilla*

Medina v. P.N.P., 140 D.P.R. 294, 310-11 (1996), *Pueblo v. Torres Albertorio*, 115 D.P.R. 128, 133-34 (1984). *See also* Act 122-2019, Article 4(vi) (which provides, as an exception to the rule on public disclosure, information the disclosure of which could invade the privacy of third parties or affect their fundamental rights); and Article 3(c) of Act 122-2019 (stating that personnel files and similar information does not constitute public information subject to disclosure). It is respectfully submitted that the redaction of the aforementioned information does not affect the public's or the Energy Bureau's review of the SOW nor interfere with processes before this Energy Bureau. Therefore, on balance, the public interest to protect privacy weighs in favor of protecting the relevant portions of the SOW.

C. Identification of Confidential Information

24. In compliance with the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, below, find a table summarizing the hallmarks of this request for confidential treatment.

Document	**Name**	**Pages in which Confidential Information is Found, if applicable**	**Summary of Legal Basis for Confidentiality Protection, if applicable**	**Date Filed**
Exhibit 1	System Improvements Plan: Monacillos TC, Sabana Llana TC & Costa Sur TC	Pages 1 and 3	Right to privacy (*see, e.g.*, Const. ELA, Art. II, Sections 8 and 10)	January 21, 2025

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
		Page 4	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	January 21, 2025

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **expeditiously approve** the SOW for the T&D Project submitted as *Exhibit 1* to this Motion; and **grant** the request for confidential treatment of *Exhibit 1*.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 21st day of January 2025.

We hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to counsel for PREPA Alexis Rivera, arivera@gmlex.net, and to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfr@sbgblaw.com and Alejandro López Rodríguez, alopez@sbgblaw.com.

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Exhibit 1

One Scope of Work

Redacted Version (Unredacted Version Submitted under Seal of Confidentiality)

FEMA Project Scope of Work

(Initial)

Project Name:
System Improvements Plan: Monacillos TC, Sabana Llana TC & Costa Sur TC
Revision: **0**

APPROVALS

The signatures below are LUMA's formal approval to send this Initial Scope of Work to FEMA for review.

Program Brief Management Leadership (PBML)		
Program Brief Owner	**Signature**	**Date**
[redacted]	[redacted]	01/17/2025
Grants Manager	**Signature**	**Date**
[redacted]	[redacted]	01/17/2025

DOCUMENT REVISION HISTORY

This table contains the history of the revisions made to this FEMA Project Scope of Work.

Rev.	Effective Date	Description of Change
0	January 10, 2025	Initial Release

TABLE OF CONTENTS

1.0 OVERVIEW

Project Name:	System Improvements Plan: Monacillos TC, Sabana Llana TC & Costa Sur TC
Project type:	Restoration to Codes/Standards: Restores the facility(s) to pre-disaster function and to approved
Region:	Island wide
Program Brief Owner:	[redacted]
Project Sponsor:	[redacted]
Damage Number:	921057, 133959, 124253
Damaged Inventory/Asset Category:	Island Wide Substations
FEMA Project Number:	550950, 723077, 682834

2.0 INTRODUCTION

The purpose of this document is to present and update an Initial Scope of Work (ISOW) with Cost Estimates to be submitted to the Central Office for Recovery, Reconstruction and Resilience for Puerto Rico (COR3) and the Federal Emergency Management Agency (FEMA) for projects under DR-4339-PR Public Assistance. The completed document will be reviewed by COR3 and FEMA to create and version a specific project worksheet and post fixed-cost estimates to repair, restore, or replace eligible facilities including Section 406 hazard mitigation for a specific project.

This document provides a description of the project including an initial scope of work, cost estimates as well as Environmental & Historical Preservation (EHP) relevant information and proposed 406 hazard mitigation work.

LUMA Energy provides the Operation and Maintenance of the Puerto Rico Transmission and Distribution System. The Puerto Rico Power Electric Authority (PREPA) is the government agency that owns the facilities, sites, and systems identified in this Scope of Work that are eligible as critical services facilities as defined in the PAAP (Section 428) and BBA 2018 guidance documents.

This ISOW describes work, under the System Improvements Plan, required to stabilize the electric grid while permanent work is performed under substation rebuild, transmission line, and distribution feeder rebuild projects. The work contemplates installing transformers at substations during the construction process to ensure the substation and adjacent facilities can be adequately energized during the performance of permanent work that would otherwise stress the system. The availability of this transformer

will prevent system overload and outages while permanent work is being performed at the substation and connected transmission lines and distribution feeders. At the appropriate time, the transformer will be uninstalled and moved to its permanent location in the substation rebuild design.

2.1 Facilities Description

The project contemplates the replacement of power transformers, substation repair, and ancillary equipment at three LUMA transmission centers.

2.2 Facilities List

The project scope concerns five power transformers at three transmission centers. LUMA refers to locations where at least one transmission substation is located as a Transmission Center (TC). The substations identified are a subset of projects identified in the System Improvement Plan and are a Near-Term priority identified by LUMA.

Transformers

Substation Name	Transformer Voltage (kV)	Substation GPS Location	Estimated Substation Construction Year
Costa Sur TC	230/115 kV	[redacted]	1973
Monacillos TC	115/38 kV	[redacted]	1967
Sabana Llana TC	230/115 kV	[redacted]	1963

3.0 PROJECT SCOPE OF WORK

The Initial Scope of Work involves replacing damaged power transformers, and ancillary equipment in 230 kV, 115 kV and 38 kV substations. Also, the work involves replacing damaged distribution class critical components for a 4.16 kV, 13.2 kV & 38 kV Geographic Information System (GIS), and the respective ancillary equipment for the substations. The replacement transformers will be first installed in temporary locations to stabilize the system while permanent work is performed at the substation and interconnected facilities. The transformers will be moved to their permanent locations within each substation at the appropriate time in the course of construction. The following is a high-level list of anticipated items to be replaced:

Monacillos TC Scope:

A. Transformer 115/38 kV 112 MVA Bank #1 and Bank #3:
   - Modify the 115/38 kV, 112 MVA Bank #3 transformer's foundation by reducing the oil containment concrete curb height by 2.5’ on a 40’L x .5’W area to properly remove one of the existing transformers. (This modification will not include a ground disturbance.

The new transformer will be placed on the existing foundation, and the concrete curb will be repaired to serve as an oil containment dike.)

- Perform lead-based paint studies and abatement of existing oil containment.
- Remove and replace two 115/38 kV transformers with all accessories in the existing location.
    - Removed transformers will have the oil drained and tested for PCBs and then be decommissioned.
    - The two 115/38 kV transformers are being procured through PW10710 (Project# 673691) for Equipment and Materials.
- Provide transportation and unloading services for the two new transformers to the facility.
- Upgrade the Protection, Automation, and Control (PAC) system by installing hardware, software, and components required to improve managing and monitoring the substation functionality and operability.
- Provide Supervisory Control and Data Acquisition (SCADA) components associated with the installation of the transformers.
- Provide transformer connections and components associated with:
    - Primary Point Underground to high side breakers.
    - Transformer to distribution breakers - underground duct to existing distribution pull box connection, service transformer and feeders.

B. <u>Transformer 115/13.2 kV 44 MVA No. 1346:</u>

- Remove and replace one 115/13.2 kV transformer No 1346.
    - The transformer to be installed is a new 115/13.2 kV, 44 MVA transformer that is located at the Palo Seco Warehouse.
- Remove and replace the 115 kV circuit breaker No. 726 and associated components.
- Remove and replace the 13.2 kV circuit breakers 424, 425, and 426.
- Demolish and dispose of the existing foundations, including the transformer foundation, circuit breaker No. 726 oil containment low walls, ramp for underground connection to the control house, the transformer junction box, exposed conduits, and anchor bolts.
- Rebuild the transformer foundation.
- Provide transportation and unloading services for the new transformer to the facility.
- Remove and replace all the 13.2 kV disconnected switches, VTs, surge arresters, and other auxiliary equipment associated with the damaged feeders No. 424, 425, and 426.
- Remove and replace the steel structure, bus work, insulators, and components associated with the three damaged 13.2 kV feeders No. 424, 425, 426, and transformer connections.
- Replace the 13.2 kV power cables and conduits associated with feeders No. 424, 425, 426, metal clad with feeders No. 427, 428, 429, and main bus connection to feeders No. 421, 422, 423.
- Replace and reroute the 115 kV high side connection between the transformer and gas circuit breakers.
- Add lights to the new 13.2 kV feeders' steel structure.

- Upgrade PAC system by installing hardware, software, conduits, and components required to improve managing and monitoring the substation functionality and operability.
- Provide SCADA components associated with the installation of the transformers.
- Incorporate animal mitigation strategy by installing designated accessories.

C. Demolition:

- Lead-based paint and asbestos testing and disposal for structures and demolitions.
- Dispose of hazardous waste including cleanup, pickup, and disposal.
- Demolish and remove concrete and reinforced rod as described in point 2 of the subsection A, with a backhoe removal method.
- Demolish and remove concrete foundation and reinforced rebars as described in point 12 of the subsection B, with a backhoe removal method.
- Cycle hauling time per cycle will include wait, load, travel, unload, dump and return as needed.
- Recovering SF6 gas from 4.16 kV, 13.2 kV & 38 kV GIS's.

Sabana Llana TC Scope:

A. Transformer 230/115 544 MVA:

- Remove and replace one (1) 230/115 kV 544 MVA transformer and perform the following work: decommission, remove accessories, drain, and test oil for PCB levels.
- The installed 230/115 kV 544 MVA transformer is being procured through PW10710 for Equipment and Materials (Project# 673691).
- Modify the existing foundation for the 230/15 kV transformer in the existing location.
- Provide transportation to and unloading services for the new transformer at the facility.
- Provide SCADA components associated with the installation of the transformers.
- Provide transformer connections and components associated with:
  - Primary Point Underground to GIS, Main GIS to Main Transformer (Feeder)
  - Transformer to distribution-GIS, GIS underground duct to existing distribution pull box connection, service transformer) and Feeders
- Provide lead-based paint studies and abatement of existing oil containment.

B. Demolition:

- Modify the existing 40'x 30' foundation by reducing the height of the oil containment walls by 2'
- Lead and asbestos testing and disposal for structures & demolitions.

Costa Sur TC Scope:

A. Transformer 230/115 544 MVA:

- Remove one (1) 230/115 kV 544MA autotransformer, that is out of service and the works associated with removal: remove accessories, drain oil, and decommissioning process.

- Provide lead-based paint studies and abatement of existing oil containment.
- LUMA may also include minor transmission work on underground conduit at Costa Sur.

B. Demolition:
- Remove the old foundation 40' x 30' x 2' and replace it with a new foundation for one 230/115 kV 336 MVA autotransformer.
    - Prior to construction activities, install silt fence and straw bales as temporary erosion control and protection measures to mitigate erosion or environmental risks. This is to be placed inside the existing perimeter fence at the south-east side of the substation with a quantity of 300 feet.
    - Dewatering: dig/install a drainage trench 2 feet wide x 3 feet long x 2 feet deep. It is needed to keep the site dry so the work can be completed.
    - Isolated repairs or maintenance activities for pads, access roads, drainage systems, etc.
    - Culvert and ditch clean-out activities.
- Lead-based paint and asbestos testing and disposal for structures & demolitions.

C. Transformer 230/115 336 MVA
- Acquisition of one new transformer (PW10710, Equipment and Materials (Project# 673691)).
- Transport one new transformer to the facility.
- Install and energize one new transformer with all the accessories in a temporary location on site.
- Install two gas circuit breakers required for transformer operation.
- Upgrade to PAC system by installing hardware, software, and components required to improve managing and monitoring the substation functionality and operability.
- Provide SCADA components associated with the installation of the transformers.
- Perform all the testing and commissioning associated with the new equipment installation.
- Flood mitigation measures will be addressed for installation of transformer.

The proposed program includes replacing eligible disaster damage up to required codes and standards and requesting to upgrade undamaged infrastructure, which must be addressed to fully effectuate the replacement of disaster-damaged components and restore the system's function to an approved resilient industry standard.

The scope of this project is only for the replacement activities presented in the list above. All other scopes, including microwave point-to-point network, transport network, field area network, and substation minor repairs, may be provided as part of separate projects in the future. All engineering and design development shall follow LUMA design criteria, specifications, and industry standards.

Choose One (Restoration, Improved or Alternate)
Restoration to Codes/Standards: Restores the facility(s) to pre-disaster function and to approved
This work will follow FEMA (Public Assistance Alternative Procedures (Section 428) Guide for Permanent Work FEMA-4339-DR-PR February 2020).

Note: If preliminary A&E work has not been completed, the type of work designation is considered initial and is based on currently available information. The type of work designation may be revised based on the results of the completed preliminary A&E work.

4.0 PRELIMINARY ENGINEERING

Is architectural and engineering (A&E) funding required to help define the intended scope of work?

Yes, architectural and engineering funding required to help define the intended scope of work

5.0 CODES AND STANDARDS

The following will be referenced when applying specific codes, specifications, and standards to the project design:

1. Consensus-based codes, per FEMA (Public Assistance Alternative Procedures (Section 428) Guide for Permanent Work FEMA-4339-DR-PR February 2020).
2. Industry standards per FEMA Recovery Policy FP-104-009-5, Version 2, Implementing Section 20601 of the 2018 Bipartisan Budget Act (BBA) through the Public Assistance Program.
3. FEMA Recovery Interim Policy FP-104-009-11 Version 2.1, Consensus-Based Codes, Specifications, and Standards for Public Assistance.
4. LUMA's latest Design Criteria Document (DCD) which aggregates the design considerations of the vast majority of the consensus-based codes, specifications, and standards listed in FEMA Recovery Interim Policy 104-009-11 Version 2.1 (December 20, 2019).

Codes, Specifications, and Standards

Yes, applicable codes and standards will be identified and incorporated into the plans and specifications.

Industry Standards

Yes: applicable industry standards will be identified and incorporated into the plans and specifications.

6.0 COST ESTIMATE

Cost estimates for this work are prepared in conformance with class 5 accuracy, which is between -50% and +100% of the final project cost. The estimate includes and is not limited to materials, construction labor and equipment, engineering, management, and contingencies.

Monacillos TC Bank 1 & Bank 3:

Estimated Budget for Architectural & Engineering Design:	$881,209
Estimated Budget for Procurement & Construction:	$3,547,026
Estimated Budget for Equipment and Materials:	$5,917,946
Estimated Overall Budget for the Project:	**$10,346,181**

Monacillos 1346:

Estimated Budget for Architectural & Engineering Design:	$629,052
Estimated Budget for Procurement & Construction:	$4,394,288
Estimated Budget for Equipment and Materials:	$968,203
Estimated Overall Budget for the Project:	**$5,991,543**

Sabana Llana TC:

Estimated Budget for Architectural & Engineering Design:	$2,355,924
Estimated Budget for Procurement & Construction:	$8,985,442
Estimated Budget for Equipment and Materials:	$10,513,961
Estimated Overall Budget for the Project:	**$21,855,328**

Costa Sur TC:

Estimated Budget for Architectural & Engineering Design:	$1,018,054
Estimated Budget for Procurement & Construction:	$4,119,905
Estimated Budget for Equipment and Materials:	$924,179
Estimated Overall Budget for the Project:	**$6,062,139**

Total cost estimate: $44,255,190.48

Note that these cost estimates include the cost of equipment such as transformers, but LUMA is requesting the transformers and other equipment originally included in the obligated substation projects be funded through the Equipment and Materials Project #673691. Similarly, Architectural and Engineering Design costs will be funded through the A&E Project #335168. The project may show a negative value when the scope of work described in this ISOW is obligated because the associated equipment and A&E costs will be allocated to these other projects. However, the overall impact to the grant will be a net positive obligation to project work.

7.0 406 HAZARD MITIGATION PROPOSAL

7.1 406 Mitigation Opportunity Scope of Work

LUMA will develop 406 Hazard Mitigation proposals during the preliminary engineering phase that are consistent with the damages.

7.2 406 Mitigation Opportunity Cost Estimate

Estimated Budget for Architectural & Engineering to Design:	Unknown at this time.
Estimated Budget for Procurement & Construction:	Unknown at this time.
Estimated Overall Budget for the Project:	Unknown at this time.

Note: If available, detailed engineering cost estimates will be included as an attachment.

8.0 ENVIRONMENTAL & HISTORIC PRESERVATION REQUIREMENTS

EHP considerations will be identified and evaluated during the preliminary design phase and submitted to FEMA for review. Requirements will be incorporated into the final design and construction documents, which must be approved by FEMA prior to construction activities.

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