

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

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN –
DECEMBER 2020

CASE NO. NEPR-MI-2021-0002

SUBJECT: Resolution and Order for Motion
Submitting One Scope of Work, Request for
Confidentiality and Supporting Memorandum
of Law

RESOLUTION AND ORDER

I. Introduction

On March 26, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order ("March 26 Resolution"), through which it ordered the Puerto Rico Electric Power Authority ("PREPA") to submit each specific capital investment project for approval to avoid potential noncompliance with the Approved Integrated Resource Plan ("IRP") and Modified Action Plan.¹ To streamline the process, the Energy Bureau ordered PREPA to submit the specific projects to the Energy Bureau at least thirty (30) calendar days before their submittal to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3") and the Federal Emergency Management Agency ("FEMA"), and any other federal agency.² The Energy Bureau thereafter, on a Resolution and Order issued on August 20, 2021 ("August 20 Order")³, determined that this directive should be applied to both PREPA and LUMA⁴.

On January 21, 2025, LUMA filed a document titled *Motion Submitting One Scope of Work, Request for Confidentiality and Supporting Memorandum of Law, and Request for Expedite Approval* ("January 21 Motion"), through which LUMA requests the Energy Bureau to review and approve one scope of work ("SOW") submitted as Exhibits 1. LUMA further requests the Energy Bureau to maintain under confidentiality portions of the SOWs and submitted a Memorandum of Law supporting the confidentiality request.

II. Discussion and Conclusion

The SOW submitted by LUMA, titled "*System Improvement Plan: Monacillos TC, Sabana Llana TC & Costa Sur TC*" which contemplates demolition and construction activities for the replacement of power transformers and ancillary equipment at three (3) LUMA transmission centers ("TC"). The project scope concerns five (5) transformers at these TCs: three (3) transformers in Monacillos, one (1) in Sabana Llana and one (1) in Costa Sur.

After a review of the January 21 Motion, the Energy Bureau **DETERMINES** that the projects are necessary to improve the reliability of the system. Therefore, the Energy Bureau **TAKES NOTICE** of LUMA's January 21 Motion and **APPROVES** the amount of \$44,255,190 for the SOW submitted in the January 21 Motion and included in **Attachment A** of this Resolution and Order.

¹ Final Resolution and Order on the Puerto Rico Electric Power Authority's Integrated Resource Plan, In re: Review of the Integrated Resource Plan of the Puerto Rico Electric Power Authority, Case No. CEPR-AP-20 18-0001, August 24, 2020 ("IRP Order").

² March 26 Resolution, p. 18-19.

³ August 20 Order, p. 3.

⁴ LUMA Energy LLC and LUMA Energy ServCo LLC (jointly referred as "LUMA").



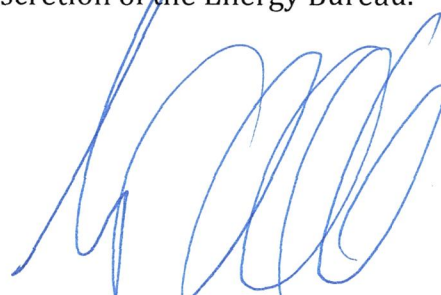
Act 57-2014 establishes that any person with the obligation to submit information to the Energy Bureau can request privilege or confidential treatment to any information that the party submitting understands deserves such protection. Specifically, Act 57-2014 requires the Energy Bureau to treat as confidential the submitted information provided that "the Energy Bureau, after the appropriate evaluation, believes such information should be protected". In such case, the Energy Bureau "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."

After reviewing LUMA's arguments and relevant law, the Energy Bureau **GRANTS** confidential designation and treatment to portions of Exhibits 1 included with the January 21 Motion because it contains critical infrastructure information and also to protect personal identifying information of individuals.

The Energy Bureau **WARNS** LUMA, GENERA, and PREPA that:

- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to \$25,000 per day;
- (ii) any person who intentionally violates Act 57-2014, as amended, by omitting, disregarding, or refusing to obey, observe, and comply with any rule or decision of the Energy Bureau shall be punished by a fine of not less than five hundred dollars (\$500) nor over five thousand dollars (\$5,000) at the discretion of the Energy Bureau; and
- (iii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than ten thousand dollars (\$10,000) nor greater than twenty thousand dollars (\$20,000), at the discretion of the Energy Bureau.

Be it notified and published.



Edison Avilés Deliz
Chairman

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 February 6, 2025. Associate Commissioners Lillian Mateo Santos and Ferdinand A. Ramos Soegaard did not intervene. I also certify that on February 6, 2025, a copy of this Resolution was notified by electronic mail to arivera@gmlex.net; mvalle@gmlex.net; RegulatoryPREBOrders@lumapr.com; Yahaira.delarosa@us.dlapiper.com; julian.angladapagan@us.dlapiper.com; alopez@sbgblaw.com; jfr@sbgblaw.com, legal@genera-pr.com, regulatory@genera-pr.com; and I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, on February 6, 2025.



Sonia Seda Gaztambide
Clerk



Attachment A

SOW Title: <i>System Improvement Plan: Monacillos TC, Sabana Llana TC & Costa Sur TC (Substations)</i>	LUMA's January 21 Motion - Cost Estimate
Monacillos TC, Bank 1 and Bank 3	\$10,346,181
Monacillos Transformer No. 1346	\$5,991,543
Sabana Llana TC	\$21,855,328
Costa Sur TC	\$6,062,139

TOTAL: \$44,255,190

