

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

NEPR

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IN RE: REQUEST FOR CERTIFICATION
ENERNET CHP TWO, LLC

CASE NO.: NEPR-CT-2024-0008

SUBJECT: Informative Motion and Request
for Waiver.

**INFORMATIVE MOTION AND REQUEST FOR WAIVER OF CERTAIN REPORTING
REQUIREMENTS**

To the Honorable Puerto Rico Energy Bureau:

COMES NOW Enernet CHP TWO, LLC, through the undersigned counsel, and respectfully states and request the following:

I. Introduction, Analysis and Discussion.

On December 13, 2024, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order in the instant case through which, among other things, approved Enernet CHP TWO, LLC’s (“Enernet CHP TWO”) Request for Certification as an Electric Service Company¹, pursuant to the provisions of Regulation No. 8701².

Sections 2.02(A)(1) and 2.02(D) of Regulation 8701 establish that an Electric Service Company who offers electric power generation services for sale in Puerto Rico through distributed generators that are interconnected to the Puerto Rico Electric Power Authority’s (“PREPA”) grid with aggregate capacity of more than 1 MW but less than 100 MW to file, on or before March of each year, its Operational Report, as such term is defined therein.

Similarly, Section 4.02 of Regulation 8701 requires all Electric Service Companies to inform the Energy Bureau their annual gross revenue within a period of sixty (60) days following the conclusion of their fiscal year, **beginning on the year that the company began operating in Puerto Rico.**

Through this Motion, Enernet CHP TWO respectfully informs the Energy Bureau that as of the date this Motion was filed, the generation assets described in its Request for Certification as an Electric Service Company are still in the development and construction phase. As such,

¹ See Motion in Compliance with the October 17, 2024, Resolution and Order, and to Request Confidential Treatment, In Re: Request for Certification Enernet CHP Two, LLC, Case No. NEPR-CT-2024-0008, November 13, 2024 (“November 13 Motion”).

² *Amendment to Regulation No. 8618 on Certification, Annual Fees, and Operational Plans for Electric Service Companies in Puerto Rico*, as amended (“Regulation 8701”).

Enernet CHP TWO is yet to begin its operations in Puerto Rico. Moreover, Enernet CHP TWO certifies that the information provided in Attachment II-2: Form NEPR-B03, Operational Report, and Supplemental Attachment II-2: Annexes to Form NEPR-B03, Operational Report, of the November 13 Motion has not changed.

Based on the provisions of Section 4.02 of Regulation 8701, Enernet CHP TWO understands that it is not required to inform the Energy Bureau their annual gross revenue during Natural Year 2024 since its operations hadn't begun and, as such, it didn't generate any revenues for the sale of electricity during that year.

Furthermore, since the information contained in the Operational Report submitted as part of Enernet CHP TWO's Request for Certification as an Electric Service Company has not changed and since it is yet to begin its operations in Puerto Rico, Enernet CHP TWO respectfully requests the Energy Bureau to waive the requirement of Sections 2.02(A)(1) and 2.02(D) of Regulation 8701 with respect to Enernet CHP TWO's obligation to file the Operational Report corresponding to Natural Year 2024.

II. Conclusion.

For all the above, Enernet CHP TWO respectfully requests that the Honorable Energy Bureau:

- (1) Takes notice of the information provided herein;
- (2) Determines that, according to Section 4.02 of Regulation 8701, Enernet CHP TWO is not required to inform its gross revenue corresponding to Natural Year 2024 since it has not begun its operations yet;
- (3) Waive the requirement to file the Natural Year 2024 Operational Report for the same reason; and
- (4) Issue any other determination that it deems appropriate under current statutes and regulations.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on February 11, 2025.

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