

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

NEPR Received: Feb 26, 2025 6:29 PM
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IN RE:

NOTICE OF NONCOMPLIANCE WITH
THE PUERTO RICO ENERGY PUBLIC
POLICY

CASE NO. NEPR-AI-2025-0001

**SUBJECT: Request for Extension of Time to Comply
with Resolution and Order of February 11, 2025**

**REQUEST FOR EXTENSION OF TIME TO COMPLY WITH RESOLUTION AND
ORDER OF FEBRUARY 11, 2025**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME now **LUMA Energy, LLC** (“ManageCo”) and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly “LUMA”), and respectfully state and request the following:

1. On February 11, 2025, the Puerto Rico Energy Bureau (“Energy Bureau”) issued a Resolution and Order opening the instant proceeding (“February 11th Order”). Therein, the Energy Bureau indicated that as the operator of Puerto Rico’s electric power system, LUMA is required to provide certain information regarding its performance during Fiscal Year 2024 (“FY2024”).

2. Based on reports submitted to the Energy Bureau in the proceeding *In Re: The Performance of the Puerto Rico Electric Power Authority*, Case No. NEPR-MI-2019-0007, and an analysis conducted by the Energy Bureau, identified that the SAIDI metric for FY2024 reflected an increase in the average duration of service interruptions compared to Fiscal Year 2023. Furthermore, the Energy Bureau expressed that because LUMA’s SAIDI values “surpassed both the previous year and the regulatory threshold,” it represented a “failure to meet the reliability standards established to ensure an electric system that is resilient and responsive to consumer needs in alignment with the principles set forth in” the Puerto Rico Energy Transformation and RELIEF

Act, Act 57-2014 and the Puerto Rico Energy Public Policy Act, Act 17-2019. *See* February 11th Order, p. 2. Based on this, the Energy Bureau issued a Notice of Non-Compliance to ensure corrective action and manifested it is inclined to impose LUMA a fine of \$1.825 million.

3. In the February 11th Order, the Energy Bureau directed LUMA to respond in accordance with Sections 14.02 and 14.03 of *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, dated December 18, 2014 (“Regulation 8543”), within twenty (20) days. The response should address: (i) a Corrective Action Plan detailing the measures to be implemented to improve SAIDI and prevent further deterioration of service quality; (ii) a justification explaining the root causes of the non-compliance and any mitigating factors; and (iii) the information listed in Section 14.03 of Regulation 8543.

4. First and foremost, LUMA regards seriously and prioritizes any mandates set forth in Acts 57-2014 and 17-2019. LUMA has continuously worked to improve SAIDI performance and has been aligned with the principles set forth in Acts 57-2014 and 17-2019, in compliance with Puerto Rico’s energy public policy.

5. LUMA is currently working on its response in compliance with the February 11th Order. Considering that the February 11th Order requires LUMA to provide a justification explaining the root causes of the non-compliance and any mitigating factors, LUMA has retained an expert consultant to submit a comprehensive and thorough analysis of the SAIDI values as reflected in the reports submitted to the Energy Bureau. LUMA’s consultant has been engaged in constant discussions with LUMA personnel and is currently analyzing reliability data from Fiscal Year 2020 to the present in order to provide an objective view of the reliability and performance over the time frame analyzed by the Energy Bureau and the basis for the conclusions reached by the Energy Bureau as stated in the February 11th Order. Such a review is a time-intensive endeavor

and requires prolonged analysis. To complete those efforts and comply with the February 11th Order comprehensively, LUMA will need additional time to complete its response to the February 11th Order. Thus, LUMA requests an extension until March 17, 2025, to submit its response in compliance with the February 11th Order.

6. This request for an extension of time is filed in good faith and with the only purpose of putting LUMA in a position to address the matters required by the February 11th Order. This request for an extension should not delay the Energy Bureau's processes related to the instant proceeding.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and **grant** LUMA until March 17, 2025, to submit a response in compliance with the February 11th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 26th day of February 2025.



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