

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

NEPR

Received:

Feb 26, 2025

4:56 PM

IN RE: REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY
INTEGRATED RESOURCE PLAN

CASE NO.: NEPR-AP-2023-0004

SUBJECT: Motion Requesting Extension of
Time to Submit 2025 IRP Second Interim
Filing

**MOTION REQUESTING EXTENSION OF TIME TO SUBMIT
2025 IRP SECOND INTERIM FILING**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”), and LUMA Energy ServCo, LLC (“ServCo”), (jointly referred to as “LUMA”), and respectfully state and request the following:

I. Introduction

1. One of LUMA’s core system planning responsibilities as operator of the Puerto Rico transmission and distribution system (“T&D System”) pursuant to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement dated June 22, 2020 (“T&D OMA”), is developing and proposing an Integrated Resource Plan (“IRP”). As such, the Puerto Rico Energy Bureau (“Energy Bureau”) initiated this instant proceeding for the review of the proposed 2025 IRP to be filed by LUMA as the agent of the Puerto Rico Electric Power Authority (“PREPA”).

2. LUMA is committed to supporting and advancing the transformation of Puerto Rico’s energy system into one that is more resilient, cleaner, and sustainable for everyone. As operator of the T&D System, LUMA is responsible for developing an IRP that maps out the transformation of the island’s energy resources over the next two decades. See PR Laws Ann. Tit.

22 § 1054v (2024); T&D OMA, Section 5. 6 (f), p. 67. LUMA’s goal is to ensure that the 2025 IRP presents a diverse and analytically robust set of future scenarios and resource portfolios to map a sustainable and reliable energy future for Puerto Rico that is responsive to customer needs and Puerto Rico’s energy public policy objectives.

3. After a series of procedural events, on October 29, 2024, the Energy Bureau issued a Resolution and Order (“October 29th Order”) approving a revised schedule for the 2025 IRP Filing (“2025 IRP Filing”). Specifically, it directed LUMA to submit information at two interim milestone dates, the first on November 27, 2024, and the second on February 28, 2025, to share preliminary findings and demonstrate the progress of the 2025 IRP Filing. Moreover, it directed LUMA to file the 2025 IRP Report on May 16, 2025, in compliance with the Regulation on Integrated Resource Plan for the Puerto Rico Electric Power Authority, Regulation No. 9021, dated April 20, 2018 (“Regulation 9021”).

4. On November 25, 2024, LUMA filed a *Motion Submitting the First Interim Filing of the IRP in Compliance with the Resolution and Order of October 29, 2024, Request for Confidential Treatment, and Memorandum in Support of Confidentiality* (“First Interim IRP Filing”). Therewith, LUMA submitted the First Interim 2025 IRP Filing with: (i) preliminary results of PLEXOS modeling to define the preliminary least cost resource portfolios for the 2025 IRP Revised Core Scenarios 1 through 4, including input assumptions; (ii) available information on the existing LUMA Transmission, Distribution and Advanced Grid Control facilities and equipment as described in Section 2.03(J)(1)(a)-(c) of Regulation 9021, consistent with the partial waiver granted by the Energy Bureau in its Resolution and Order dated April 15, 2024; and (iii) a

summary and qualitative description of how LUMA expects planned transmission facilities will support its Preferred Resource Plan.¹

5. LUMA has been working to fulfill the 2025 IRP Second Interim Filing deadline and has completed Scenarios 1 to 8. It has been unable to complete Scenarios 9 and 10 due to emerging issues in the inputs of the model, which, if left unaddressed, may impact the accuracy and reliability of the results. As discussed in the February 20, 2025, informal presentation to the Energy Bureau and its Technical Consultant, LUMA hereby requests an extension until March 27, 2025, to present the 2025 IRP Second Interim Filing, compiling all ten scenarios in a single filing.

II. Procedural Background

6. On July 12, 2023, the Energy Bureau issued a Resolution and Order whereby it initiated the instant administrative proceeding for the review of the proposed 2024 IRP to be filed by LUMA as the agent for PREPA (“July 12th Order”).

7. Moreover, in the July 12th Order, the Energy Bureau took notice of LUMA's *Motion Submitting Update on IRP Technical Consultant Contracting Process, Request for Modification of Procedural Timeline and Request for Confidential Treatment* filed on March 31, 2023, in Case No. NEPR-MI-2020-0012, *In re: Implementation of the Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan* (the "March 31st Motion"), through which LUMA informed the Energy Bureau of certain delays impacting the contracting of the IRP Technical Consultant.

¹ On January 10, 2025, LUMA filed a *Motion Submitting Revised First Interim Filing of the 2025 IRP, Request for Confidential Treatment, and Memorandum in Support of Confidentiality*. LUMA re-submitted the First Interim IRP Filing and working papers with correct data. It also submitted emission capacity generation and battery data not filed on November 25th due to an unintentional oversight.

8. In addition, the Energy Bureau granted LUMA's request in the March 31st Motion to schedule the initial Prefiling Technical Conference regarding the review of the 2024 IRP to no earlier than May 2023 to provide sufficient time for LUMA to be able to complete the technical consultant contracting process before the technical conference. Accordingly, the Energy Bureau scheduled the 2024 IRP Prefiling Initial Technical Conference for August 8, 2023, pursuant to the *Regulation on Integrated Resource Plan for the Puerto Rico Electric Power Authority*, Regulation No. 9021, dated April 20, 2018.

9. During the Technical Conference held on August 8, 2023, LUMA anticipated the possibility of modifying the 2024 IRP submission date to account for the delays in the contracting process of its technical consultant.

10. On August 30, 2023, LUMA filed a *Motion Submitting Revised Version of Exhibit I of Final Contract for Technical Consultant and Related Documents, Request for Approval of Final Contract, and Request for Confidential Treatment* whereby, in what is pertinent, it submitted a revised Exhibit I in the terms discussed during the Technical Conference and requested that the Energy Bureau approve the revised version of Exhibit I of the technical consultant contract.

11. On September 7, 2023, the Energy Bureau issued a Resolution and Order approving the revised technical contract between LUMA and the technical contractor and scheduled a second IRP prefiling conference for October 31, 2023.

12. The second pre-filing Technical Conference was held on October 31, 2023. During the same, LUMA discussed the Presentation and answered the questions posed by the members of the Energy Bureau. LUMA also had the opportunity to introduce its technical consultant for the 2024 IRP filing (hereinafter, the "IRP Technical Consultant").

13. During the second pre-filing Technical Conference, LUMA proposed the revised IRP filing date of June 28, 2024. LUMA explained that once the IRP Technical Consultant was onboarded, LUMA and the IRP Technical Consultant worked diligently to develop a revised schedule that takes into account the considerable work entailed by the 2024 IRP submission, the interrelation of the LUMA and the IRP Technical Consultant tasks for the 2024 IRP and the sequential nature of those tasks. At the closing of the technical conference, this Energy Bureau directed LUMA to submit its request in writing for its consideration.

14. On November 14, 2023, LUMA filed a *Request for Modification of Timeline for 2024 IRP Filing*. LUMA included the revised timeline with a summary of the explanations supporting LUMA's request. LUMA respectfully set forth that, per its discussion with the IRP Technical Consultant and based on the technical consultant's vast experience, the normal scope of a regular IRP will typically require approximately nine (9) to twelve (12) months to complete. Also, LUMA explained that complexities in the planned scope of work for the 2024 IRP, which includes eight separate planning areas as opposed to the more common single planning area, integrated transmission modeling, and distributed energy resource modeling, as well as the transmission and distribution areas and additional sensitivities that will be considered, required extra time to develop and file the 2024 IRP.

15. On December 20, 2023, the Energy Bureau issued a Resolution and Order approving LUMA's request for an extension to file the 2024 IRP to June 28, 2024. Further, the Energy Bureau scheduled a third technical conference for January 30, 2024, for LUMA to present information on certain parts of the transmission sections of Regulation No. 9021.

16. On March 11, 2024, LUMA filed a *Motion Submitting Revised 2024 Integrated Resource Plan Scenarios and Characteristics*. Therein, LUMA submitted its *LUMA 2024 IRP*,

Revised Scenarios and Characteristics, the six (6) scenarios (“Core Scenarios”) that will form a key part of its 2024 IRP modeling analysis, which will be filed as part of LUMA’s IRP submission. It also included four (4) scenarios (“Supplemental Scenarios”) that would be filed in a Supplemental Filing. LUMA also explained that the exercise of revising the scenarios caused a temporary halt in the modeling of the base case scenario 1.

17. In the March 13th Order, the Energy Bureau confirmed that LUMA could continue modeling the six (6) Core Scenarios for its IRP filing scheduled for June 28, 2024. It also ordered LUMA to submit the applicable evaluation and analysis concerning the Supplemental Scenarios on or before August 1, 2024.

18. On June 7, 2024, LUMA filed a *Motion Requesting the Continuance of the Deadline for the 2024 IRP Filing*, whereas it requested a continuance of the 2024 IRP filing date of June 28, 2024 (“June 7th Motion”). Thus, LUMA requested the Energy Bureau until June 28, 2024, to provide an updated schedule of the 2024 IRP Filing, provided the base case resource plan has been completed.

19. On June 18, 2024, the Energy Bureau granted LUMA’s request to suspend the filing date of June 28, 2024 (“June 18th Order”). It authorized LUMA to file the Supplemental scenarios no later than five weeks after the core scenarios are filed. Furthermore, the Energy Bureau ordered LUMA to file by no later than June 28, 2024, an expected date on which the 2024 IRP will be filed with all completed sections and work papers.

20. On June 28, 2024, LUMA filed a *Motion in Compliance with Resolution and Order of June 18, 2024, and Submitting Second Revised IRP Filing Schedule* (“June 28th Motion”). Therein, LUMA requested a modification for the 2024 IRP Filing to be extended to May 16, 2025. LUMA explained that after resolving the known modeling software issues encountered, it was able

to provide an estimate of the time required to complete an IRP that meets applicable legal and regulatory requirements.

21. On August 20, 2024, the Energy Bureau entered a Resolution and Order denying LUMA's request to file the 2024 IRP on May 16, 2025. As such, the Energy Bureau declined to adopt LUMA's proposed revised 2024 IRP schedule, which considered the necessary time to thoughtfully and accurately develop the IRP and complete the modeling and scheduled tasks in order to submit all scenarios together ("August 20th Order"). In the August 20th Order, the Energy Bureau instructed LUMA to file the Preferred Resource Plan and salient components of Regulation 9021 requirements by no later than Friday, November 29, 2024. Further, the Energy Bureau ordered LUMA to file certain transmission and distribution-related requirements of Regulation 9021 by no later than February 28, 2025.

22. On September 11, 2024, LUMA filed a *Motion Requesting a Confidential Technical Conference*. Therein, LUMA requested the Energy Bureau to schedule an in-person Technical Conference in order to offer the Energy Bureau detailed insight into the status of the 2024 IRP and the complexities and challenges encountered while modeling the proposed scenarios. Thus, LUMA offered the week of September 17-20, 2024, given the impending deadlines established in the August 20th Order.

23. On September 16, 2024, the Energy Bureau issued a Resolution and Order scheduling the requested Technical Conference for September 18, 2024, at 10 a.m. The Technical Conference was granted confidential treatment.

24. On September 18, 2024, the Confidential Technical Conference was held before the Energy Bureau. LUMA explained the constraints faced when modeling the base case and the fact that many of the issues kept arising subsequently or after having resolved one encountered

initially without the ability to fix them at the same time. Notwithstanding, LUMA explained that they had resolved the issues, achieved a preliminary base case, and were confident in filing a complete and robust 2024 IRP by May 16, 2025.

25. On September 27, LUMA filed a *Motion Requesting Reconsideration of the Resolution and Order Dated August 20, 2024, and Modification of the IRP Filing Schedule*. Therein, LUMA requested the Energy Bureau to reconsider the August 20th Order. LUMA reiterated its proposal to provide the Energy Bureau information at two interim milestone dates, the first on November 27, 2024, and the second on February 28, 2025, to share preliminary findings and demonstrate the progress of the 2025 IRP Filing. In addition, LUMA expected that on May 16, 2025, it may file the 2025 IRP Report in compliance with Regulation 9021, as modified by any exception approved by the Energy Bureau.

26. On October 29, 2024, the Energy Bureau issued a Resolution and Order and approved the aforementioned revised schedule for the 2025 IRP Filing, including the first interim filing subject of this Motion. Also, it instructed LUMA that the Base Case Scenario modeling shall include a new CCGT with the characteristics contemplated in the Resolution and Order issued by the Energy Bureau on August 3, 2022, in the proceeding *In Re: Preliminary Studies for New Combined Cycle Power Plant in Palo Seco*, Case NEPR-MI-2021-0003. Any variation to said characteristics shall be included in a sensitivity analysis.

27. On November 25, 2024, LUMA filed a *Motion Submitting the First Interim Filing of the IRP in Compliance with the Resolution and Order of October 29, 2024, Request for Confidential Treatment, and Memorandum in Support of Confidentiality* (“First Interim IRP Filing”). Therewith, LUMA submitted the First Interim 2025 IRP Filing with: (i) preliminary results of PLEXOS modeling to define the preliminary least cost resource portfolios for the 2025

IRP Revised Core Scenarios 1 through 4, including input assumptions; (ii) available information on the existing LUMA Transmission, Distribution and Advanced Grid Control facilities and equipment as described in Section 2.03(J)(1)(a)-(c) of Regulation 9021, consistent with the partial waiver granted by the Energy Bureau in its Resolution and Order dated April 15, 2024; and (iii) a summary and qualitative description of how LUMA expects planned transmission facilities will support its Preferred Resource Plan.

28. On December 10, 2024, LUMA filed a *Motion Submitting Supporting Materials to First Interim Filing of the 2025 IRP, Request for Confidential Treatment, and Memorandum in Support of Confidentiality*. Therein, LUMA included the work papers for the information on the existing LUMA Transmission, Distribution, and Advanced Grid Control facilities and equipment to supplement the First Interim Filing of the 2025 IRP.

29. On January 10, 2025, LUMA filed a *Motion Submitting Revised First Interim Filing of the 2025 IRP, Request for Confidential Treatment, and Memorandum in Support of Confidentiality*. LUMA re-submitted the First Interim IRP Filing and work papers with corrected data. It also submitted emission capacity generation and battery data not filed on November 25th due to an unintentional oversight.

30. On January 24, 2025, the Energy Bureau issued a Resolution and Order (“January 24th R&O”), including the Seventh Set of 2025 IRP Prefiling Request for Information (“7th Set of 2025 IRP Prefiling RFI”), ordering LUMA to submit responses to a total of eight (8) questions in two separate filings. Responses to questions 1 to 7 were required to be filed by February 14, 2025, and question number 8 by April 1, 2025.

31. On February 14, 2025, LUMA filed the responses to questions 1 to 7 of the 7th Set of 2025 IRP Prefiling RFI addressing assumptions used by LUMA regarding: (i) Battery energy

storage system cost assumption; (ii) Biodiesel fuel price projection in PLEXOS model; (iii) Build Costs, Outage Rates, and Heat Rate for new 460 MW Unit; (iv) PVRR Tables of Scenarios 1 to 4; (v) Load Forecast; (vi) Solar Rebound Effect; and (vii) Capacity reserve margin modeling.

III. Request for Extension of the 2025 IRP Second Interim Filing

32. LUMA and its IRP Technical Consultant have made continued progress in developing the base case and scenarios to submit a comprehensive and accurate IRP. New resources have been added, including doubling the size of the team, adding more equipment, and increasing the capacity of the equipment used.

33. For the 2025 IRP Second Interim Filing, LUMA is planning to submit to the Energy Bureau: (i) input assumptions and results describing the least cost resource portfolios for scenarios number 5 through 10; (ii) uncertainty analysis results for the least cost resource portfolios for scenario numbers 1 through 6; (iii) sensitivities of the resource portfolios; (iv) results from the stakeholder meetings held to share preliminary results and seek feedback prior to the selection of the Preferred Resource Plan; (v) LUMA's recommended Preferred Portfolio; and (vi) summary description of the Preferred Resource Plan.

34. As indicated in paragraph 5 above, LUMA has completed Scenarios 1 to 8. It has been unable to complete Scenarios 9 and 10 due to emerging issues in the inputs of the model, which, if left unaddressed, may impact the accuracy and reliability of the results. These issues required adjustments to the model's parameters and additional validation steps to ensure the results were accurate and aligned with expectations. Given the need to identify feasible solutions that enable obtaining accurate results, the timeline for completion of Scenario 9 and Scenario 10 has been delayed.

35. In light of the above and based on an informal presentation to the Energy Bureau, LUMA requests the Energy Bureau to extend the deadline to March 27, 2025, to file a complete Interim Filing with Scenarios 1 to 10 and the Preferred Resource Plan. This extension would allow for the required testing and adjustments to uphold the quality and credibility of the results of Scenario 9 and Scenario 10. At that time, LUMA will also file updated results of scenarios 1 to 4 and the remainder of the items outlined in paragraph 33 above.

36. With this requested extension, LUMA is confident it will submit the complete 2025 IRP Filing in compliance with Regulation 9021, as modified by any exception approved by the Energy Bureau. Granting the extension will also allow LUMA to submit an IRP Filing built upon accurate and comprehensive data and analyses and reflects the needs and priorities of customers while reliably and cost-effectively progressing toward a more reliable, resilient, and cleaner energy system.²

37. All results submitted in the Second Interim Filing will remain preliminary and subject to modification pending the approval of public policy changes introduced by the current government. Once these changes are approved and plans are defined, LUMA will assess the impact of public policy changes and determine whether its implementation will shift the direction of the current 2025 IRP and have an impact on the 2025 IRP filing timeline.

WHEREFORE, LUMA respectfully requests the Energy Bureau to **take notice** of the foregoing, **grant** an extension until March 27, 2025, to file the 2025 IRP Second Interim Filing.

RESPECTFULLY SUBMITTED.

² All results submitted in the 2025 IRP Second Interim Filing will remain preliminary and subject to modification depending on the current government's approval and implementation of public policy changes. Once these changes are approved and plans are defined, LUMA will assess the impact of these changes and determine whether their implementation will shift the direction of the current 2025 IRP and if current assumptions and inputs must be modified. This will probably require additional time and effort that will impact the current schedule.

WE HEREBY CERTIFY that this Motion was filed using the electronic filing system of this Energy Bureau and that electronic copies of this Motion will be notified to the Puerto Rico Electric Power Authority: lionel.santa@prepa.pr.gov and through its attorneys of record González & Martínez, Mirelis Valle-Cancel, mvalle@gmlex.net; and Alexis G. Rivera Medina, arivera@gmlex.net; and Genera PR, LLC: brannen@genera-services.com; kbolanos@genera-pr.com; regulatory@genera-pr.com.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on February 26, 2025.



DLA Piper (Puerto Rico) LLC
Calle de la Tanca #500, Suite 401
San Juan, PR 00901-1969
Tel. 787.945.9132
Fax 939.697.6102

/s/ Yahaira De la Rosa Algarín
Yahaira De la Rosa Algarín
PR Bar No. 18,061
yahaira.delarosa@us.dlapiper.com