

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

**IN RE:** MANAGEMENT OF MAINTENANCE  
AND REPAIRS OF THE GENERATING UNITS  
USED BY THE PUERTO RICO ELECTRIC POWER  
AUTHORITY TO SUPPLY ELECTRIC SERVICE

**CASE NO.:** NEPR-MI-2021-0014

**SUBJECT:** Oversight Field Visits at AES and  
EcoElectrica.

**RESOLUTION AND ORDER**

**I. Introduction**

On May 10, 2016 the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”), approved the request filed by EcoEléctrica, L.P. (“EcoEléctrica”) to be certified as an Electric Service Company<sup>1</sup>. EcoEléctrica is the owner of a fossil fuel generation plant with an approximate capacity of 548 megawatts (“MW”).

On June 1, 2016 and June 8, 2016, respectively, the Energy Bureau, approved the requests filed by AES Ilumina, LLC<sup>2</sup> and AES Puerto Rico L.P.<sup>3</sup> (jointly referred as (“AES”) to be certified as an Electric Service Company. The AES cogeneration plant currently generates approximately 500 MW of reliable low-cost energy that is essential for Puerto Rico energy stability.

On September 1, 2021 the Energy Bureau deemed necessary, prudent, reasonable, and in the public interest to establish this docket for monitoring and the filing of materials related to the maintenance and repair (“NME”) of the Puerto Rico Electric Power Authority (“PREPA”)’s generation fleet. It had become imperative to obtain detailed information regarding the circumstances that had led to constraints in the available generation capacity to meet peak demand during certain afternoon and evening hours. This limitation in generation capacity had resulted in controlled load shedding, which prevented PREPA from providing reliable electric energy service to the people of Puerto Rico pursuant to provisions of Act No. 57-2014<sup>4</sup>,

On August 30, 2024, the Energy Bureau formalized and documented through a Resolution and Order the already informally scheduled oversight field visits that had been happening to Genera PR, LLC (“Genera”) generation sites. These visits enabled the Energy Bureau to review first-hand the improvements and NME activities that Genera has been undertaking to ensure adherence to approved NME and improvement plans, among others.

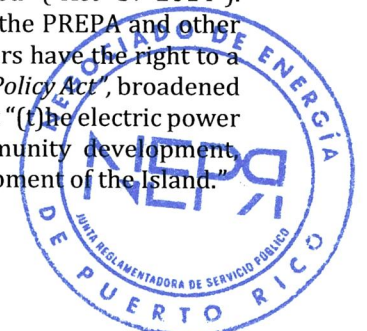
On February 10, 2025, the Energy Bureau issued a Resolution and Order which among other things published the Progress Reports for the last three (3) months for the site visits executed.

<sup>1</sup> See, *In re: Request for Certification Eco Eléctrica, LP*, Case No.: CEPR-CT-2016-0001, Letter of Certification issued by the Energy Bureau on May 10, 2016.

<sup>2</sup> *In re: Request for Certification AES Ilumina LLC*, Case No.: CEPR-CT-2016-0010, Letter of Certification issued by the Energy Bureau on June 1, 2016.

<sup>3</sup> See, *In re: Request for Certification AES Puerto Rico LP*, Case No.: CEPR-CT-2016-0013, Letter of Certification issued by the Energy Bureau on June 8, 2016.

<sup>4</sup> Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended (“Act 57-2014”). Pursuant to the provisions of the Act 57-2014, the Energy Bureau has jurisdiction over the PREPA and other electric service companies. Act 57-2014 clearly states it is public policy that all consumers have the right to a reliable and stable electric service. Act 17-2019, known as the “*Puerto Rico Energy Public Policy Act*”, broadened the Energy Bureau’s authority and reinforced the foregoing public policy by declaring that “(t)he electric power system should be reliable and accessible, promote industrial, commercial, and community development, improve the quality of life at just and reasonable cost, and promote the economic development of the Island.”



## II. The Monitoring Strategy

Act 57-2014 created the Energy Bureau and granted it broad regulatory authority over Puerto Rico's energy sector, including oversight of contracts that impact electricity rates, service quality, and system reliability. Both AES and EcoEléctrica have Power Purchase and Operating Agreements with the Puerto Rico Electric Power Authority (as amended or supplemented, the "PPOAs") and these contracts (as amended) have financial implications for ratepayers (*e.g.*, potential cost shifts, savings claims, or incentive structures), the Energy Bureau has authority under Act 57-2014 to ensure that any action or modifications to the generation capabilities are just, reasonable, and in the public interest.

The Project Inspection program is intended to inspect the status of the different improvement and maintenance projects related to the implementation of the Integrated Resources Plan ("IRP")<sup>5</sup>. It is important to ensure that these projects are scheduled to be implemented and executed as they are of utmost importance to improve the reliability and resiliency of the electrical system of Puerto Rico.

The Project Inspection visits are executed by the Energy Bureau, its employees and/or its consultants with the site Operations Management team, Compliance team and the Project Management Office ("PMO"). The main objectives charter for these inspections are:

- i. Status of operations of the different site base generation units. For each of the Generations units the team goes through the different issues and different actions that are taken to rectify limiting production issues.
- ii. Review of the different improvement projects for all generation base units. For each of the projects the team goes through the status on the project commencement date, the status execution, and the completion date. All issues related to each are reviewed and the actions taken to achieve execution and/or completion targets.
- iii. Visual inspection of any progress achieved for each of the different initiatives/projects/jobs/etc. for the period of the visit. This is done to verify and take evidence to concur/ascertain progress and execution.

The visits are mainly focused on the projects associated with the main generation plant units<sup>6</sup>.

## III. Subsequent Actions related to AES and EcoEléctrica

Blue sky outages<sup>7</sup> and controlled load shedding have continued to be a persisting fact for the people of Puerto Rico. It has become imperative to obtain detailed information regarding the circumstances that have led to constraints in the available generation capacity to meet peak demand during certain afternoon and evening hours. This limitation in generation capacity had resulted in controlled load shedding, which prevents the Energy Transmission and Distribution provider LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred as "LUMA") from providing reliable electric energy service to the people of Puerto Rico pursuant to provisions of Act 57-2014.

AES and EcoEléctrica are the largest energy PPOA providers to LUMA and have a significant role in the generation reliability of the energy system of Puerto Rico. Consequently, the Energy Bureau has decided to include AES and EcoEléctrica in the Monitoring Strategy discussed above.

<sup>5</sup> Refer to *In re: Implementation of the Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan*, Case No.: NEPR-MI-2020-0012.

<sup>6</sup> As identified by the Energy Bureau.

<sup>7</sup> A power outage that occurs during a normal, routine operating day for a utility, outside of any emergency or weather event.

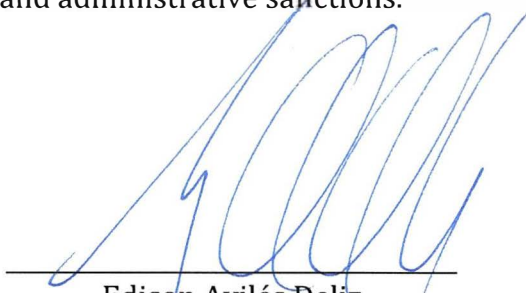


The Energy Bureau will concentrate, among other things, on the status of the site, list of jobs and preventive/corrective maintenance schedules, percentage of completion of each job and the expected completion date. The uptime of the Units will be discussed and monitored, understanding of reasons for generation limitations and downtime if applicable. Subsequent follow-ups on problems and actions identified in prior visits, once the process starts, will be watched.

The Energy Bureau **ORDERS** AES and EcoEléctrica to: (i) designate pertinent directive level staff to immediately start the coordination of the Energy Bureau's planned site visits; (ii) **within 10 days of the issuance of this Resolution and Order**, provide names, titles and contact information so that the visiting teams can communicate directly and start the scheduling of site visits to each of the generation sites.

The Energy Bureau **WARNS** AES and EcoEléctrica, that, in accordance to Act 57-2014 noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions.

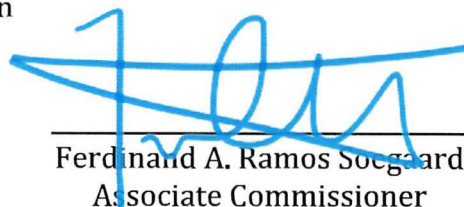
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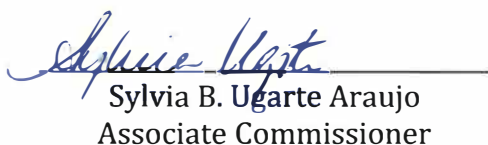
Edison Avilés Deliz  
Chairman



Lillian Mateo Santos  
Associate Commissioner



Ferdinand A. Ramos Soegard  
Associate Commissioner



Sylvia B. Ugarte Araujo  
Associate Commissioner



Antonio Torres Miranda  
Associate Commissioner

**CERTIFICATION**

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on March 24, 2025. I also certify that on this date a copy of this Resolution was notified by electronic mail to karen.ortiz@aes.com; elias.sostre@aes.com; carlos.reyes@ecoelectrica.com; arivera@gmlex.net; mvalle@gmlex.net, margarita.mercado@us.dlapiper.com, jfr@sbgblaw.com; alopez@sbgblaw.com; legal@genera-pr.com; regulatory@genera-pr.com. I also certify that today, March 24 2025, I have filed the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today March 24, 2025.



Sonia Seda Gaztambide  
Clerk