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

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MOTION IN COMPLIANCE WITH RESOLUTION AND ORDER OF MARCH 12, 2025, AND REQUEST FOR CONFIDENTIAL TREATMENT

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC ("ManagementCo"), and **LUMA Energy Servco**, **LLC** ("ServCo") (jointly referred to as "LUMA"), through the undersigned counsel, and respectfully state and request the following:

I. Relevant Procedural Background

1. On February 26, 2025, Genera PR, LLC ("Genera") filed with this Puerto Rico Energy Bureau of the Public Service Regulatory Board ("Energy Bureau") a document entitled *Request for Expedited Approval of Emergency Generation Capacity Solutions* ("Genera's Request") in which Genera sought the Energy Bureau's approval to implement the following proposed options for temporary generation to "allow for critical maintenance to be performed on existing power plants while stabilizing the grid in the short term" and "guarantee system stability while recovery projects are performed": (a) installing additional Temporary Mobile Generators of approximately 800 MW for 18 months; (b) substituting damaged units with pre-owned but functional generating units; and (c) deploying generation barges to supplement the power supply. *See Genera Request*, ¶ 6 and WHEREFORE. 2. On February 27, 2025, this Energy Bureau issued a Resolution and Order ("February 27th Order) whereby it determined that it was LUMA's responsibility, "as the system operator and energy dispatcher, to prepare and submit (supported by the necessary technical information) any request for additional generation within the framework of the adequacy of resources". *See* February 27th Order, p.1. (Translation ours.) The Energy Bureau then granted LUMA until March 6, 2025, at 5:00 pm, to present its position on Genera's Request and, specifically, "the need for additional temporary generation, and the capacity thereof, if any, in light of the findings of the Resource Adequacy Report".¹ The Energy Bureau also ordered Genera to immediately provide LUMA with any information that the latter deems necessary to comply with the February 27th Order. *Id*.

3. On March 6, 2025, LUMA filed a *Motion Submitting LUMA's Position Regarding Genera's Request for Expedited Approval of Emergency Generation Capacity Solutions* ("March 6th Motion"), in which it submitted, as Exhibit 1, a preliminary response stating its position in regard to Genera's Request ("Preliminary Response") and, as Exhibit 2, a presentation on the "Need for Emergency Generation Capacity", which contained the charts and graphs referenced in the Exhibit 1. LUMA also submitted, as Exhibit 3, copy of a letter LUMA sent to Genera to set the stage for continued exchanges and coordination between the parties in connection with the proposed projects. In its Preliminary Response, LUMA explained that it had not had the opportunity to review or make any assessment on the schedule or technical challenges of locating and installing 800 MW of generation, which requires a thorough assessment of Genera's proposal such as identifying and prioritizing locations, assessing site conditions, and performing system

¹ The Resource Adequacy Report refers to a report prepared by LUMA titled *Puerto Rico Electrical System Resource Adequacy Analysis Report* and submitted to the Energy Bureau on October 31, 2024, in Case No. NEPR-MI-2022, *In re: LUMA Resource Adequacy Study*.

impact modeling, and that such an assessment requires a sizable workforce and budget to complete. *See id.* Exhibit 1, page 3.

4. On March 12, 2025, the Energy Bureau issued a Resolution and Order ("March 12th Order") in which, among others, it referenced LUMA's Preliminary Response, highlighting LUMA's statements regarding the need for a more detailed analysis of Genera's proposal, and ordered LUMA to submit, within ten (10) days, these studies. *See* March 12th Order, p. 2. Additionally, the Energy Bureau ordered LUMA, Genera, and the Puerto Rico Electric Power Authority ("PREPA") to submit, within ten (10) days, a detailed report including:

(a) the current status of all awarded generation projects identified in Attachment 1 of [the March 12th Order], including Tranches 1, 2 and 4, peakers, battery systems and power purchase agreements (Ciro One and Xzerta); (b) the implementation plans and timeline for each project; (c) the efforts made to date to enable implementation; (d) the financial, technical, and administrative resources allocated to the implementation of each project, **specifying the origin of the funds used**; (e) the analyses and cost estimates associated with the implementation of then awarded projects and any new generation requests; and (f) any other relevant information.

See id. (emphasis in the original; translation ours). The generation projects identified in Attachment 1 of the March 12th Order that are under LUMA's responsibility are the Accelerated Storage Addition Program ("ASAP") and the LUMA Scope of Work ("SOW") for the 4x25MW project, both relating to battery energy storage systems. *See id.* Attachment 1.

5. On March 19, 2025, this Energy Bureau issued a Resolution and Order ("March 19th Order") in which it stated that "given the emergency situation that we are confronting", it would adjudicate the request for acquisition of temporary generation submitted by Genera, before the reports due on March 24, 2025 are submitted. *See* March 19th Order, p. 2 (translation ours). Consequently, the Energy Bureau approved "any and all necessary initiatives of an urgent and temporary nature to address the emergency situation we are confronting, giving special attention to the availability, capacity, installation time and costs related to the acquired temporary

generation". *See id.* (translation ours). In addition, the Energy Bureau issued orders to PREPA regarding the commencement of these initiatives, among others.

II. Submittal of Additional Studies Related to Genera's Request and Reports of LUMA's Approved Projects Listed in Annex 1 of the March 12th Order.

6. In compliance with the March 12th Order, LUMA hereby submits, as *Exhibit 1*, a discussion of the analyses conducted to date for the interconnection of the 800 MW of emergency generation proposed by Genera and, as *Exhibit 2*, a detailed analyses relating to the 800 MW offshore proposal (titled "Emergency Offshore Power Interconnection Assessment"). LUMA notes in these documents that a comprehensive assessment of individual project locations, interconnections, and fuel supply, including a System Impact Study ("SIS") and a Feasibility Study ("FS") requires further detailed analysis to determine the full feasibility of any proposed solution. LUMA estimates the cost for conducting the necessary interconnection studies, including an SIS and FS, to be approximately \$200,000 per site, totaling an estimated \$400,000 for the two-site project, which are incremental to current budgeted expenditures.

7. In addition, LUMA submits, as *Exhibit 3*, the detailed report on the status of the ASAP project and, as *Exhibits 4*, *5*, and 6, the detailed reports on the status of the LUMA SOW 4x25MW project, which together contain the information required by the March 12th Order. *Exhibit 4* contains the most recent monthly status report for the SOW 4 X 25 MW project prepared by LUMA which will also be submitted in Case No. NEPR-MI-2021-0002, *In re: Review of the Puerto Rico Electric Power Authority's 10-Year Infrastructure Plan- December 2020* ("Federal Funding Docket"), a docket in which this project was approved and is subject to monthly reporting. *Exhibit 5* contains the monthly status report for this project that was submitted on February 28, 2025, in the Federal Funding Docket (*see Informative Motion on the Status of SOW: 4 X 25 MW BESS Interconnections at LUMA 38 kV System*), and *Exhibit 6* contains the monthly status report

filed on January 28, 2025 ("January 28th Report") for this project in the Federal Funding Docket (*see Informative Motion on the Status of SOW: 4 X 25 MW BESS Interconnections at LUMA 38 kV System and Supporting Memorandum of Law* ("January 28th Motion")).

8. LUMA notes that it will continue submitting the required status reports for these projects under their respective dockets (NEPR-MI-2024-0002, In re: *LUMA's Accelerated Storage Addition Program*, for the ASAP project, and the Federal Funding Docket for the LUMA SOW 4x25 MW project).

The January 28th Report (*Exhibit 6* herein) is being submitted with copy of the 9. LUMA motion through which it was submitted in the Federal Funding Docket (that is, the January 28th Motion) in which LUMA requested that this document be maintained confidential as containing Critical Energy Infrastructure Information ("CEII") that garners protection from public disclosure pursuant to federal statutes and regulations, see e.g., 6 U.S.C. §§ 671-674; 18 C.F.R. § 388.113 (2020), and the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009 issued on August 31, 2016, as amended by the Resolution dated September 16, 2016 ("Policy on Management of Confidential Information"). In the January 28th Motion, LUMA also provided a Memorandum of Law in support of such request for confidentiality ("January 28th Memorandum of Law") and submitted a redacted version of the January 28th Report. For the reasons set forth in the January 28th Memorandum of Law, which is also included in Exhibit 6 of this Motion, LUMA requests that the portions of the January 28th Report be protected from disclosure and that the Energy Bureau accept the redacted version of this document included with the January 28th Memorandum of Law, also submitted with this Motion, as the public version of the January 28th Report. LUMA is also filing the unredacted version of this report under seal of confidentiality.

10. In addition, LUMA respectfully requests that *Exhibit 3* be maintained confidential because it contains information that should be classified as commercially sensitive information protected under Puerto Rico's trade secret law and the Policy on Management of Confidential Information. Following, LUMA provides a Memorandum of Law in support of this request.

III. Memorandum of Law in Support of Request for Confidential Treatment of Exhibit 3

A. Applicable Laws and Regulation to submit information confidentially before the Energy Bureau.

11. Section 6.15 of Act 57-2014 regulates the management of confidential information filed before this Energy Bureau. It provides, in pertinent part, that: "[i]f any person who is required to submit information to the Energy [Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the Commission to treat such information as such" 22 LPRA § 1054n. If the Energy Bureau determines, after appropriate evaluation, that the information should be protected, "it 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." *Id.*, Section 6.15 (a).

12. In connection with the duties of electric power service companies, Sections 1.10 (i) and (ix) of Act 17-2019 further provide that electric power service companies shall submit information requested by customers, except for: (i) confidential information in accordance with the Rules of Evidence of Puerto Rico...". 22 LPRA § 1141i.

13. Access to the confidential information shall be provided "only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement." *Id.*, Section 6.15(b), 22 LPRA § 1054n. Finally, Act 57-2014 provides that this Energy Bureau "shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered

exclusively to the personnel of the [Energy Bureau] who needs to know such information under nondisclosure agreements. However, the [Energy Bureau] shall direct that a non-confidential copy be furnished for public review". *Id.*, Section 6.15(c).

14. The Energy Bureau's Policy on Confidential Information details the procedures that a party should follow to request that a document or portion thereof, be afforded confidential treatment. In essence, the Energy Bureau's Policy on Confidential Information requires identification of confidential information and the filing of a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 16, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation and a summary of the reasons why each claim or designation conforms to the applicable legal basis of confidentiality. *Id.*, paragraph 3. The party who seeks confidential treatment of information filed with the Energy Bureau must also file both a "redacted" or "public version" and an "unredacted" or "confidential" version of the document that contains confidential information. *Id.*, paragraph 6.

15. The Energy Bureau's Policy on Confidential Information also states the following with regards to access to Validated Confidential Information on the ground of being trade secret information:

Any document designated by the [Energy Bureau] as Validated Confidential Information because it is a trade secret under Act 80-2011 may only be accessed by the Producing Party and the [Bureau], unless otherwise set forth by the [Bureau] or any competent court.

Id. Section D (on Access to Validated Confidential Information).

16. Relatedly, Energy Bureau Regulation 8543 includes a provision for filing confidential information in adjudicatory proceedings before this Honorable Energy Bureau. To wit,

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Section 1.15 provides that, "a person has the duty to disclose information to the [Energy Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged information, request the [Energy Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed accordingly to . . . Article 6.15 of Act No. 57-2014, as amended."

B. Commercially Sensitive Confidential Information

17. The Puerto Rico legal system recognizes and protects the confidentiality of certain information considered to be privileged. In part, privileged materials are exclusively referred to as the privileges codified in the Rules of Evidence. *E.L.A v. Casta*, 162 DPR 1, 10 (2004). One of these recognized privileges is a company's Trade Secrets:

The owner of a trade secret has a privilege, which may be claimed by such person or by his or her agent or employee, to refuse to disclose and to prevent another from disclosing it, if the allowance of the privilege will not tend to conceal fraud or otherwise work injustice. If disclosure is directed, the court shall take such protective measures as the interest of the owner of a trade secret and of the parties and the interests of justice require.

See R. Evid. 513, 32 LPRA Ap. IV, R. 513 (2024).

18. In essence, this privilege "protects confidential commercial information" and is "based on public policy considerations aimed at promoting innovation, commercial production and business operation improvement, which in turn contributes to economic and technological development". (translation provided). *Colón Rivera v. Triple-S Salud, Inc.*, 2020 WL 8458051, page. *7 (Puerto Rico Court of Appeals, December 22, 2020).

19. The Puerto Rico Trade and Industrial Secrets Protection Act - Act. No. 80 of June 3, 2011, as amended, 10 LPRA § 4131 (2024) ("Act 80-2011") considers a trade secret any information that:

- (a) From which an independent economic value, whether current value or potential value, or a commercial advantage is derived because such information is not commonly known or accessible by appropriate means to those persons who may derive pecuniary benefit from the use or disclosure of such information, and
- (b) which has been subject to reasonable security measures, under the circumstances, to maintain its confidentiality.

10 LPRA § 4132 (translation provided).

20. Act 80-2011 considers reasonable security measures as those taken by the owner to

limit access to information under particular circumstances. 10 LPRA§ 4133. The following are

considered reasonable measures, among others:

- (a) Not disclose the information to individuals or entities not authorized to have access to it;
- (b) limit the number of people authorized to access the information;
- (c) require employees of the company authorized to access the information to sign confidentiality agreements;
- (d) store the information in a separate place from any other information;
- (e) label the information as confidential;
- (f) take measures to prevent indiscriminate reproduction of the information;
- (g) establish control measures for the use or access of the information by employees, or
- (h) implement available technological measures when publishing or transmitting the information through the Internet, including the use of email, webpages, discussion forums and any other equivalent means.

Id. (translation provided).

21. Article 11(c) of Act 80-2011 establishes that, before ordering any production of a

commercial trade secret, it should be determined whether there is a substantial need for the

information. (Our translation). 10 LPRA § 4139(c). Puerto Rico Courts in adversarial cases have

interpreted a "substantial need" when the following four (4) conditions are present:

(1) The allegations raised for the purpose of establishing the existence or absence of liability have been specifically raised;

(2) the information sought to be discovered is directly relevant to the allegations specifically raised;

(3) the information sought to be discovered is such that the party seeking discovery would be substantially prejudiced if not permitted access to it; and

(4) there is a good faith belief that testimony or evidence derived from the information that is part of the trade secret will be admissible at trial.

Ponce Adv. Med. v. Santiago González, 197 DPR 891, 905 (2017) (translation provided).

C. Request for Confidentiality

22. LUMA respectfully submits that Exhibit 3 contains information that should be classified as commercially sensitive information protected under Puerto Rico's trade secret law and the Energy Bureau's Policy on Confidential Information. Page 2 of Exhibit 3 includes information on the number of interested projects in the ASAP Standard Offers (referred to as "SO1" and "SO2") and total potential project capacities; page 4 includes information on the number of additional interested participants; and page 7, contains a discussion of proposed strategies related to the ASAP program, including certain evolving issues in this process and approach to address, information resulting from discussions with potential participants, internal strategies LUMA is following or proposes to follow in the implementation of ASAP, and other commercial considerations proposed to achieve cost reductions or more favorable terms from a public policy perspective. Page 2 also contains information on project capacities that should remain confidential until a determination is made on the total MW capacity that can be absorbed by the grid for ASAP. All of this information forms part of internal deliberative processes and commercial considerations that should remain confidential as sensitive commercial information in order to protect LUMA's competitive edge in the negotiation of the SO Agreements so as to ensure the most favorable pricing and terms are maintained- which will also inure to the benefit of ratepayers in lower generation, transmission and distribution costs. Furthermore, Table 3 on page 6 of Exhibit 3 includes a breakdown of estimated costs for ASAP by category, including legal, consultant, and LUMA staff among others. Revealing this information could place LUMA in a commercial/competitive disadvantage in the event it procures any of the services described in this table. In sum, disclosure of the information described

above could adversely affect LUMA's competitive edge and LUMA's ability to achieve the main purpose of the ASAP which is to significantly reduce costs and shorten schedules to bring much needed BESS on-line.

23. The mentioned confidential information included in *Exhibit 3* is categorized and managed by LUMA as confidential. LUMA has not disclosed this information to third parties outside the organization (other than consultants and counsel bound to maintain it confidential) and, as a policy, does not disclose this type of information.

24. Maintaining the confidentiality of *Exhibit 3* does not adversely affect the public interest. To the contrary, it protects the public interest in reducing electricity costs, as well as achieving a more successful ASAP program which will lead to system reliability benefits. In addition, once the SO Agreements are executed, these will also be publicly available (subject to confidentiality of those provisions protected under the law). Thus, protection of the information in *Exhibit 3* will not hinder the public from ultimately gaining access to the relevant information.

D. Identification of Confidential Information

25. In compliance with the Bureau's Policy on Confidential Information, the following is a table summarizing the hallmarks of this request for confidential treatment:

Document	Pages, Figures in which Confidential Information is Found, as applicable	Description	Reasons and Summary of Legal Basis for Confidentiality Protection	Date Filed
Exhibit 3	Page 3, fourth paragraph, second, third and fifth sentences and Table 1, columns under "Expressed Interest" and "Potential 4-Hr Capacity (MW)".	Information of projects and associated capacities. This information pertains to internal deliberative processes and commercial considerations that should remain confidential as sensitive	Trade Secrets Under Act 80-2011	March 24, 2025

Document	Pages, Figures in which Confidential Information is Found, as applicable	Description	Reasons and Summary of Legal Basis for Confidentiality Protection	Date Filed
		commercial information in order to protect LUMA's competitive edge.		
Exhibit 3	Page 4, last phrase of first full sentence	Information regarding additional participants interested in the program. This information pertains to internal deliberative processes and commercial considerations that should remain confidential as sensitive commercial information in order to protect LUMA's competitive edge.	Trade Secrets Under Act 80-2011	March 24, 2025
Exhibit 3	Page 6, Table 3, expenditures per category for implementation of ASAP	Revealing this information could place LUMA in a commercial/competitive disadvantage in the event it procures any of the services described in this table.	Trade Secrets Under Act 80-2011	March 24, 2025
Exhibit 3	Page 3, first, second, third, fourth, and fifth bulleted paragraphs	Discussion of challenges and opportunities in implementation of the program. This is information of internal deliberative processes and commercial considerations that should remain confidential as sensitive commercial information.	Trade Secrets Under Act 80-2011	March 24, 2025

26. LUMA is submitting herein a public version of *Exhibit 3*, in which the above identified information is redacted. LUMA respectfully requests the Energy Bureau to accept the redacted version of Exhibit 3 herein as the public version of *Exhibit 3*.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **accept** *Exhibit 1* and *2* in compliance with the request for the studies for the interconnection of the 800 MW of generation proposed by Genera; **accept** *Exhibit 3* as the detailed status report for the ASAP project and *Exhibits 4, 5* and *6* as the detailed status reports on the LUMA SOW 4x25MW project; **grant** the request herein for confidential treatment of *Exhibit 3* and January 28th Report in *Exhibit 6* and **accept** the redacted versions of these document submitted with this Motion as the public version thereof; and **deem** LUMA in compliance with the March 12th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 24th day of March 2025.

We hereby certify that we filed this notice and request using the electronic filing system of this Energy Bureau. We also certify that a copy of this motion will be notified to the Puerto Rico Electric Power Authority, through its counsel of record Alexis Rivera, <u>arivera@gmlex.net</u> and Mirelis Valle, <u>mvalle@gmlex.net</u>, and to Genera PR LLC, through its counsel of record Luis R. Roman-Negron, <u>lrn@roman-negron.com</u>; <u>legal@genera-pr.com</u>; <u>regulatory@genera-pr.com</u>.



DLA Piper (Puerto Rico) LLC 500 Calle de la Tanca, Suite 401 San Juan, PR 00901-1969 Tel. 787-945-9147 Fax 939-697-6141 /s/ Laura T. Rozas Laura T. Rozas RUA NÚM. 10,398 laura.rozas@us.dlapiper.com

/s/ Emmanuel Porro González Emmanuel Porro González RUA Núm. 23,704 emmanuel.porrogonzalez@us.dlapiper.com

Exhibit 1

Additional studies for the interconnection of the 800 MW of generation proposed by Genera

Interconnection Assessment for Genera's Emergency Generation Project

In accordance with the Resolution and Order ("R&O") dated March 12, 2025, issued by the Puerto Rico Energy Bureau ("Energy Bureau"), LUMA was ordered to provide the studies referenced *in LUMA's Position on Genera's Request for Expedited Approval of Emergency Generation Capacity Solution*, submitted on March 6, 2025. This order compelled LUMA to undertake the necessary steps to evaluate Genera PR LLC's ("Genera") proposal for an Emergency Generation Interconnection. This report constitutes LUMA's preliminary response, prepared in compliance with the aforementioned R&O. It is important to note that a comprehensive assessment of individual project locations, interconnections, and fuel supply requires further detailed analysis to determine the full feasibility of any proposed solution.

Summary of LUMA's Response

LUMA performed an Emergency Offshore Power **Interconnection Assessment** in response to the Energy Bureau's R&O dated March 12, 2025. LUMA reached out to the Puerto Rico Public-Private Partnerships Authority ("P3A"), the Puerto Rico Electric Power Authority ("PREPA"), the Third-Party Procurement Office ("3PPO"), and Genera to understand the scope of the proposed 800MW for emergency generation. LUMA understands that 3PPO is currently drafting a Request for Proposal ("RFP") for the procurement of 800MW of temporary generation, targeted for interconnection to the Electric System by the end of May 2025.

LUMA's assessment focused on the proposal of Emergency Offshore Power for 400MW interconnected at the Costa Sur Power Plant to the 115 kV switchyard and for 400MW interconnected at Aguirre Power Plant in lieu of Aguirre 1 connected to the 230 kV.

The main objective of this evaluation was to provide an assessment of the impact of integrating a total of 800MW of temporary base generation into the system. Due to limitations in available information and time constraints, only a thermal analysis has been performed. This analysis identified overloaded circuit elements, either by worsening pre-existing conditions or new issues caused by the installation of the proposed generation.

It is critical to acknowledge that this study's scope is limited, and the results are indicative rather than conclusive, owing to data constraints. A full System Impact Study ("SIS") and Facility Study ("FS") are recommended to thoroughly understand the interconnection's impact and determine necessary system modifications for reliable integration.

Methodology

The assessment was based on the information provided to date that describes the temporary generation will be in the form of Power Barges, to be connected at Costa Sur 115 kV and Aguirre 230 kV buses. Each of these locations would receive 400MW for a total of 800MW of temporary generation. The expected Commercial Operation Date ("COD") is May of 2025.



RESPONSE TO MARCH 12, RESOLUTION NEPR-MI-2024-0005

The following data was used to perform the assessment:

- 1. Base Case: 2025 Night Peak (3,270MW load) was used for simulations.
- 2. **Generator Modeling:** Due to limited technical data, temporary generators were modeled as power injections at their point of interconnection ("POI").
- 3. **Existing generation:** Existing generation was re-dispatched, according to operational limits and expected availability of major units for Summer 2025.

Steady-state contingency analysis was employed to identify potential impacted facilities resulting from the Emergency Offshore Power projects. Contingencies were applied to pre-project and post-project night-peak scenarios to compare branch loading results between the cases.

Results and Conclusions

To provide a broader view of the impact of temporary generation in the system, LUMA studied a set of three scenarios, including the original proposal:

- Scenario 1 (original proposal): Aguirre Power Barge injecting 400MW and Costa Sur Power Barge injecting 400MW.
- Scenario 2: Aguirre Power Barge injecting 600MW and Costa Sur Power Barge injecting 200MW.
- Scenario 3: Aguirre Power Barge injecting 800MW and Costa Sur Power Barge injecting 0MW.

Based on the contingency analysis criteria, the following results summarize the network violations found in each scenario:

Line voltage or element	Scenario 1	Scenario 2	Scenario 3
38 kV	14	10	12
115 kV	6	2	2
230 kV	0	0	0
Transformer	2	0	0
Total Violations	22	12	14

Table 1	Summarv	of network	violations	found in	each scenario
	Summary	OTHELWORK	violations	iounu m	each Scenario

Line flows are dependent on system topology, generation dispatch and load location. Based on the conditions studied, the contingency analysis shows the least number of violations occur in Scenario 2, where 600MW are injected in Aguirre and 200MW at Costa Sur. Injection at 230 kV Aguirre benefits a more even distribution of load flows and hence, less violations during contingency conditions. Aguirre also provides slightly better connectivity and proximity to load centers.



RESPONSE TO MARCH 12, RESOLUTION NEPR-MI-2024-0005

It is essential to recognize that these results do not consider other critical aspects, such as physical connectivity feasibility or short-circuit considerations. A full SIS and FS are required to have a full assessment of this proposal.

LUMA estimates the cost for conducting the necessary interconnection studies, including an SIS and FS, to be approximately \$200,000 per site, totaling an estimated \$400,000 for the two-site project, which are incremental to current budgeted expenditures. The SIS will encompass a comprehensive evaluation of the new generation facility's impact on the transmission system, including thermal, voltage, and short-circuit analyses to identify potential system violations and necessary mitigations. This will involve assessing potential overloading of transmission lines and equipment, evaluating breaker ratings, and studying the system's ability to remain within operational ranges under contingency conditions. The FS will focus on engineering and equipment specifications, identifying required infrastructure upgrades, and providing detailed cost estimates and a construction timeline. These cost estimates are consistent with those incurred for similar interconnection studies performed for previous projects, such as the Peaker and Battery Energy Storage System ("BESS") projects, ensuring a benchmark for comparable analyses.

LUMA would like to emphasize that this cost estimate solely encompasses the costs associated with the interconnection studies and does not include any engineering, construction, or commissioning expenses. These additional costs will be determined upon LUMA's receipt of the final proposed scope for the project.

Detailed information regarding the Interconnection Assessment is provided in Exhibit 2.



Exhibit 2

Emergency Offshore Power Interconnection Assessment

Emergency Offshore Power Interconnection Assessment

March 24, 2025



TABLE OF CONTENTS

1 INTRODUCTION
1.1 ASSESSMENT SCOPE AND BACKGROUND
1.1.1 Part 1: Transmission System Model Updates4
1.1.2 Part 2: Interconnection Assessment
1.2 CAVEATS AND LIMITATIONS OF THIS REPORT
2 EMERGENCY OFFSHORE POWER - LIST OF SCENARIOS
3 CASE MODEL UPDATES AND ASSUMPTIONS
3.1 CASES AND ASSUMPTIONS
3.2 Generation Dispatch
3.2.1 Night-peak Base Case Dispatch6
3.3 Interconnection Assessment Files8
4 EMERGENCY OFFSHORE POWER INTERCONNECTION ASSESSMENT
4.1 STEADY-STATE THERMAL ANALYSIS
4.2.1 PSS/E Steady-state Models8
4.2.2 Steady-state Contingencies9
4.2.3 Network Upgrades Criteria9
5 INTERCONNECTION ASSESSMENT RESULTS 10
5.1 STEADY-STATE CONTINGENCY ANALYSIS RESULTS10
5.2 NIGHT CASE RESULTS10
5.2.1 Scenario 1
5.2.2 Scenario 2
5.2.3 Scenario 3
5.2.4 Additional Analysis: Scenario 1 vs Scenario 2
5.2.5 Additional Analysis: Scenario 2 vs Scenario 314
5.2.6 Additional Analysis: Scenario 1 vs Scenario 315



1 INTRODUCTION

The Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order ("R&O") on February 27,2025, compelling LUMA to provide its position on Genera's request for Expedited approval of Emergency Generation Interconnection. LUMA presented its position on March 6, 2024, stating the need for a thorough evaluation on the technical challenges of locating the proposed generation, consistent with any other generation asset to be interconnected to the system.

On March 12, 2025, the Energy Bureau issued another R&O and ordered LUMA to undertake necessary studies to assess the impact of the integration of Emergency Generation Power, as proposed by Genera. This report presents an assessment of the interconnection impact, based on the limited available information provided by the proponent.

1.1 ASSESSMENT SCOPE AND BACKGROUND

LUMA's Resource Adequacy Analysis has consistently identified a deficit in available operational generation that has been compounded by the recent catastrophic failure of Aguirre 1 unit. This scenario foresees a significant increase in load shedding events for the upcoming summer and peak demand season. As part of Genera's response to mitigate this issue, it has been proposing the temporary use of power barges, which will be located in critical transmission centers with access to the proposed offshore generation.

The analysis undertaken by LUMA considers the evaluation of two (2) generation assets being located at Aguirre 230 kV and Costa Sur 115 kV, where proponent has already identified the potential physical space for installation of power barges.

As the initial step in the evaluation of interconnection, the planning team performed an assessment to identify thermal violations caused by the integration of the Emergency Offshore Power projects into Puerto Rico's electric grid. A map of the proposed project location and technology of the Emergency Offshore Power project is presented in Figure 1.



Figure 1 Map Showing the Location of the Proposed BESS for Emergency Offshore Power



This report summarizes the results of the integration of the Emergency Offshore Power proposed into Puerto Rico's power grid system. The assessment is structured in two parts, as summarized below:

- Part 1—Transmission System Model Conditioning: Updates to the Puerto Rico electric transmission system PSS/E models to reflect the following, based on the needs of the assessment:
 - Recent grid topology changes.
 - Changes to the existing generation to accommodate the proposed generation.
 - Changes or updates to equipment MVA rating updates.
 - Include the Emergency Offshore Power projects.
- Part 2—Interconnection Assessment: Perform a steady-state electrical load flow analysis using Siemens' Power System Simulator for Engineering ("PSS/E") to identify thermal overloads caused by the integration of the Emergency Offshore Power projects. Based on thermal overload results, network upgrades needed to alleviate the observed overloads might need to be proposed and further evaluated. The identification of network upgrades is not part of the scope of this assessment.

Given the limited information of the proposed generation, such as lack of certainty in nameplate capacities and main power transformer ("MPT") information, LUMA developed several reasonable scenarios to be considered, and applied transmission planning standards and best practices to perform this assessment.

1.1.1 Part 1: Transmission System Model Updates

Grid topology and equipment rating updates were made to the PSS/E transmission system models. These updates include equipment in-service or out-of-service status (as applicable) and equipment MVA ratings. LUMA has collected field data for transmission lines and transformers. The transmission modeling group used this data to update and provide the year 2025 night-peak PSS/E models. The models include system updates and new projects in service by the year 2025. The transmission and sub-transmission system single line diagrams, along with field data from LUMA's Operation, were also used to update the PSS/E model to represent the power system's transmission network topology accurately.

1.1.2 Part 2: Interconnection Assessment

An assessment was carried out to identify potential overload caused by the integration of the Emergency Offshore Power projects. To evaluate these conditions, steady-state contingency analysis during night-peak loading conditions was conducted, and overloaded facilities were identified.

The results from the assessment were used to identify network violations that would require further analysis for mitigation, in the form of Network Upgrades. The contingencies were applied in the pre- and post-project cases for night-peak scenario to compare thermal results between cases. These results were filtered using screening criteria outlined in Section 4.2.3 to flag facilities that the Emergency Offshore Power projects integration would impact. If a facility met certain criteria, they were identified as impacted facilities that would require network upgrades before the



interconnection of the associated Emergency Offshore Power projects. The impacted facilities are presented in the interconnection assessment results section of this report.

1.2 CAVEATS AND LIMITATIONS OF THIS REPORT

The main objective of this evaluation is to provide an assessment of the impact of integrating a total of 800MW of temporary base generation into the system. Given the limitations in available information and time constraints, only a thermal analysis has been performed. The result of this analysis is the identification of overloaded circuit elements, either by worsening pre-existing conditions or new issues caused by the installation of the proposed generation. This information is useful in understanding potential network violations and eventually, presenting mitigations via network upgrades. The report scope does not include recommendations for network upgrades.

It is also relevant to the fact that, like any other given large-scale generation asset, a thorough System Impact Study ("SIS") is recommended to be executed. The SIS expands into additional critical areas to be considered, such as voltage analysis and short-circuit analysis. Voltage analysis provides system-impact related information that could further show additional violations under contingency conditions. The short-circuit analysis is essential to ensure protection of equipment from damage and properly rate circuit breakers and protective devices. Both voltage and short-circuit analysis could reveal the need for network upgrades or system modifications.

2 EMERGENCY OFFSHORE POWER - LIST OF SCENARIOS

In the Emergency Offshore Power proposal, two projects were presented to the interconnection evaluation assessment performed by LUMA. The proposals are assumed to be two (2) Emergency Offshore Power, made of either combustion turbines or reciprocating engines. A summary of the projects and the three different scenarios studied are provided in Tables 2-1, 2-2 and 2-3.

Scenario	Project Name	Project Size (MW)	Interconnection Substation Name (POI)	Voltage (kV)
Aguirre Power Barge		400	Aguirre TC	230
•	Costa Sur Power Barge	400	Costa Sur TC	115

Table 2-1. Scenario 1 - Itemized Project List for the LUMA Emergency Offshore Power Assessment

Table 2-2. Scenario 2 - Itemized Project List for the LUMA Emergency Offshore Power Assessment

Scenario	Project Name	Project Size (MW)	Interconnection Substation Name (POI)	Voltage (kV)
2	Aguirre Power Barge	600	Aguirre TC	230
2	Costa Sur Power Barge	200	Costa Sur TC	115



Scenario	Project Name	Project Size (MW)	Interconnection Substation Name (POI)	Voltage (kV)
2	Aguirre Power Barge	800	Aguirre TC	230
5	Costa Sur Power Barge	0	Costa Sur TC	115

Table 2-3. Scenario 3 - Itemized Project List for the LUMA Emergency Offshore Power Assessment

3 CASE MODEL UPDATES AND ASSUMPTIONS

3.1 CASES AND ASSUMPTIONS

The following cases and assumptions were developed by LUMA transmission planning and interconnection groups and were used to perform the assessment for the Emergency Offshore Power project:

- Year 2025 night-peak cases were used for this assessment.
 - Existing PV units were dispatched at 0% on the night-peak case. Existing wind power projects were dispatched at 17% on the night-peak case. No tranche projects were modeled in the night-peak case, since none are expected to be operational by 2025.
 - In the night-peak case, Emergency Offshore Power projects are modeled at 100% MW output, simulating the evening peak in Puerto Rico, which is after sunset.
 - Three study cases were developed and used for this assessment.
 - Aguirre Power Barge injecting 400MW and Costa Sur Power Barge injecting 400MW.
 - Aguirre Power Barge injecting 600MW and Costa Sur Power Barge injecting 200MW.
 - Aguirre Power Barge injecting 800MW and Costa Sur Power Barge injecting 0MW.
- There are no PSS/E models of the Emergency Offshore Power project submitted. The generators are assumed to be power injections, at their specified point of interconnection.

3.2 Generation Dispatch

This subsection contains a summary of the generation dispatch used in the Emergency Offshore Power base case and study models. The methods used to re-dispatch existing generations into the models to accommodate new Emergency Offshore Power projects are described below. The re-dispatch scenario used in the assessment is designed to accommodate all the Emergency Offshore Power generation.

3.2.1 Night-peak Base Case Dispatch

Table 3-1 shows a summary of the generation in the 2025 night-peak base case and Emergency Offshore Power study cases with 100% output of projects for the 3 scenarios studied. Table 3-1 further shows the detailed generators being dispatched.



		Base Case	Study Case 1	Study Case 2	Study Case 3
Bus #	Bus Name	Capacity (MW)	Capacity (MW)	Capacity (MW)	Capacity (MW)
837	AFRO MAY #2	57 1	52.0	50	50 E0
838		37.1	52.9 06 F	50	50
830		20.0	20.5	25	25
871		28.0	20.5	25	25
810		200	271	250	250
467		3/7.7	271	256	256
805	C S 5	0	400	600	008
806	C S 6	349.8	0	0	0
881	CAMBGT2	1/1.2	4.9	126.3	127
992		78	82.6	78	78
002		/8	82.6	/8	/8
200		0.6	0.6	4	4
022		57.1	52.9	50	50
205		57.1	52.9	50	50
305		0	400	200	0
828	DAGUAUGI	24	22.2	21	21
37	DOS BOCAS	17.3	16	15	15
858	ECOGI1	175	185.2	175	175
859	ECOG12	175	185.2	175	175
860	ECOSTEAM	216	228.6	216	216
97390	FAJRDO_MV	2.4	2.3	2.3	2.3
288	GARZA HP 1	3.4	3.2	3.2	3.2
852	JOBOS GT	22.8	21.2	21.2	21.2
829	P.S.GAS1 (Temp FEMA)	26.3	24.3	24.3	24.3
830	P.S.GAS2 (Temp FEMA)	27.4	25.4	25.4	25.4
831	P.S.GAS3 (Temp FEMA)	51.4	47.6	47.6	47.6
817	P.SECO1 (Temp FEMA)	20.6	19.1	19.1	19.1
818	P.SECO2 (Temp FEMA)	50.7	47	47	47
819	P.SECO3	180	190.5	180	180
7784	PUNTALIMA_WT	1.9	1.8	1.8	1.8
816	S.JUAN10 (Temp FEMA)	142.8	132.3	117.2	117.2
814	SANJUAN8 (Temp FEMA)	49.7	46	46	46
815	SANJUAN9	100	105.8	100	100
856	SJREPG1	160	169.4	160	160
857	SJREPG2	140.3	0	0	0
811	SJREPST1	57.1	52.9	50	50
812	SJREPST2	48.6	0	0	0
97400	TOABAJA	2.4	2.3	2.4	2.4
6	TORO NEGRO	10.3	9.5	9.5	9.5
1109	TORONEGRO2	0	0	0	0
851	YAB. GAS	19.4	18	17	17

Table 3-1. Dispatch Summary of Emergency Offshore Power Night-peak Cases



25	YAUCO 2	4.6	4.2	4.2	4.2
	Total	3269.2	3284.4	3278.5	3279.2

3.3 Interconnection Assessment Files

The following files were used for the Emergency Offshore Power Interconnection Assessment. PSS/E V34 was used for steady-state and contingency analysis.

Table 3-3. Files Used in the Emergency Offshore Power Interconnection Assessment

File Name	Description
2025_LUMA_NPK_V3_07122024_TempBarges_SCADA_ GEN+FIX_3200-BC	Original LUMA PSSE V34 night-peak base case
2025_LUMA_NPK_V3_07122024_TempBarges_SCADA_G EN+FIX_L2800-G2700+800	Assessment Team-modified PSSE V34 night- peak study case

4 EMERGENCY OFFSHORE POWER INTERCONNECTION ASSESSMENT

The methodology and criteria used to complete the Emergency Offshore Power Interconnection Assessment are described in this section. The assessment consists of a steady-state thermal contingency analysis to flag potential impacts with the integration of Emergency Offshore Power projects on the LUMA's transmission system. To address the unique aspects of this assessment, LUMA set forth a set of criteria to investigate the impact of the projects on the transmission system. These criteria are described in the subsections below.

Modeling and analysis for the Emergency Offshore Power Interconnection Assessment was performed using Siemens' PSS/E transmission planning and analysis software.

4.1 STEADY-STATE THERMAL ANALYSIS

Steady-state thermal modeling and analysis of the Emergency Offshore Power projects were performed using PSS/E. The methodology and criteria used in the steady-state analysis are provided in the subsections below.

4.2.1 PSS/E Steady-state Models

The transmission power flow models used in the analysis represent peak conditions for night hours. The cases used are:

- Base Case (Pre-Project)
 2025_LUMA_NPK_V3_07122024_TempBarges_SCADA_GEN+FIX_3200-BC
- Study Case (Post-Project) 2025_LUMA_NPK_V3_07122024_TempBarges_SCADA_GEN+FIX_L2800-G2700+800



4.2.1.1 Pre-project Case and Post-project Case Definitions

The above 2025 night-peak case is defined as the pre-project case. The post-project case is developed after adding the Emergency Offshore Power projects and conducting a re-dispatch of thermal and conventional generation fleet units. There are three (3) post-project cases, one for each scenario, as described in Section 2.

4.2.1.2 Post-project Night Case Definition

In the post-project night case, Emergency Offshore Power projects were integrated and dispatched at 100% of their capacity, which are defined by each scenario. To accommodate the dispatch of the new projects during night periods, existing generation units were re-dispatched by either reducing their generation or turning them off.

4.2.1.3 Proponent PSS/E Facility Model Modifications

The proponent did not provide a PSS/E model for their facilities. Therefore, reasonable assumptions and modifications were made to proceed with the work. In this case, generators were modeled as simple power injections to their respective proposed point of interconnection.

4.2.2 Steady-state Contingencies

Steady-state contingency files were created for the Emergency Offshore Power Assessment. Over 1,100 contingencies aligning with the transmission planning standard were used in the contingency assessment. These contingencies were used in the steady-state analysis to monitor power flow changes between the pre-project and post-project cases to identify network upgrades necessary to reliably integrate the new Emergency Offshore Power projects into the electric grid. Steady-state power flow analysis was performed with PSS/E to identify thermal violations throughout the network. The following contingency (N-1) scenarios—as defined by the transmission planning standard—were considered:

- P1-1: Loss of generator
- P1-2: Loss of transmission circuit
- P1-3: Loss of transformer

The above contingencies were created for all equipment and generators connected at 230 kV, 115 kV, and 38 kV. Multiple contingencies (P4: fault plus stuck breaker and P7: common structure) were not studied.

4.2.3 Network Upgrades Criteria

The steady-state contingency analysis was used to flag potential impacted facilities caused by the integration of Emergency Offshore Power projects. The contingencies were applied in the preproject and post-project cases for night-peak scenario to compare branch loading results between cases. The assessment results that meet the following criteria were flagged and will be considered for further assessment and network upgrades. The equipment rating used to flag violations caused by Emergency Offshore Power project integration is Rating B (long-term overload) for all facilities in the model.

Screening criteria applied to thermal contingency analysis results:



- **Criterion #1:** If the pre-project case facility loading is below 100% and the post-project case facility loading is above 100%, the facility is flagged.
- **Criterion #2:** If the pre-project case facility loading is above 100% and the post-project case facility overloading increases by more than 3%, the facility is flagged.

Criterion #1 identifies new violations, while Criterion #2 identifies existing facility incremental overloads caused by the new generator facilities.

5 INTERCONNECTION ASSESSMENT RESULTS

The Emergency Offshore Power Interconnection Assessment consists of steady-state contingency analysis. The results from the assessment are used to identify system thermal violations following the integration of the Emergency Offshore Power projects.

The steady-state criteria used to identify violations are described in Section 4.2.4. The rating used to flag a network upgrade caused by Emergency Offshore Power projects integration is Rating B for all transmission facilities in the model. The facilities that met the criteria were identified as impacted facilities that will need further investigation and potential network upgrade before the interconnection of Emergency Offshore Power projects.

5.1 STEADY-STATE CONTINGENCY ANALYSIS RESULTS

The interconnection assessment's steady-state contingency analysis was used to assess potential violations related to the integration of the Emergency Offshore Power projects to the grid. Table 5-1 shows a summary of the transmission facilities impacted by the integration of the Emergency Offshore Power projects.

5.2 NIGHT CASE RESULTS

This section contains the contingency analysis overloads found in the night case.

5.2.1 Scenario 1

The night case thermal loading results for Scenario 1 are specified in **Table 5-2**. The violations are identified under both Criteria's #1 and #2. Criterion #1, where violations do not exist in the pre-project steady-state contingency analysis and become a violation after the Emergency Offshore Power project is added in the post-project case and Criterion #2 where violations exist in the pre-project steady-state contingency analysis but increases by more than 3%.



			AC Loading (%)		»)		
Monitored Element	Line/Facilit y	400+400 MW Contingency (N-1)	Rate (MVA)	Actual (3200 MW) Loading %	400+400MW (3200MW Load) Loading %	Difference (Actual - New Load)	Criteri a
L-1500 Once de Agosto - Sabana Grande TO	1500	L-700 Costa Sur SP - Yauco 2 HP	20	218.35	244.91	12%	2
L-7900 Juana Díaz TC - Toro Negro 1 HP	7900	Juana Díaz TC 115/38 kV #1	20	191.85	201.38	5%	2
L-1200 San German TC - Yauco 2 HP (Sabana Grande N.O.)	1200	San German TC 115/38 kV #1	20	187.54	196.78	5%	2
L-9300 Juncos TC - San Lorenzo TO	9300	Caguas TC Sub Xmer	19.7	186.26	193.71	4%	2
L-3700 Jobos TC - Maunabo TC	3700	L-3700 Humacao TC - Maunabo TC	21	174.36	178.94	3%	2
L-300 Toro Negro 1 HP - Juana Díaz TC	300	Juana Díaz TC 115/38 kV #1	20	169.7	178.43	5%	2
L-700 Costa Sur SP - Yauco 2 HP	700	San German TC 115/38 kV #1	42	162.29	169.27	4%	2
L-18000 Juana Díaz TC - (17900 NO)	18000	Juana Díaz TC 115/38 kV #1	20	129.62	135.32	4%	2
L-7300 Baldrich Sect San Jose TO	7300	Hato Rey TC 38 kV Tie	20	120.78	128.05	6%	2
L-37200 Añasco TC - Mayagüez TC	37200	Mora TC 230/115 kV #1	130.7	115.76	120.77	4%	2
L-3600 Villamar Sect Llorens Torres Sect.	3600	L-6700 Martin Peña TC - Seboruco TO	40	124.44	120.72	3%	2
L-41000 Yabucoa TC - Humacao TC	41000	L-36300 Humacao TC - Yabucoa TC	207.7	98.95	114.77	16%	1
L-13400 Acacias TC - San German Sect.	13400	L-13400 Acacias TC - San German Sect.	20.3	109.58	114.72	5%	2
L-41200 Sabana Llana TC - Canóvanas TC	41200	L-36800 Sabana Llana TC - Canovanas TC	145.4	110.14	113.78	3%	2
L-36800 Sabana Llana TC - Canóvanas TC	36800	L-41200 Sabana Llana TC - Canovanas TC	145.4	109.57	113.19	3%	2
L-6500 Toro Negro 1 HP - Barranquitas TC	6500	Juana Díaz TC 115/38 kV #1	20	98.96	110.23	11%	1
L-36300 Yabucoa TC - Humacao TC	36300	L-41000 Humacao TC - Yabucoa TC	214.8	92.81	107.03	15%	1
L-17400 Berwind TC - Mall of San Juan Sect.	17400	Hato Rey TC 38 kV Tie	49.4	102.94	105.83	3%	2
Acacias TC Sub Xmer	Transforme r	L-39800 Acacias TC - Mayaguez GP	24	102.58	105.37	3%	2
Monacillos TC 115/38 kV #2	Transforme r	Monacillos TC 115/38 kV #3	100	106.75	101.67	5%	2
L-37200 Añasco TC - Victoria TC	37200	Mora TC 230/115 kV #1	137.4	96.86	101.29	5%	1
L-9300 Juncos TC - San Lorenzo TO	9300	L-9300 Juncos TC - San Lorenzo TO	19.7	93.42	101.02	8%	1

Table 5-2. Thermal Loading Results for Scenario 1 in Emergency Offshore Power Night-peak Case



5.2.2 Scenario 2

The night case thermal loading results for Scenario 2 are specified in **Table 5-3**. The violations are identified under both Criteria's #1 and #2. Criterion #1, where violations do not exist in the pre-project steady-state contingency analysis and become a violation after the Emergency Offshore Power project is added in the post-project case and Criterion #2 where violations exist in the pre-project steady-state contingency analysis but increases by more than 3%.

				A	6)		
Monitored Element	Line/Facilit y	200+600 MW Contingency (N-1)	Rate (MVA)	Actual (3200 MW) Loading %	200+600M W (3200MW Load) Loading %	Difference (Actual - New Load)	Criteri a
L-1500 Once de Agosto - Sabana Grande TO	1500	L-700 Costa Sur SP - Yauco 2 HP	20	218.35	228.99	5%	2
L-9300 Juncos TC - San Lorenzo TO	9300	Caguas TC Sub Xmer	19.7	186.26	194.99	5%	2
L-1200 San German TC - Yauco 2 HP (Sabana Grande N.O.)	1200	San German TC 115/38 kV #1	20	187.54	193.96	3%	2
L-3700 Jobos TC - Maunabo TC	3700	L-3700 Humacao TC - Maunabo TC	21	174.36	179.37	3%	2
L-700 Costa Sur SP - Yauco 2 HP	700	San German TC 115/38 kV #1	42	162.29	167.82	3%	2
L-7300 Baldrich Sect San Jose TO	7300	Hato Rey TC 38 kV Tie	20	120.78	130.19	8%	2
L-41000 Yabucoa TC - Humacao TC	41000	L-36300 Humacao TC - Yabucoa TC	207.7	98.95	115.45	17%	1
L-3600 Villamar Sect Llorens Torres Sect.	3600	L-6700 Martin Peña TC - Seboruco TO	40	124.44	114.41	8%	2
L-36300 Yabucoa TC - Humacao TC	36300	L-41000 Humacao TC - Yabucoa TC	214.8	92.81	107.52	16%	1
L-17400 Berwind TC - Mall of San Juan Sect.	17400	Hato Rey TC 38 kV Tie	49.4	102.94	106.88	4%	2
L-6500 Toro Negro 1 HP - Barranquitas TC	6500	Juana Díaz TC 115/38 kV #1	20	98.96	105.46	7%	1
L-9300 Juncos TC - San Lorenzo TO	9300	L-9300 Juncos TC - San Lorenzo TO	19.7	93.42	101.46	9%	1

Table 5-3. Thermal Loading Results for Scenario 2 in Emergency Offshore Power Night-peak Case

5.2.3 Scenario 3

The night case thermal loading results for Scenario 3 are specified in **Table 5-4**. The violations are identified under both Criteria's #1 and #2. Criterion #1, where violations do not exist in the pre-project steady-state contingency analysis and become a violation after the Emergency Offshore Power project is added in the post-project case and Criterion #2 where violations exist in the pre-project steady-state contingency analysis but increases by more than 3%.



				A			
Monitored Element	Line/Facilit y	800+0 MW Contingency (N-1)	Rate (MVA)	Actual (3200 MW) Loading %	800+0MW (3200MW Load) Loading %	Difference (Actual - New Load)	Criteri a
L-1500 Once de Agosto - Sabana Grande TO	1500	L-700 Costa Sur SP - Yauco 2 HP	20	218.35	234.78	8%	2
L-7900 Juana Díaz TC - Toro Negro 1 HP	7900	Juana Díaz TC 115/38 kV #1	20	191.85	197.98	3%	2
L-9300 Juncos TC - San Lorenzo TO	9300	Caguas TC Sub Xmer	19.7	186.26	197.23	6%	2
L-300 Toro Negro 1 HP - Juana Díaz TC	300	Juana Díaz TC 115/38 kV #1	20	169.7	175.27	3%	2
L-13400 Acacias TC - San German Sect.	13400	San German TC 115/38 kV #1	20.3	167.17	171.58	3%	2
L-700 Costa Sur SP - Yauco 2 HP	700	San German TC 115/38 kV #1	42	162.29	166.86	3%	2
L-18000 Juana Díaz TC - (17900 NO)	18000	Juana Díaz TC 115/38 kV #1	20	129.62	133.36	3%	2
L-7300 Baldrich Sect San Jose TO	7300	Hato Rey TC 38 kV Tie	20	120.78	132.56	10%	2
L-41000 Yabucoa TC - Humacao TC	41000	L-36300 Humacao TC - Yabucoa TC	207.7	98.95	118.24	19%	1
L-6500 Toro Negro 1 HP - Barranquitas TC	6500	Juana Díaz TC 115/38 kV #1	20	98.96	113.28	14%	1
L-36300 Yabucoa TC - Humacao TC	36300	L-41000 Humacao TC - Yabucoa TC	214.8	92.81	110	19%	1
L-17400 Berwind TC - Mall of San Juan Sect.	17400	Hato Rey TC 38 kV Tie	49.4	102.94	108.87	6%	2
L-9300 Juncos TC - San Lorenzo TO	9300	L-9300 Juncos TC - San Lorenzo TO	19.7	93.42	103.71	11%	1

Table 5-4. Thermal Loading Results for Scenario 3 in Emergency Offshore Power Night-peak Case

5.2.4 Additional Analysis: Scenario 1 vs Scenario 2

The night case thermal loading results for Scenario 1 vs Scenario 2 are specified in **Table 5-5**. The violations are identified under Criteria #2 where violations exist in the pre-project steady-state contingency analysis but increases by more than 3%.



				AC Loading (%)			
Monitored Element	Line/Facilit y	Contingency (N-1)	Rate (MVA)	400+400M W (3200MW Load) Loading %	200+600M W (3200MW Load) Loading %	Difference (Actual - New Load)	
L-1500 Once de Agosto - Sabana Grande TO	1500	L-700 Costa Sur SP - Yauco 2 HP	20	244.91	228.99	7%	
L-7900 Juana Díaz TC - Toro Negro 1 HP	7900	Juana Díaz TC 115/38 kV #1	20	201.38	195.41	3%	
L-300 Toro Negro 1 HP - Juana Díaz TC	300	Juana Díaz TC 115/38 kV #1	20	178.43	172.89	3%	
L-37200 Añasco TC - Mayagüez TC	37200	Mora TC 230/115 kV #1	130.7	120.77	117.51	3%	
L-3600 Villamar Sect Llorens Torres Sect.	3600	L-6700 Martin Peña TC - Seboruco TO	40	120.72	114.41	5%	
L-13400 Acacias TC - San German Sect.	13400	L-13400 Acacias TC - San German Sect.	20.3	114.72	111.5	3%	
L-6500 Toro Negro 1 HP - Barranquitas TC	6500	Juana Díaz TC 115/38 kV #1	20	110.23	105.46	4%	
L-37200 Añasco TC - Victoria TC	37200	Mora TC 230/115 kV #1	137.4	101.29	98.16	3%	
L-6500 Aguas Buenas Sect Comerio TC	6500	Caguas TC Sub Xmer	20.4	100.89	93.85	7%	

Table 5-5. Thermal Loading Results for Scenario 1 vs Scenario 2 in Emergency Offshore Power Night-peak Case

5.2.5 Additional Analysis: Scenario 2 vs Scenario 3

The night case thermal loading results for Scenario 2 vs Scenario 3 are specified in **Table 5-6**. The violations are identified under Criteria #2 where violations exist in the pre-project steady-state contingency analysis but increases by more than 3%.

Table 5-6. Thermal Loading Results for Scenario 2 vs Scenario 3 in Emergency Offshore Power
Night-peak Case

				ļ	C Loading (%)		
Monitored Element	Line/Facilit y	Contingency (N-1)	Rate (MVA (;) I Lo	200+600M W (3200 MW) Loading %	800+0MW (3200MW Load) Loading %	Difference (Actual - New Load)	
L-1500 Once de Agosto - Sabana Grande TO	1500	L-700 Costa Sur SP - Yauco 2 HP	20	228.99	234.78	3%	
L-6500 Toro Negro 1 HP - Barranquitas TC	6500	Juana Díaz TC 115/38 kV #1	20	105.46	113.28	7%	



5.2.6 Additional Analysis: Scenario 1 vs Scenario 3

The night case thermal loading results for Scenario 1 vs Scenario 3 are specified in **Table 5-7**. The violations are identified under Criteria #2 where violations exist in the pre-project steady-state contingency analysis but increases by more than 3%.

Table 5-7. Thermal Loading Results for Scenario 1 vs Scenario 3 in Emergency Offshore Power
Night-peak Case

				ļ	AC Loading (%)		
Monitored Element	Line/Facilit y	Contingency (N-1)	Rate (MVA)	400+400M W (3200 MW) Loading %	800+0MW (3200MW Load) Loading %	Difference (Actual - New Load)	
L-1500 Once de Agosto - Sabana Grande TO	1500	L-700 Costa Sur SP - Yauco 2 HP	20	244.91	234.78	4%	
L-1200 San German TC - Yauco 2 HP (Sabana Grande N.O.)	1200	San German TC 115/38 kV #1	20	196.78	191.86	3%	
L-7300 Baldrich Sect San Jose TO	7300	Hato Rey TC 38 kV Tie	20	128.05	132.56	4%	
L-41000 Yabucoa TC - Humacao TC	41000	L-36300 Humacao TC - Yabucoa TC	207.7	114.77	118.24	3%	
L-37200 Añasco TC - Mayagüez TC	37200	Mora TC 230/115 kV #1	130.7	120.77	117.48	3%	
L-3600 Villamar Sect Llorens Torres Sect.	3600	L-6700 Martin Peña TC - Seboruco TO	40	120.72	116.34	4%	
L-6500 Toro Negro 1 HP - Barranquitas TC	6500	Juana Díaz TC 115/38 kV #1	20	110.23	113.28	3%	
L-36300 Yabucoa TC - Humacao TC	36300	L-41000 Humacao TC - Yabucoa TC	214.8	107.03	110	3%	
L-17400 Berwind TC - Mall of San Juan Sect.	17400	Hato Rey TC 38 kV Tie	49.4	105.83	108.87	3%	
L-9300 Juncos TC - San Lorenzo TO	9300	L-9300 Juncos TC - San Lorenzo TO	19.7	101.02	103.71	3%	



Exhibit 3

Status Report of ASAP project

[Redacted version; confidential version to be filed under seal]

Accelerated Storage Addition Program (ASAP) Status Update

March 24, 2025




Contents

1.0	Executive Summary	2
2.0	Project Status	3
3.0	Project Timeline	4
4.0	Assigned Resources and Expected Expenditures	6
5.0	Challenges and Opportunities	6

1.0 Executive Summary

The Accelerated Storage Addition Program ("ASAP") is designed to add essential battery energy storage capacity to Puerto Rico's electrical grid and has the potential to save millions of dollars for customers every year. ASAP seeks to enhance grid resiliency and operational flexibility and support Puerto Rico's clean energy goals with a faster deployment schedule than previous initiatives.

This program is projected to offer considerable cost savings compared to similar projects by leveraging a Standard Offer ("SO") pricing model. The Standard Offer pricing model provides the same terms and pricing for all IPPs. ASAP is expected to save customers close to \$100 million annually over the next 20 years.

Through ASAP, LUMA will collaborate with Independent Power Producers ("IPPs") to implement storage solutions at existing power locations across the island. This strategic deployment is anticipated to provide critical energy dispatch during peak demand hours and emergencies, helping to reduce load sheds.

The ASAP Program has been making progress with both SO 1 and SO 2. Table 1 summarizes the status of all ASAP projects.

LUMA has requested preliminary project information details from all interested

participants and have received responses from most of them.

Table 1 Summary of ASAP projects status

	Expressed Interest	Potential 4- Hr Capacity (Mw)	Regulatory Approval Status
SO 1 Qualified Participants: 13			In process
Initial Energy Bureau Approved Contracts	I		3 pending Federal Oversight & Management Board for Puerto Rico ("FOMB") approval 1 pending Puerto Rico Electric Power Authority ("PREPA") approval
Additional SO 1 Participants			Preliminary Contract Information Received: 2
SO 2 Qualified Participants: 31			Not Started



2.0 Project Status

The following key activities took place under docket NEPR-MI-2024-0002:

Date	Key Activities
May 8, 2024	Energy Bureau approves ASAP Concept
November 1, 2024	Energy Bureau authorizes terms of Standard Offer Agreement (SO1) Template
December 20, 2024	Energy Bureau approves the initial 3 SO1
January 14, 2024	Energy Bureau authorizes terms of Standard Offer Agreement (SO2) Template
January 14, 2024	Energy Bureau approves fourth SO1 project

Table 2 summarizes activities in progress, previously reported to the Energy Bureau in docket NEPR-MI-2024-0002, motion of February 28, 2025.

Significant progress has been made with the standard offer agreement coordination between ASAP participants and LUMA. The system operations interface will be further defined later in the process prior to Commercial Operation Date ("COD"). Developer coordination activities have been on hold due to internal funding and finance approvals required to proceed with site visits and engineering studies. To mitigate this challenge, LUMA is proceeding with the development of the individual SO agreement drafts in parallel with the coordination of the site visits.

Table 2 A	SAP Prog	ram Plan	Progress
-----------	----------	----------	----------

Category	Key Tasks Completed Since Last Update
Standard Offer Agreement Coordination	 The fourth participant's SO was transmitted to PREPA and is awaiting for PREPA's board approval and subsequent FOMB submittal. LUMA has been facilitating PREPA and FOMB requests for clarification on SOs under their review. LUMA met with FOMB on March 6, 2025, to clarify outstanding questions for SO1 LUMA is planning to meet with Loan Programs Office (LPO) to address any questions or clarifications needed in order to approve ASAP SO financing to projects that are conditionally approved. A questionnaire for SO 1 preliminary project information has been shared with participants and responses received. SO 1 Agreement information has been requested to participants in order to start drafting individual SOs. A questionnaire for SO 2 preliminary project information has been shared with participants and most responses received. Three projects have yet to submit the preliminary project information.
Developer Coordination	 Site visits have not been scheduled due to internal funding and finance approvals required. Engineering studies will be included as part of the interconnection costs. These will include site visits and some preliminary engineering



Category	Key Tasks Completed Since Last Update
	 conceptual design. Sargent and Lundy has been engaged for this purpose and a cost estimate is being developed. LUMA will incorporate this into the estimated program cost and will not be charging participants. LUMA is performing several analyses to determine how many BESS MW can be charged with current generation and grid capabilities, and thus, how many MW of BESS should be executed immediately. LUMA is exploring an opportunity to expand capacity by distributing the expanded capacity over a longer period of time, while staying within the Points of Interconnection ("POI") capacity limits. Numerous meetings have been held with individual developers to clarify questions.
System Operations Interface	 Agreed Operating Procedure ("AOP") table of contents has been developed. The preliminary draft is in progress. Internal resources have been assigned. Preliminary discussions have been held to determine BESS dispatch strategies. These will be further defined in the upcoming months.
Program Management	 LUMA has initiated internal accounting and financial requests to proceed with site visits and engineering studies. To comply with the internal finance requirements, LUMA is requesting approval of Purchased Power Clause Adjustment ("PPCA") funding from the Energy Bureau for these activities. This will help mitigate schedule delays caused by the current cash-flow challenges LUMA is undergoing. A procedure is being developed to include ASAP as part of the 3-month projected expenditure under the PPCA that would be reconciled on a quarterly basis. Development of the ASAP Implementation Program Plan version 1.0. Development of the ASAP Program Reporting & Recovery Process version 1.0

3.0 Project Timeline

Standard Offer #1 has been distributed to all thirteen IPP's, of which four have been approved by the Energy Bureau, and are pending approval from PREPA and FOMB,

As of the end of February 2025, LUMA is awaiting additional SO1 participants to provide project details to develop the individual draft agreements. Site visits to these facilities are projected to be completed in April. Once the pertinent site visits are completed, the following steps will be taken submit individual SO1 contracts for Energy Bureau approval; obtaining the remaining regulatory approvals; and execute the contracts. The first early completion bonus target is set for December 2025.

Standard Offer #2 has been approved by Energy Bureau and distributed to all 31 IPP's. As of the end of February 2025, LUMA is awaiting for some SO 2 participants to provide project details, in order to evaluate the amount of MW that can be contracted.









Figure 2 SO 2 2025 Indicative Timeline



4.0 Assigned Resources and Expected Expenditures

The estimated not-to-exceed expenditure limit for ASAP Program Management implementation proposed by LUMA is \$15 million. The estimated costs expended through February 2025 total \$1.7 million, which was for legal and consultant services related to contract development. The remaining \$13.3 million in expenditures were expected to occur between March-December of 2025.

On March 5, 2025, the Energy Bureau authorized LUMA to use the PPCA rider as a cost recovery mechanism for ASAP implementation until December 2025 and approved forward looking expenses based on the optimistic case scenario of a budget of \$8 million. It is important to note that expenditures incurred in connection with the negotiation of the SOs may be reduced or limited by maintaining a uniformity across the agreements reached and limited the amount of unique amendments allowed for each developer. These types of reductions were contemplated in the optimistic case scenario.



Table 3 Expected monthly expenditure by category

5.0 Challenges and Opportunities

There are a number of opportunities and challenges that LUMA is evaluating as ASAP implementation progresses. They are listed here to keep the Energy Bureau informed. As these items are reviewed, the ASAP Program Plan and Procedures will be adjusted accordingly. These challenges and opportunities are:

•



•		
•		
•		
•		

• Given the well-known shortage of energy capacity in Puerto Rico, LUMA is now preparing a more detailed analysis to calculate how much battery capacity can be reliably charged during each 24-hour period considering the existing reserve margins.



Exhibit 4

March Update Report for the LUMA SOW 4x25MW project

4x25 MW BESS Interconnections at LUMA 38 kV System Project

Monthly Status Report

March 24, 2025



Contents

Table	s & Figures	3
1.0	Introduction	4
2.0	Monthly Status Update	4
2.1	Detailed Scope of Work	4
2.2	Procurement	4
2.3	Design Status	4
2.4	Project Schedule	4
3.0	Project Status	5
3.1	Selected Sites	5
3.2	Reimbursement Status	5
3.3	Requests for Information	5
3.4	FAASt Number	5
3.5	Updated Project Cost	5



NEPR-MI-2021-0002

Tables & Figures

Table 3-3. FAASt Number	 5



1.0 Introduction

In accordance with the Resolution and Order dated January 14, 2025, issued by the Puerto Rico Energy Bureau ("Energy Bureau") in Case No.: NEPR-MI-2021-0002 In Re: Review of the Puerto Rico Power Authority's 10-Year Infrastructure Plan – December 2020, LUMA is required to provide a monthly report regarding the 4x25 MW BESS Interconnections at LUMA 38 kV project. This report focuses on the key activities and progress achieved by LUMA in the past 30 days for the Battery Energy Storage Systems ("BESS" or collectively as the "Project") approved by the Energy Bureau in its Resolution dated August 30, 2023 ("August 30th Resolution").

2.0 Monthly Status Update

2.1 Detailed Scope of Work

LUMA is in the process of completing the detailed scope of work ("DSOW") and expects to submit it by the end of March 2025 to the Central Office for Recovery, Reconstruction and Resiliency ("COR3") and the Federal Emergency Management Agency ("FEMA").

2.2 Procurement

LUMA has completed drafts for the scopes of procurements for the engineering, procurement, and construction services that will be needed for the execution of the Project. LUMA expects to issue the request for proposal ("RFP") in the first quarter ("Q1") of fiscal year 2026 ("FY26").

2.3 Design Status

The Preliminary Design has been completed. The detailed design will be managed by the selected vendor through a competitive procurement process.

2.4 Project Schedule

LUMA has been studying and pursuing the deployment of the Battery Energy Storage Solutions ("BESS") to multiple locations as part of the Project. LUMA's high-level schedule for this project includes:

- Submission of DSOWs to FEMA and COR3, March 2025, 12 months for obligation (March 2026)
- Boring Plan Execution: May 2025
- Procurement: February 2026
- Construction starts: February 2027
- Commissioning: November 2027

A more detailed schedule will be provided once the funds have been obligated by FEMA and COR3. These dates depend on LUMA being able to procure resources, including equipment, at the expected times.



3.0 Project Status

3.1 Selected Sites

LUMA has not yet finalized the site selection for where it intends to deploy the four BESSs but has determined proposed locations across the general areas where the projects would be sited. Specifically, these are (1) Aguadilla, (2) Barceloneta, (3) Manatí, and (4) San Juan. LUMA will supplement its response as final selections are made and real estate details are finalized.

3.2 Reimbursement Status

COR3 will be able to reimburse funds associated with the construction of these projects to LUMA once FEMA and COR3 have approved the construction of the project.

As of today, COR3 has reimbursed the total amount of \$124,432.15. Currently the amount of \$1,249,308.07 is under review by COR3.

3.3 Requests for Information

LUMA has not received any requests for information ("RFI") from either FEMA or COR3.

3.4 FAASt Number

As indicated in Section 3.2 above, LUMA has identified four areas where it intends to site the projects. The FEMA FAASt numbers for the four BESS projects are:

Table 3-3. FAASt Number

Project Title	FEMA FAASt #
FAASt [4 x 25 MW BESS Interconnections on LUMA System] (Substation)	738671
FAASt [4 x 25 MW BESS Interconnections Manati] (Substation)	752972
FAASt [4 x 25 MW BESS Interconnections Aguadilla TC] (Substation)	750502
FAASt [4 x 25 MW BESS Interconnections Monacillos TC] (Substation)	750503

3.5 Updated Project Cost

An updated cost estimate based on the DSOW is not available yet. Once the DSOWs are submitted to FEMA and COR3 in March 2025, LUMA will provide the Class 3 cost estimates for the Project.



Exhibit 5

Monthly Update Report for the LUMA SOW 4x25 MW project dated February 28, 2025

4x25 MW BESS Interconnections at LUMA 38 kV System Project

Monthly Status Report

February 28, 2025



Contents

Table	s & Figures	3
1.0	Introduction	4
2.0	Monthly Status Update	4
2.1	Detailed Scope of Work	4
2.2	Procurement	4
2.3	Design Status	4
2.4	Project Schedule	4
3.0	Project Status	5
3.1	Selected Sites	5
3.2	Reimbursement Status	5
3.3	Requests of Information	5
3.4	FAASt Number	5
3.5	Updated Project Cost	5



NEPR-MI-2021-0002

Tables & Figures

Table 3-3. FAASt Number	 5



1.0 Introduction

In accordance with the Resolution and Order dated January 14, 2025, issued by the Puerto Rico Energy Bureau (PREB) in Case No.: NEPR-MI-2021-0002 In Re: Review of the Puerto Rico Power Authority's 10-Year Infrastructure Plan – December 2020, LUMA is required to provide a monthly report regarding the 4x25 MW BESS Interconnections at LUMA 38 kV project. This report focuses on the key activities and progress achieved by LUMA in the past 30 days for the Battery Energy Storage Systems ("BESS" or collectively as the "Project") approved by the PREB in its Resolution dated August 30, 2023 ("August 30th Resolution").

2.0 Monthly Status Update

2.1 Detailed Scope of Work

LUMA is in the process of completing the detailed scope of work (DSOW) and expects to submit it in March 2025 to the Central Office for Recovery, Reconstruction and Resiliency (COR3) and the Federal Emergency Management Agency (FEMA).

2.2 Procurement

LUMA has completed drafts for the scopes of procurements for the engineering, procurement, and construction services that will be needed for the execution of the Project. LUMA expects to issue the request for proposal (RFP) in the first quarter (Q1) of fiscal year 2026 (FY26).

2.3 Design Status

The Preliminary Design has been completed. The detailed design will be managed by the selected vendor through a competitive procurement process.

2.4 Project Schedule

LUMA has been studying and pursuing the deployment of BESS to multiple locations as part of the Project. LUMA's high-level schedule for this project includes:

- Submission of DSOWs to FEMA and COR3, March 2025, 12 months for obligation (March 2026)
- Procurement: February 2026
- Construction starts April 2026
- Commissioning: May 2027

A more detailed schedule will be provided once the funds have been obligated by FEMA and COR3. These dates depend on LUMA being able to procure resources, including equipment, at the expected times.



3.0 Project Status

3.1 Selected Sites

LUMA has not yet finalized the sites where it intends to deploy the four BESSs but has determined proposed locations across the general areas where the projects would be sited. Specifically, these are (1) Aguadilla, (2) Barceloneta, (3) Manatí, and (4) San Juan. LUMA will supplement its response as final selections are made and real estate details finalized.

3.2 Reimbursement Status

COR3 will be able to reimburse funds associated with the construction of these projects to LUMA once FEMA and COR3 have approved the construction of the project.

3.3 Requests of Information

LUMA has not received any requests for information ("RFI") from either FEMA or COR3.

3.4 FAASt Number

As indicated in Section 3.2 above, LUMA has identified four areas where it intends to site the projects. The FEMA FAASt numbers for the four BESS projects are:

Table	3-3.	FAASt	Number
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Project Title	FEMA FAASt #
FAASt [4 x 25 MW BESS Interconnections on LUMA System] (Substation)	738671
FAASt [4 x 25 MW BESS Interconnections Manati] (Substation)	752972
FAASt [4 x 25 MW BESS Interconnections Aguadilla TC] (Substation)	750502
FAASt [4 x 25 MW BESS Interconnections Monacillos TC] (Substation)	750503

3.5 Updated Project Cost

An updated cost estimate based on the DSOW is not available yet. Once the DSOWs are submitted to FEMA and COR3 in March 2025, LUMA will provide the Class 3 cost estimates for the Project.



Exhibit 6

Monthly Update Report for the LUMA SOW 4x25 MW project dated January 28, 2025

[Redacted version; confidential version to be filed under seal]

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

Jan 28, 2025

11:06 PM

IN RE:

REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY'S 10-YEAR INFRASTRUCTURE PLAN-DECEMBER 2020 CASE NO. NEPR-MI-2021-0002

SUBJECT: Informative Motion on the Status of SOW: 4 x 25 MW BESS Interconnections at LUMA 38kV System, Request for Confidentiality and Supporting Memorandum of Law

INFORMATIVE MOTION ON THE STATUS OF SOW: 4 X 25 MW BESS INTERCONNECTIONS AT LUMA 38KV SYSTEM, REQUEST FOR CONFIDENTIALITY AND SUPPORTING MEMORANDUM OF LAW

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and **LUMA Energy ServCo, LLC**, (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submit the following:

I. Submission on the Status of Project

1. On March 26, 2021, this Honorable Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order in the instant proceeding, ordering, in pertinent part, that the Puerto Rico Electric Power Authority ("PREPA") submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency ("FEMA") funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3"), FEMA or any other federal agency ("March 26th Order"). It also directed PREPA to continue reporting to the Energy Bureau and FEMA within the next five years, the progress of all ongoing efforts related to the approval of the submitted projects not yet approved by the Energy Bureau. This Energy Bureau thereafter determined this directive applied to PREPA and LUMA. *See* Resolution and Order of August 20, 2021.

NEPR

Received:

2. On August 25, 2023, LUMA filed a *Motion Submitting One Scope of Work, Request for Confidentiality, and Supporting Memorandum of Law*. Therein, LUMA submitted the scope of work ("SOW") for the "4 x 25 MW BESS Interconnections at LUMA 38kV System" transmission and distribution project ("T&D Project"), for the Energy Bureau's review and approval before submitting it to COR3 and FEMA ("August 25th Motion").

3. On August 30, 2023, the Energy Bureau entered a Resolution and Order in which it approved the "4 x 25 MW BESS Interconnections at LUMA 38kV System" T&D Project SOW. It determined that this project was necessary to improve the system's reliability ("August 30th Order").

4. Then, on January 3, 2025, the Energy Bureau entered a Resolution and Order in which it ordered LUMA "to inform, on or before January 9, 2025, the status of the approval process, the actual contracted cost to construct, and the status of the project" ("January 3rd Order"). *See* January 3rd Order, p.2.

On January 9, 2025, LUMA filed its *Informative Motion on the Status of SOW: 4 x* 25 MW BESS Interconnections at LUMA 38kV System to comply with the January 3rd Order.

6. On January 14, 2025, the Energy Bureau issued a Resolution and Order whereby it ordered LUMA to file a status report of the project until its June 2025 completion date ("January 14th Order"). *See* January 14th Order at 2. The status report should include:

i) The locations of the twenty (20) sites studied;

ii) The final four selected sites;

iii) The cost to complete the studies of the twenty sites.

iv) Indicate the funds utilized to pay for these studies and the amount spent to date.

v) The reimbursement status of these funds, or if they were advanced by $\ensuremath{\mathsf{FEMA}}$

vi) The DSOW presented to FEMA and COR3;

vii) The ROT and LUMA responses to such ROT requested by FEMA and COR3;

viii) The FAASt number for the project; and

ix) An updated cost estimate based on the DSOW.

See Id.

7. In compliance with the January 14th Order, LUMA hereby submits its monthly status report as *Exhibit 1* to this Motion. LUMA is submitting herein a redacted public version of *Exhibit 1* protecting confidential information associated with Critical Energy Infrastructure Information ("CEII"). As explained in this Motion, portions of *Exhibit 1* are protected from disclosure as CEII, *see, e.g.*, 6 U.S.C. §§ 671-674; 18 C.F.R. § 388.113 (2020), and pursuant to the Energy Bureau's Policy on Management of Confidential Information. *See* Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, issued on August 31, 2016, as amended by Resolution dated September 20, 2016.

II. Memorandum of Law in Support of Request for Confidentiality

A. Applicable Laws and Regulations to Submit Information Confidentially Before the Energy Bureau

8. The bedrock provision on the management of confidential information filed before this Energy Bureau, is Section 6.15 of Act 57-2014, known as the "Puerto Rico Energy Transformation and Relief Act." It provides, in pertinent part, that: "[i]f any person who is required to submit information to the [Energy Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Energy Bureau] to treat such information as such [...]" 22 LPRA § 1054n. If the Energy Bureau determines, after appropriate evaluation, that the information should be protected, "it 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." *Id.* § 1054n(a). 9. Access to confidential information shall be provided "only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement." *Id.* § 1054n(b). Finally, Act 57-2014 provides that this Energy Bureau "shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Energy Bureau] who needs to know such information under nondisclosure agreements. However, the [Energy Bureau] shall direct that a non-confidential copy be furnished for public review." *Id.* § 1054n(c).

10. Relatedly, in connection with the duties of electric power service companies, Section 1.10 (i) of Act 17-2019 provides that electric power service companies shall provide the information requested by customers, except for confidential information in accordance with the Rules of Evidence of Puerto Rico.

11. Moreover, the Energy Bureau's Policy on Management of Confidential Information details the procedures a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the referenced Policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 20, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and why each claim or designation conforms to the applicable legal basis of confidentiality. *Id.* at **P** 3. The party who seeks confidential treatment of information filed with the

Energy Bureau must also file both a "redacted" or "public version" and an "unredacted" or

"confidential" version of the document that contains confidential information. *Id.* at **P** 6.

12. The Energy Bureau's Policy on Management of Confidential Information states the

following with regard to access to validated CEII:

Critical Energy Infrastructure Information ("CEII")

The information designated by the [Energy Bureau] as Validated Confidential Information on the grounds of being CEII may be accessed by the parties' authorized representatives only after they have executed and delivered the Nondisclosure Agreement.

Those authorized representatives who have signed the Non-Disclosure Agreement may only review the documents validated as CEII at the [Energy Bureau] or the Producing Party's offices. During the review, the authorized representatives may not copy or disseminate the reviewed information and may bring no recording device to the viewing room.

Id. at § D (on Access to Validated Confidential Information).

13. Regulation No. 8543, Regulation on Adjudicative, Notice of Noncompliance, Rate

Review, and Investigation Proceedings, also includes a provision for filing confidential information in proceedings before this Energy Bureau. To wit, Section 1.15 provides that "a person has the duty to disclose information to the [Energy Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged information, request the [Energy Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed according to [...] Article 6.15 of Act No. 57-2015, as amended." *See also* Energy Bureau Regulation No. 9137 on

Performance Incentive Mechanisms, § 1.13 (addressing disclosure before the Energy Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

B. Request for Confidentiality

14. *Exhibit 1* contains portions of CEII that, under relevant federal law and regulations, are protected from public disclosure. LUMA stresses that the *Exhibit 1* with CEII warrants confidential treatment to protect critical infrastructure from threats that could undermine the system and negatively affect electric power services to the detriment of the interests of the public, customers, and citizens of Puerto Rico. In several proceedings, this Energy Bureau has considered and granted requests by PREPA to submit CEII under seal of confidentiality.¹ In at least two Data Security and Physical Security proceedings,² this Energy Bureau, *motu proprio*, has conducted proceedings confidentially, thereby recognizing the need to protect CEII from public disclosure.

15. Additionally, this Energy Bureau has granted requests by LUMA to protect CEII in connection with LUMA's System Operation Principles. *See* Resolution and Order of May 3, 2021, table 2 on page 4, Case No. NEPR-MI-2021-0001 (granting protection to CEII included in LUMA's Responses to Requests for Information). Similarly, in the proceedings on LUMA's proposed Initial Budgets and System Remediation Plan, this Energy Bureau granted confidential

¹ See e.g., In re Review of LUMA's System Operation Principles, NEPR-MI-2021-0001 (Resolution and Order of May 3, 2021); In re Review of the Puerto Rico Power Authority's System Remediation Plan, NEPR-MI-2020-0019 (order of April 23, 2021); In re Review of LUMA's Initial Budgets, NEPR-MI-2021-0004 (order of April 21, 2021); In re Implementation of Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan, NEPR MI 2020-0012 (Resolution of January 7, 2021, granting partial confidential designation of information submitted by PREPA as CEII); In re Optimization Proceeding of Minigrid Transmission and Distribution Investments, NEPR-MI 2020-0016 (where PREPA filed documents under seal of confidentiality invoking, among others, that a filing included confidential information and CEII); In re Review of the Puerto Rico Electric Power Authority Integrated Resource Plan, CEPR-AP-2018-0001 (Resolution and Order of July 3, 2019 granting confidential designated and request made by PREPA that included trade secrets and CEII. However, see Resolution and Order of February 12, 2021, reversing in part, grant of confidential designation).

² In re Review of the Puerto Rico Electric Power Authority Physical Security Plan, NEPR-MI-2020-0018.

designation to several portions of LUMA's Initial Budgets and Responses to Requests for Information. *See* Resolution and Order of April 22, 2021, on Initial Budgets, Table 2 on pages 3-4, and Resolution and Order of April 22, 2021, on Responses to Requests for Information, table 2 on pages 8-10, Case No. NEPR-MI-2021-0004; Resolution and Order of April 23, 2021, on Confidential Designation of Portions of LUMA's System Remediation Plan, table 2 on page 5, and Resolution and Order of May 6, 2021, on Confidential Designation of Portions of LUMA's Responses to Requests for Information on System Remediation Plan, table 2 at pages 7-9, Case No. NEPR-MI-2020-0019.

16. Similarly, the Energy Bureau has granted LUMA's requests for confidential treatment of portions of FEMA approvals submitted for approval in the present case. Notably, the Energy Bureau has granted LUMA's request for confidential treatment of portions of FEMA Approvals of Projects submitted for consideration and authorization. Furthermore, this Energy Bureau designated portions of submitted FEMA Approvals of Projects as confidential CEII in its Resolution and Order of March 20, 2023; *see* Table 1 on pages 1-2.

17. As mentioned above, the Energy Bureau's Policy on Management of Confidential Information provides for the management of CEII. It directs that the parties' authorized representatives access information validated as CEII only after executing and delivering a Non-Disclosure Agreement.

18. CEII or critical infrastructure information is generally exempted from public disclosure because it involves assets and information that pose public security, economic, health, and safety risks. Federal Regulations on CEII, particularly, 18 C.F.R. § 388.113, state that:

Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:
(i) Relates details about the production, generation, transportation, transmission, or distribution of energy;
(ii) Could be useful to a person in planning an attack on critical infrastructure;
(iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
(iv) Does not simply give the general location of the critical infrastructure.

Id.

19. Additionally, "[c]ritical electric infrastructure means a system or asset of the bulk-

power system, whether physical or virtual, the incapacity or destruction of which would negatively

affect national security, economic security, public health or safety, or any combination of such

matters. Id. Finally, "[c]ritical infrastructure means existing and proposed systems and assets,

whether physical or virtual, the incapacity or destruction of which would negatively affect security,

economic security, public health or safety, or any combination of those matters." Id.

20. The Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671-674 (2020),

part of the Homeland Security Act of 2002, protects critical infrastructure information ("CII").³

³ Regarding protection of voluntary disclosures of critical infrastructure information, 6 U.S.C. § 673, provides in pertinent part, that CII:

⁽A) shall be exempt from disclosure under the Freedom of Information Act;

⁽B) shall not be subject to any agency rules or judicial doctrine regarding ex parte communications with a decision-making official;

⁽C) shall not, without the written consent of the person or entity submitting such information, be used directly by such agency, any other Federal, State, or local authority, or any third party, in any civil action arising under Federal or State law if such information is submitted in good faith;

⁽D) shall not, without the written consent of the person or entity submitting such information, be used or disclosed by any officer or employee of the United States for purposes other than the purposes of this part, except—

⁽i) in furtherance of an investigation or the prosecution of a criminal act; or

⁽ii) when disclosure of the information would be--

CII is defined as "information not customarily in the public domain and related to the security of critical infrastructure or protected systems [...]" 6 U.S.C. § 671 (3).⁴

21. Portions of *Exhibit 1* qualify as CEII because they contain the <u>express</u> coordinates to power transmission and distribution facilities (18 C.F.R. § 388.113(iv)), and these specific coordinates and addresses could potentially be helpful to a person planning an attack on the energy facilities listed in *Exhibit 1*. The information identified as confidential in this paragraph is not common knowledge and is not made publicly available. Therefore, it is respectfully submitted that,

⁴ CII includes the following types of information:

⁽I) to either House of Congress, or to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee thereof or subcommittee of any such joint committee; or

⁽II) to the Comptroller General, or any authorized representative of the Comptroller General, in the course of the performance of the duties of the Government Accountability Office

 ⁽E) shall not, be provided to a State or local government or government agency; of information or records;

⁽i) be made available pursuant to any State or local law requiring disclosure of information or records;

⁽ii) otherwise be disclosed or distributed to any party by said State or local government or government agency without the written consent of the person or entity submitting such information; or

⁽iii) be used other than for the purpose of protecting critical Infrastructure or protected systems, or in furtherance of an investigation or the prosecution of a criminal act.

⁽F) does not constitute a waiver of any applicable privilege or protection provided under law, such as trade secret protection.

⁽A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;

⁽B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or

⁽C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, construction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

on balance, the public interest in protecting CEII weighs in favor of protecting the relevant portions of *Exhibit 1* with CEII from disclosure, given the nature and scope of the details included in those portions of Exhibit.

22. Based on the above, LUMA respectfully submits that portions of *Exhibit 1* should be designated as CEII. This designation is a reasonable and necessary measure to protect the specific location of the energy facilities listed or discussed in *Exhibit 1*. Given the importance of ensuring the safe and efficient operation of the generation assets and the T&D System, LUMA respectfully submits that these materials constitute CEII that should be maintained confidentially to safeguard their integrity and protect them from external threats.

C. Identification of Confidential Information

23. In compliance with the Energy Bureau's Policy on Management of Confidential Information (CEPR-MI-2016-0009) below, find a table summarizing the portions of the *Exhibit 1* for which we present this request for confidential treatment.

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
Exhibit 1	4x25 MW BESS Interconnections at LUMA 38 kV System Projects Monthly Report	Page 5	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674.	January 28, 2025

WHEREFORE, LUMA respectfully requests that the Energy Bureau take notice of the aforementioned, accept *Exhibit 1* submitted herein, and deem LUMA in compliance with the January 9th Order.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this Motion to counsel for PREPA Alexis Rivera, arivera@gmlex.net, and to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfr@sbgblaw.com and Alejandro López Rodríguez, alopez@sbglaw.com.

In San Juan, Puerto Rico, on this 28th day of January 2025.



DLA Piper (Puerto Rico) LLC 500 Calle de la Tanca, 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 RUA NÚM. 18,061 yahaira.delarosa@us.dlapiper.com

/s/ Julián R. Anglada Pagán Julián R. Anglada Pagán RUA NUM. 22,142 julian.angladapagan@us.dlapiper.com

<u>Exhibit 1</u>

4x25 MW BESS Interconnections at LUMA 38 kV System Project Monthly Report

January 28, 2025



Contents

Table	s & Fi	gures	3
1.0	Intro	duction	4
2.0	Proje	ct Schedule	4
3.0	Proje	ct Status	5
3.1	Locati	on of the Sites	. 5
3.2	Select	ed Sites	. 5
3.3	Projec	ts Cost	. 6
	3.3.1	Cost to Complete Studies of the Twenty Sites	. 6
	3.3.2	Funding Utilized and Amount Spent to Date	. 6
	3.3.3	Reimbursement Status	. 6
3.4	Detaile	ed Scope of Work	. 6
3.5	Reque	sts of Information	. 7
3.6	FAASt	Number	. 7
3.7	Updat	ed Project Cost	. 7



NEPR-MI-2021-0002

Tables & Figures

Table 3-1. Location of Sites	5
Table 3-3. FAASt Number	7



NEPR-MI-2021-0002

1.0 Introduction

In accordance with the Resolution and Order dated January 14, 2025, issued by the Puerto Rico Energy Bureau (PREB) in Case No.: NEPR-MI-2021-0002 In Re: Review of the Puerto Rico Power Authority's 10-Year Infrastructure Plan – December 2020, LUMA is required to provide a monthly report regarding the 4x25 MW BESS Interconnections at LUMA 38 kV project schedule, including the following topics:

- i. The locations of the twenty sites studied;
- ii. The four selected sites currently planned;
- iii. The cost to complete the studies of the twenty sites
- Indicate the funds utilized to pay for these studies and the amount spent to date
- v. The reimbursement status of these funds, or if they were advanced by the Federal Emergency Management Administration (FEMA)
- vi. The Detailed Scopes of Work (DSOW) presented to FEMA and the Central Office for Reconstruction, Recovery, and Resiliency (COR3)
- vii. The ROI and LUMA responses to such ROI requested by FEMA and COR3;
- viii. The FEMA Accelerated Awards Strategy (FAASt) number for the project; and
- ix. An updated cost estimate based on the DSOW

This report will focus on the aforementioned items and describe the key activities and progress achieved by LUMA on a monthly basis for the Battery Energy Storage Systems ("BESS" or collectively as the "Project") approved by the PREB in its Resolution dated August 30, 2023 ("August 30th Resolution").

2.0 Project Schedule

LUMA has been studying and pursuing the acquisition of multiple sites for the BESS Project. As discussed further below, to maximize its use of federal funds, LUMA needs to ensure that the selected sites enhance the benefits derived from repairs funded by FEMA, which not only entails engaging in technical studies of the technology but also of the 20 proposed sites. Based on the status of our studies and negotiations for the acquisition of the sites, LUMA reasonably expects to submit the DSOWs to FEMA and COR3 no later than the end of May 2025, and will be able to start construction once LUMA receives FEMA's and COR3's approval. Thusly, there has been a change on the estimated time for completion of the Project as shared with the PREB on August 25, 2023. LUMA expects to benefit from more clarity over the estimated completion date for the project once the requisite steps for FEMA project obligation, site and technology analysis, and site acquisitions have been finalized.


NEPR-MI-2021-0002

3.0 Project Status

3.1 Location of the Sites

The table below details the location of the 20 sites that LUMA explored in order to determine where to target and plan location of the projects.

Municipality	Site	Coordinates
Barceloneta	Site 1	
	Site 2	
Aguadilla	Site 1	
	Site 2	
	Site 3	
	Site 4	
San Juan	Site 1	
	Site 2	
	Site 3	
	Site 4	
	Site 5	
Manati	Site 1	
	Site 2	
	Site 3	
	Site 4	
	Site 5	
	Site 6	
	Site 7	
	Site 8	
	Site 9	

Table 3-1. Location of Sites

3.2 Selected Sites

LUMA has not yet finalized the sites where it intends to deploy the four BESSs but has determined proposed locations across the general areas where the projects are currently planned to be sited: (1) Aguadilla, (2) Barceloneta, (3) Manatí, and (4) San Juan. The studies outlined in Section 3.3 below



NEPR-MI-2021-0002

need to be completed and the results analyzed by LUMA's management team before finalizing the site selection. LUMA will supplement its response as final selections are made and real estate detail finalized.

3.3 Projects Cost

3.3.1 Cost to Complete Studies of the Twenty Sites

LUMA has general feasibility studies for 20 sites in order to determine where the four BESS could be deployed. Sites were scouted and evaluated based on the needs of the T&D System for reliability, and other technical characteristics such as: interconnectivity with the 38 kV system (estimated distance from a substation and sub-transmission lines), amount of land needed, flood zone, zoning and land classifications, cost of land (sample sale values), archeological, geotechnical or environmental constraints (example: Primary Farmland classifications, karst zone, sink holes), land availability and ownership. All evaluations were made compliant with Act 83 of 1941, Act 12 of 1903, Act 235 of 2014 and PREPA's Regulation 6955.

The costs associated with those internal reviews are not included in the total as LUMA did not establish a separate task order to track those specific costs. LUMA intends to seek reimbursement from FEMA for the cost of the studies once the Project is approved. The following studies were performed in the four pre-selected sites:

- (1) Environmental Reviews: \$51,200.00
- (2) Power Flow Analyses: \$2,654.46
- (3) Soil Resistivity Tests: \$34,829.45
- (4) Topographical Land Survey: \$108,487.35

Furthermore, LUMA expects to spend \$200,000.00 to conduct boring tests and \$120,000.00 to conduct Phase 1 Environmental Studies in order to finalize its site selections.

3.3.2 Funding Utilized and Amount Spent to Date

• LUMA has spent approximately \$2,353,454 million on this project to date.

3.3.3 Reimbursement Status

• FEMA will provide funds to LUMA once it has submitted a DSOW and FEMA has approved it. Moreover, FEMA has not designated this Project for receiving advanced funds.

3.4 Detailed Scope of Work

LUMA continues to prepare the DSOWs for the Project to FEMA as analysis of the selected sites and corresponding detail is finalized. Once the DSOW is completed, LUMA intends to submit the Project to FEMA as a hazard mitigation project (Section 406) under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act1. LUMA intends to submit the Project primarily as a Section 406 project to preserve funding to execute repairs on the transmission and distribution system (T&D System).

¹ Public Law 93-288, as amended, 42 U.S.C. §§ 5121 et. seq.



NEPR-MI-2021-0002

In order to meet the requirements for Section 406 treatment, LUMA must (1) demonstrate the hazard mitigation benefits of the FEMA-funded repairs to the T&D system and (2) identify precise locations for the deployment of the BESSs in order for FEMA and COR3 to execute the necessary environmental and historical preservation reviews.

Since receiving the August 30th Resolution, LUMA has diligently worked on developing engineering strategies that will benefit Puerto Rico and maximize the benefits of the FEMA-funded repairs. To that end, LUMA is exploring how batteries can help provide N-1 contingencies in line with the North American Electric Reliability Corporation's (NERC) standards. Moreover, LUMA is determining what benefits may be derived from incorporating the BESSs into a microgrid with sufficient distributed generation

3.5 Requests of Information

LUMA has not received any requests for information ("RFI") from either FEMA or COR3.

3.6 FAASt Number

As indicated in Section 3.2 above, LUMA has identified four areas where it intends to site the projects. The FEMA FAASt numbers for the four BESS projects are:

Table 3-3. FAASt Number

Project Title	FEMA FAASt #
FAASt [4 x 25 MW BESS Interconnections on LUMA System] (Substation)	738671
FAASt [4 x 25 MW BESS Interconnections Manati] (Substation)	752972
FAASt [4 x 25 MW BESS Interconnections Aguadilla TC] (Substation)	750502
FAASt [4 x 25 MW BESS Interconnections Monacillos TC] (Substation)	750503

3.7 Updated Project Cost

An updated cost estimate based on the DSOW is not available yet. Once the DSOWs are submitted to FEMA and COR3, we will provide the Class 3 cost estimates for the projects.

