

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

NEPR

Received:

Mar 31, 2025

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IN RE: Request for Certification

Case no. CEPR-CT-2016-0014

SunEdison Puerto Rico, LLC

Subject: 2025 Operational Report

**MOTION TO REQUEST CONFIDENTIAL TREATMENT OF 2025 OPERATIONAL
REPORT AND ANNEXES**

TO THE HONORABLE ENERGY BUREAU:

COMES NOW SunEdison Puerto Rico, LLC ("SunEdison") represented by the undersigned legal counsel, and very respectfully prays and requests:

1. Section 2.02 of the Puerto Rico Energy Bureau's Amended Regulation No. 8618 on Certifications, Annual Charges and Operational Plans of Electric Service Companies in Puerto Rico, Regulation No. 8701, requires electrical energy companies to annually file operational reports containing the information required therein. Specifically for electrical service companies that provide distributed generation services, such companies must include information on the projection of the energy demand it intends to meet; the charges and rates it charges its customers and company efforts to orient clients and promote efficient electric energy consumption; its projected capital investments; and the information of entities it hires to operate its systems.
2. Furthermore, on February 12, 2019, the Energy Bureau issued an *Order* requiring additional information that electrical service companies that distributed generation services must include in their operational reports: total and net generation

produced by a system during the period prior to the filing of the operational report; times of operation and capacity factor for the period prior to the filing of the operational report; and information on scheduled and unscheduled outages occurred during the period prior to the filing of the operational report.

3. First, SunEdison is hereby complying with Section 2.02 of Regulation 8701 and herein submitting its operational report form and corresponding annexes for the year 2025 (**Attachment 1**). SunEdison also includes the required information applicable to it pursuant to the Energy Bureau *Order* dated February 12, 2019, in the annexes attached hereto.

4. Second, SunEdison Puerto Rico, LLC requests that it be waived from payment of the \$800.00 filing fee of the operational report. Section 2.03(B) of Regulation No. 8701 provides that

In cases where, pursuant to the provisions of Subsection (D) of Section 2.02 of this Regulation, the [Bureau] orders an electric service company to submit information to the [Bureau] and said company believes that the payment of the amount corresponding to the fee for the submission of the Operational Report would be onerous, the company in question may request that the [Bureau] waive the requirement to pay the fee for the submission of the Operational Report. In such cases, the company must file, together with the information required by the [Bureau], a motion wherein it sets forth the facts and explains the legal basis that justifies said waiver of payment.

5. SunEdison Puerto Rico, LLC's solar system that is subject to regulation by the Honorable Energy Bureau is not yet operational, as explained in the operational report annexes, and thus has still not generated any revenues. Therefore, SunEdison Puerto Rico, LLC reasonably believes that the \$800.00 filing fee is inapplicable and onerous for the company given the present circumstances.

6. SunEdison requests that the information contained in the form and annexes be kept confidential. Section 6.15 of Act No. 57 of May 17, 2014, as amended, provides:

If a person having the obligation to submit information to the Energy Commission understands the information to be submitted is privileged or confidential, [such person] may request said Commission to give [privileged or confidential] treatment subject to the following:

(a) if the Energy Commission, after due evaluation, understands the information should be protected, it shall find a way to grant this protection in the manner that impacts less the public, transparency and the rights of the parties involved in the administrative proceeding under which the alleged confidential document is being filed.

(b) To such effects, the Energy Commission may grant access to the document, or to portions of the document that are privileged, only to counsel and external consultants involved in the administrative proceeding after execution of a confidentiality agreement.

(c) The Energy Commission shall keep documents presented before it completely out of public scrutiny only in exceptional cases. In such cases, the information shall be duly safeguarded and delivered exclusively to Energy Commission personnel on a need-to-know basis, under non-disclosure rules. However, the Energy Commission shall order that a non-confidential version for public review be submitted.

(d) Any claim of privileged or confidential information by a person under the jurisdiction of the Energy Commission must be ruled in an expedited manner by the Commission through a resolution to such effects, before any confidential information alleged by a party is disclosed.

7. In turn, Section 1.15 of the Regulation No. 8701 provides that when a person who is required to submit information to the Energy Bureau considers such information to be privileged or confidential, the person shall identify the information it deems privileged or confidential, request the Energy Bureau to protect such information, and present arguments supporting the privilege or confidentiality claim. The Energy Bureau shall evaluate the petition and, if it concludes the information merits protection, it shall proceed pursuant to Section 6.15 of Act No. 57.

8. SunEdison is a privately held company, and its information, contained in the operational report and annexes (**Attachment 1**), on the projection of the energy demand it intends to meet; information on the charges and rates it charges its customers and company efforts to orient clients and promote efficient electric energy consumption; information on its projected capital investments; and information on entities it hires to operate its systems if such is the case is confidential, of sensitive nature, and not available to the public. Also, information regarding total and net generation data, regarding times of operation and capacity factor, and regarding circumstances related to outages is also of sensitive nature. Were such information be made public, specifically to industry competitors, SunEdison would suffer economic harm, as knowledge of SunEdison's business dealings, the prices it charges its customers, the investments it intends to make, its business projections, and the identity of its industry partners as well as the technical information required by the Energy Bureau would put SunEdison in a position of disadvantage. SunEdison requests that the Energy Bureau only grant access to said information to internal Energy Bureau

personnel, counsel, and consultants subject to the execution of a confidentiality agreement.

9. In compliance with Section 6.15 of Act 57-2014, Section 1.15 of Regulation 8701 and the In Re: Policy on Management of Confidential Information in Procedures Before the Commission, CEPR-MI-2016-0009, August 31-2016, Resolution (“Confidential Treatment Resolution”), SunEdison is filing a redacted and unredacted version of the information and documents for which it is requesting Confidential Treatment.

WHEREFORE, SunEdison Puerto Rico, LLC respectfully requests that the Honorable Energy Bureau take notice of SunEdison’s submission of its operational report and that the operational report and annexes in this motion be granted confidential treatment; and that it be waived payment of the \$800.00 filing fee for its operational report.

Respectfully submitted, on March 31, 2025, in San Juan, Puerto Rico.

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By: _____
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Attachment 1



GOVERNMENT OF PUERTO RICO

Public Service Regulatory Board

Puerto Rico Energy Bureau

FORM

OPERATIONAL REPORT ELECTRIC POWER COMPANIES

☒ New Report: Year 2025

☐ Report Update: Year _____

Instructions:

- When filling out this Form, examine the provisions of Section 2.02 of Regulation No. 8701 and be sure to provide all the required information.
- Indicate N/A where the information is not applicable.
- Use Complementary Sheet (NEPR-Z01) if additional space is required.
- Include the required documents according to the Regulation No. 8701, enumerated in the Annexes section.
- When submitting this Form, be sure to include the evidence of payment of the corresponding filing fee.

A. Electric Power Company General Information

1. Company Name: SunEdison Puerto Rico, LLC; CEPR-CT-2016-0014

2. Type of Electric Service:
- | | |
|--|--|
| <input type="checkbox"/> Fossil fuel or renewable energy generation with aggregated capacity of one hundred (100) MW or less | <input type="checkbox"/> Fossil fuel or renewable energy generation with aggregated capacity of more than one hundred (100) MW |
| <input checked="" type="checkbox"/> Distributed Generators with aggregated capacity of one (1) MW or more | |
| <input type="checkbox"/> Energy Storage | <input type="checkbox"/> Electric Power Billing |
| <input type="checkbox"/> Energy Resale | <input type="checkbox"/> Wheeling |

B. Operational Report General Information

☒ This report ***has been referred to*** the Energy Public Policy Program of the Department of Economic Development and Commerce for review and comments prior to its filing before the Energy Bureau.

☐ This report ***has not been referred to*** the Energy Public Policy Program of the Department of Economic Development and Commerce for review and comments prior to its filing before the Energy Bureau. (Explain the reasons why it was not referred to the EPPP.)



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NEPR- B03 (Rev. February 2019) "Operational Report of Electric Power Companies"

Reference: Amendment to Regulation No. 8618, on Certification, Annual Fees, and Operational Plans for Electric Power Companies in Puerto Rico.

Annexes: (Mark the documents that are included with the Operational Report Form)

- Distributed Generators with aggregated capacity of one (1) MW or more, and fossil fuel or renewable energy generation with aggregated capacity of one hundred (100) MW or less:
 - ☒ Projection of the percent of the total demand that it intends to meet in Puerto Rico (Section 2.02 (A)(1)(a)).
 - ☒ Information regarding charges and rates, and the company efforts to orient clients and promote efficient electric energy consumption (Section 2.02 (A)(1)(b)).
 - ☒ Projection of capital investments for the next year after the submission of the Report (Section 2.02 (A)(1)(c)).
 - ☒ Contact information and credentials of the entity to be hired in case that the system operation is contracted (Section 2.02 (A)(1)(d)).
- Report on generation of energy:
 - ☒ Total Generation, in MWh, produced by the generation system during the period prior to the submission of the Operational Report.
 - ☒ Net Generation (Total Generation – Consumption), in MWh, produced by the generation system during the period prior to the submission of the Operational Report.
- Report on the availability of the power generation system:
 - ☒ Schedule of operation during the period prior to the submission of the Operational Report.
 - ☒ Capacity Factor the period prior to the submission of the Operational Report.
- Report on outages of the power generation system:
 - ☒ Scheduled Outages: should specify the date, hour, duration and purpose of the outages that have occurred on the company's electric equipment, during the period prior to the submission of the Operational Report.
 - ☒ Non-scheduled Outages: should specify the date, hour, duration and purpose of the outages that have occurred on the company's electric equipment, during the period prior to the submission of the Operational Report.
- Fossil fuel or renewable energy generation with aggregated capacity of more than one hundred (100) MW:
 - ☐ Information required in Section 2.02 (A)(2)(a).
 - ☐ Operational budget for the current fiscal year (Section 2.02 (A)(2)(b)).
 - ☐ Reports of the changes the company foresees, plans for, or envisages in its operational budget for the following three (3) years (Section 2.02 (A)(2)(c)).
 - ☐ Studies regarding the cost of electric services the company provides (Section 2.02 (A)(2)(d)).
 - ☐ Studies and reports about the average frequency (hertz) of the electric power system during the three (3) fiscal years prior to the submission of the Report (Section 2.02 (A)(2)(e)).
 - ☐ Reports regarding operation and maintenance during the three (3) fiscal years prior to the submission of the Report (Section 2.02 (A)(2)(f)).
 - ☐ Reports about the electric power outages, scheduled and non-scheduled that have occurred during the three (3) fiscal years prior to the submission of the Report (Section 2.02 (A)(2)(g)).
 - ☐ Reports regarding requests for wheeling (Section 2.02 (A)(2)(h)).
 - ☐ Contact information and credentials of the entity to be hired in case that the system operation is contracted (Section 2.02 (A)(2)(i)).
- Report on generation of energy:
 - ☐ Total Generation, in MWh, produced by the generation system during the period prior to the submission of the Operational Report.
 - ☐ Net Generation (Total Generation – Consumption), in MWh, produced by the generation system during the period prior to the submission of the Operational Report.
- Report on the availability of the power generation system:
 - ☐ Schedule of operation during the period prior to the submission of the Operational Report.
 - ☐ Capacity Factor the period prior to the submission of the Operational Report.

- **Energy Storage:**
 - ☐ Projection of capital investments for the next three (3) years after the submission of the Report (Section 2.02 (A)(3)(a)).
 - ☐ Reports regarding improvements on the electric power system behavior (Section 2.02 (A)(3)(b)).
- **Electric Power Billing or Resale:**
 - ☐ Description of the service and an estimate of the quantity of clients to which the service will be provided (Section 2.02 (A)(4)(a)).
 - ☐ Information regarding charges and rates of the company (Section 2.02 (A)(4)(b)).
 - ☐ Contact information and credentials of the entity to be hired in case that the system operation is contracted (Section 2.02 (A)(4)(c)).
- **Wheeling:**
 - ☐ Projection of the percent of the total demand that it intends to meet in Puerto Rico (Section 2.02 (A)(5)(a)).
 - ☐ Projection of capital investments for the next three (3) years after the submission of the Report (Section 2.02 (A)(5)(b)).
 - ☐ Reports regarding requests for energy transmission or wheeling (Section 2.02 (A)(5)(c)).
 - ☐ Complementary Sheet (NEPR-Z01).
 - ☐ Other: _____

I certify that the presented information on this form is correct and complete.			
	Authorized Signatory		3/31/2025
Name of Designated Contact	Position	Signature	Date

Requirement

Projection of the percent of the total demand that it intends to meet in Puerto Rico (Section 2.02 (A)(1)(a) of Regulation No. 8701)

Response

[REDACTED]

Requirement

Information regarding charges and rates, and the company efforts to orient clients and promote efficient electric energy consumption (Section 2.02 (A)(1)(b) of Regulation No. 8701)

Response

[REDACTED]

Requirement

Projection of capital investments for the next year after the submission of the Report (Section 2.02 (A)(1)(c) of Regulation No. 8701)

Response

[REDACTED]

Requirement

Contact information and credentials of entity to be hired in case the system is contracted (Section 2.02 (A)(1)(d) of Regulation No. 8701)

Response

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Requirement

Total generation, in MWh, produced by the system during the period prior to the filing of the operational report (Puerto Rico Energy Bureau Order dated February 12, 2019, CEPR-MI-2015-0006)

Response

[REDACTED]
[REDACTED]

Requirement

Net generation (total generation minus consumption), in MWh, produced by the system during the period prior to the filing of the operational report (Puerto Rico Energy Bureau Order dated February 12, 2019, CEPR-MI-2015-0006)

Response

[REDACTED]
[REDACTED]

Requirement

Hours of operation during the period prior to the filing of the operational report (Puerto Rico Energy Bureau Order dated February 12, 2019, CEPR-MI-2015-0006)

Response

[REDACTED]

Requirement

Capacity factor, during the period prior to the filing of the operational report (Puerto Rico Energy Bureau Order dated February 12, 2019, CEPR-MI-2015-0006)

Response

[REDACTED]

Requirement

Scheduled interruptions, specifying date, time, duration and purpose of interruptions of electrical equipment of the company, during the period prior to the filing of the operational report (Puerto Rico Energy Bureau Order dated February 12, 2019, CEPR-MI-2015-0006)

Reponse

[REDACTED]

Requirement

Non-scheduled interruptions, specifying date, time, duration and cause of interruptions of electrical equipment of the company, during the period prior to the filing of the operational report (Puerto Rico Energy Bureau Order dated February 12, 2019, CEPR-MI-2015-0006)

Response

[REDACTED]
[REDACTED]