

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

NEPR

Received:

Apr 4, 2025

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IN RE: Request for Certification
Punta Lima Wind Farm, LLC

CASE NO.: CEPR-CT-2016-0007

SUBJECT: Request to Amend Certification
(Update to Personal
Information Form)

REQUEST TO AMEND CERTIFICATION

TO THE HONORABLE ENERGY BUREAU:

Comes now Punta Lima Wind Farm, LLC ("PLWF") represented by the undersigned legal counsel and respectfully submits the following:

1. As the Honorable Energy Bureau is aware, on November 12, 2024, PLWF requested certification from the Energy Bureau to approve a proposed transaction in which Polaris Renewable Energy Investments Panama, S.A. would acquire a controlling equity interest in PLWF, acting act as both manager and operator, while Santander remains as the tax equity partner (the "Transaction").
2. On January 10, 2025, the Energy Bureau issued its authorization for Polaris Renewable Energy Investments Panama, S.A. to acquire the controlling interest in PLWF (the "January 10 R&O").
3. On February 26, 2025, PLWF notified the Energy Bureau that the acquiring entity, previously established as Polaris Renewable Energy Investments Panama, S.A., had to instead be formed as a Sociedad de Responsabilidad Limitada (S. de L.) under U.S. tax rules. The entity's name and Panamanian residency remained unchanged, and the underlying transaction

authorized on January 10, 2025, was also unaffected. On March 7, 2025, the Energy Bureau acknowledged the change in corporate form to Polaris Renewable Energy Investments Panama, S.R.L. ("Polaris"), confirming that the approved transaction otherwise remains the same.

4. In the January 10 R&O, the Honorable Energy Bureau ordered PLWF to file the corresponding request to amend its certification to reflect the ownership and operation changes (the "January 10 Order").

5. PLWF hereby complies with the January 10 R&O order and respectfully submits its Request to Amend Certification.

6. Pursuant to Section 3.03(E)(2) of the *Amendment to Regulation No. 8618 on Certification, Annual Fees, and Operational Plans for Electric Service Companies in Puerto Rico*, Regulation 8701, dated February 17, 2016, as amended ("Regulation 8701"), if the Honorable Energy Bureau has already issued a certification to the electric service company, said company shall submit a Request to Amend Certification wherein it shall specify the information that is subject to change.

7. According to Section 3.07 of Regulation 8701, the submission of a Request to Amend Certification generally carries a fee. However, if upon submission of a Request to Amend Certification the petitioning electric service company believes that payment of the amount for the submission fee for a Request to Amend Certification is onerous due to the fact that the change subject to the Request is minimal, said company may request that the Commission waive the requirement to pay the fee in question.

8. Accordingly, given that the only reason for which this Request to Amend Certification is being submitted is due to minimal changes in the Personal Information Form regarding certain contact information and the company's ownership, PLWF respectfully requests that the PREB waive the onerous fee required for the Request to Amend Certification.

9. Section 2.01 of Regulation 8701 requires electric service companies to submit specified information in a Personal Information Form (NEPR-B01). Subsection (D) further provides that if any of the information originally submitted to the Energy Commission changes, the electric service company must notify the Bureau of these updates.

10. Furthermore, pursuant to Section 2.03 of Regulation 8701, in order to update the personal information form, companies shall pay the Energy Bureau a fifty-dollar (\$50.00) fee upon submission of the NEPR-B01 Form.

11. PLWF hereby complies with the January 10 Order and Section 2.01(D) of Regulation 8701 and submits an updated Personal Information Form (**Attachment 1**).

12. As a newly established owner, Polaris is currently in the process of setting up a local bank account and cannot submit the required fee at this time but anticipates being able to do so on or by April 8. In light of these circumstances, PLWF respectfully request an extension until April 8, 2025 to finalize the payment.

13. PLWF requests that confidential treatment be afforded to this motion and its corresponding attachment. Section 6.15 of Act No. 57 of May 17, 2014, as amended, 22 L.P.R.A. § 1054n, provides:

If 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 [Bureau] to treat such information as such, subject to the following:

(a) If the Energy [Bureau], after the appropriate evaluation, believes such 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.

(b) To such purposes, the Energy [Bureau] shall provide access to the document or the privileged portion of the document only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.

(c) The 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.

(d) The Energy [Bureau] shall swiftly act on any privilege and confidentiality claim made by a person subject to its jurisdiction by means of a resolution to such purposes before any allegedly confidential information is disclosed.

14. In turn, Section 1.15 of Regulation 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.

15. Concomitantly, the Energy Bureau's Policy on 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 21, 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 ¶ 3. The party seeking confidential treatment of information filed with the Energy Bureau must also file both “redacted” or “public version” and an “unredacted” or “confidential” version of the document that contains confidential information. *Id.* at ¶ 6.

16. PLWF respectfully requests that all the information contained in this motion and the documents attached hereto be kept confidential in accordance with Section 1.15 of Regulation 8701 and Section 6.15 of Act No. 57. These documents have sensitive information, otherwise not available to the public, which PLWF prefers not to disclose, that could place PLWF at a competitive disadvantage with respect to other market participants and cause it economic harm. In compliance with the Energy Bureau’s Policy on Management of Confidential Information, CEPR-MI-2016-0009, below is a table summarizing the hallmarks of this request for confidential treatment.

Document Name	Pages in which Confidential Information is Found	Date Filed	Summary of Legal Basis for Confidentiality Protection	Discussion
Personal Information Form NEPR-B01 (Attachment 1)	All pages for Attachment 1	4/4/25	<ul style="list-style-type: none"> Act No. 57-2014, § 6.15 Regulation 8701, § 1.15 	<p>This document contains sensitive information which should not be available to the public.</p> <p>The information included herein contains sensitive and proprietary details about both the company and its representatives, such as personal addresses, phone numbers, email addresses, and</p>

Document Name	Pages in which Confidential Information is Found	Date Filed	Summary of Legal Basis for Confidentiality Protection	Discussion
				ownership interests. Disclosing this information publicly could increase the risk of identity theft and other security threats, while also exposing internal business structures that could harm the company's competitive standing. Furthermore, providing open access to personal contact details for individuals authorized to receive legal notices risks compromising privileged communications and subjects these individuals to unwarranted solicitations.

17. PLWF respectfully requests that the Energy Bureau only grant access to the information contained in the document attached hereto to internal Energy Bureau personnel, counsel, and consultants subject to the execution of a confidentiality agreement.

WHEREFORE, Punta Lima Wind Farm, LLC respectfully requests that the Honorable Energy Bureau: (1) take notice of this Request to Amend Certification; (2) waive the onerous fee required for the Request to Amend Certification; (3) take notice of PLWF's submission of updated personal information form; (4) grant its request for an extension to submit the \$50 filing fee; and (5) afford confidential treatment to this motion and its corresponding attachment.

Respectfully submitted, on April 4, 2025.

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A handwritten signature in blue ink, appearing to read 'AL Palerm'.

André J. Palerm Colón
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ATTACHMENT 1

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