

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

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY RATE REVIEW

CASE NO.: NEPR-AP-2023-0003

SUBJECT: Hearing Examiner's Request re
Limited Off-Line Meetings

**Hearing Examiner's Request that Participants Accommodate Limited
Off-Line Meetings Between LUMA's and the Energy Bureau's
Consultants**

I thank the participants for what I understand was a productive technical conference yesterday on rate design.

The procedural schedule accompanying my Order of May 2, 2025, calls for draft rate design filing requirements on May 16, 2026; participant comments on those requirements on May 23, 2026; and an Energy Bureau decision approving filing requirements on May 30, 2026. To meet these tight deadlines, it is necessary for the Energy Bureau's consultants on rate design to communicate informally with LUMA's consultants about the availability of data, and about the feasibility in this tight procedural schedule of preparing various types of alternative rate designs. I ask the participants to accommodate these discussions.

Limits on the subjects discussed: In these informal meetings, I require the consultants to limit the subjects to the following: data availability, granularity of data, level of effort required to perform specific analysis, limitations on performing specific analyses, and ability to produce specific technical metrics to evaluate rate design options. I prohibit the consultants from negotiating filing requirements; and from discussing or debating policy, law, or strategy.

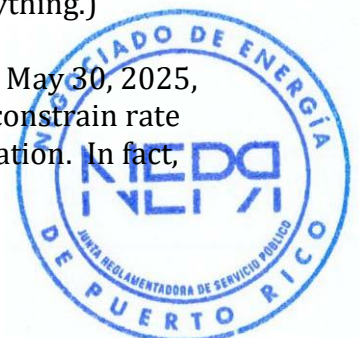
Transparency: For transparency, I impose these requirements:

- Within 24 hours of each substantive exchange, LUMA shall file in this docket, copying all participants, a brief summary of the topics discussed.
- If the consultants exchange any materials, such as spreadsheets, data sets, or other technical materials, LUMA within 24 hours shall file them in the docket, copying all participants.

The period during which these informal conversations will occur will be from now until the formal rate application arrives. At that time, I might circle back to the participants to assess their comfort with an extension.

Objections? Because this proceeding is formal adjudication, and because the Energy Bureau's consultants will not only prepare public expert reports (and be subject to questioning) but also advise the Commissioners during deliberations, these informal communications can occur lawfully *only if no participant objects*. I ask for everyone to consider the need and the benefits. I emphasize, however, that fairness and openness come first. Anyone opposing the above-described procedure should state that opposition via a submission to the Energy Bureau, copying all (including me), by **tomorrow, Friday, May 9, 2025, at 5pm AS**. (If you don't object, you don't need to submit anything.)

One note: The Filing Requirements that Energy Bureau will issue by May 30, 2025, apply only to LUMA's application to be filed by July 3, 2025. They will not constrain rate design proposals that intervenors might offer in response to LUMA's application. In fact,



one purpose of the informal conversations will be to find ways to accommodate, and import data into, intervenors' rate design proposals.

Finally, please reserve **May 27, 2025**, for a possible technical conference. We will have that conference if, on reviewing the May 23, 2025, comments on the draft filing requirements, our consultants think that additional public conversation will be useful. I will inform all about whether that conference will occur by the morning of May 26, 2025.

Be notified and published.




Scott Hempling
Hearing Examiner

CERTIFICATION

I certify that the Hearing Examiner, Scott Hempling, has so established on May 8, 2025. I also certify that on May 8, 2025, a copy of this Order was notified by electronic mail to mvalle@gmlex.net; arivera@gmlex.net; jmartinez@gmlex.net; jgonzalez@gmlex.net; Yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; carolyn.clarkin@us.dlapiper.com; andrea.chambers@us.dlapiper.com; gcastrodad@sbgblaw.com; jennalvarez@sbgblaw.com; jfr@sbgblaw.com; regulatory@genera-pr.com; legal@genera-pr.com; hrivera@jrsp.pr.gov; contratistas@jrsp.pr.gov; victorluisgonzalez@yahoo.com; Cfl@mcvpr.com; nancy@emmanuelli.law; jrinconlopez@guidhouse.com; Josh.Llamas@fticonsulting.com; Anu.Sen@fticonsulting.com; Ellen.Smith@fticonsulting.com; Intisarul.Islam@weil.com; kara.smith@weil.com; rafael.ortiz.mendoza@gmail.com; rolando@emmanuelli.law; jan.albinolopez@us.dlapiper.com; Rachel.Albanese@us.dlapiper.com; varoon.sachdev@whitecase.com; epo@amgprlaw.com; loliver@amgprlaw.com; acasellas@amgprlaw.com; matt.barr@weil.com; Robert.berezin@weil.com; Gabriel.morgan@weil.com; corey.bradley@weil.com; lramos@ramoscruzlegal.com; tlauria@whitecase.com; gkurtz@whitecase.com; ccolumbres@whitecase.com; isaac.glassman@whitecase.com; tmacwright@whitecase.com; jcunningham@whitecase.com; mshepherd@whitecase.com; jgreen@whitecase.com; hburgos@cabprlaw.com; dperez@cabprlaw.com; howard.hawkins@cwt.com; mark.ellenberg@cwt.com; casey.servais@cwt.com; bill.natbony@cwt.com; thomas.curtin@cwt.com; escalera@reichardescalera.com; riverac@reichardescalera.com; susheelkirpalani@quinnemanuel.com; erickay@quinnemanuel.com; dmonserrate@msglawpr.com; fgierbolini@msglawpr.com; rschell@msglawpr.com; eric.brunstad@dechert.com; Stephen.zide@dechert.com; David.herman@dechert.com; Julia@londoneconomics.com; Brian@londoneconomics.com; luke@londoneconomics.com; juan@londoneconomics.com; mmcgrill@gibsondunn.com; LShelfer@gibsondunn.com; scasillas@cstlawpr.com; jnieves@cstlawpr.com; arrivera@nuenergypr.com; rsmithla@aol.com; guy@maxetaenergy.com; jorge@maxetaenergy.com; rafael@maxetaenergy.com; dawn.bisdorf@gmail.com; msdady@gmail.com; mcranston29@gmail.com; ahopkins@synapse-energy.com; clane@synapse-energy.com; kbailey@acciongroup.com; hjudd@acciongroup.com; zachary.ming@ethree.com; PREBconsultants@acciongroup.com; carl.pechman@keylogic.com; bernard.neenan@keylogic.com. I also certify that on May 8, 2025, I have proceeded with the filing of the Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, on May 8, 2025.


Sonia Seda Gaztambide
Clerk