

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

**NEPR**

**Received:**

**May 9, 2025**

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**IN RE:** PUERTO RICO ELECTRIC POWER  
AUTHORITY RATE REVIEW

**CASE NO.:** NEPR-AP-2023-0003

**MOTION REQUESTING PARTICIPATION IN INFORMAL CONSULTANT MEETINGS**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU,**

**COMES NOW** the Puerto Rico Electric Power Authority ("PREPA") through its undersigned legal representation and, very respectfully, states and prays as follows:

1. On May 8, 2025, the Hearing Examiner issued an *Order* informing about the necessity for the Puerto Rico Energy Bureau of the Public Service Regulatory Board's ("Energy Bureau") consultants on rate design to communicate and/or meet informally with LUMA Energy, LLC's and LUMA Energy ServCo, LLC's (collectively, "LUMA") consultants ("*Order*"). The Hearing Examiner limited the scope of these meetings between LUMA's and the Energy Bureau's consultants to 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.

2. For transparency, the *Order* required LUMA to file in the docket of the above-captioned case, within 24 hours of each substantive exchange, a brief

summary of the topics discussed. The Order also directed LUMA to file, within the same period of time, any materials exchanged between the Energy Bureau's and LUMA's consultants.

3. PREPA recognizes and supports the objective of the Order which is to facilitate productive and efficient informal technical exchanges between LUMA and the Energy Bureau's consultants within the tight procedural schedule established in the May 2, 2025 Order. Accordingly, PREPA has no objection to such meetings.

4. Notwithstanding, PREPA respectfully requests that it be allowed to participate in these informal meetings. As the owner of the electric system and the entity ultimately responsible for the assets and long-term financial implications of the rate application, PREPA requires visibility into the data, assumptions, and technical discussions that will inform LUMA's proposed rate design.

5. While LUMA, pursuant to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement (OMA), is the party obligated to submit the rate application as PREPA's agent, PREPA remains an indispensable stakeholder with a statutory and fiduciary interest in ensuring that the rate design aligns with sound public policy, operational viability, and long-term fiscal responsibility.

6. As of the date of this motion, PREPA has not had access to the content or direction of LUMA's proposed rate design. Absent such visibility, PREPA

cannot meaningfully exercise its oversight responsibilities or adequately prepare for its role in the adjudicative phase of this proceeding.

7. Finally, PREPA informs the Energy Bureau that its participation in the informal meetings on rate design will not cause undue delay to the proceedings, as PREPA and its consultants will coordinate their availability to accommodate the schedules of the Energy Bureau's and LUMA's consultants. Accordingly, PREPA respectfully requests to be notified of the date, time, and subject matter of each meeting with sufficient advance notice to ensure its participation.

**WHEREFORE**, PREPA respectfully requests that the Energy Bureau authorize its participation in the off-line meetings between the consultants for LUMA and the Energy Bureau, subject to the same limitations and disclosure requirements imposed by the May 8, 2025 Order.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 9<sup>th</sup> day of May 2025.

**CERTIFICATE OF SERVICE:** We hereby certify that this Motion was filed using the electronic filing system of this Energy Bureau and that electronic copies of this Motion will be notified to Hearing Examiner, Scott Hempling, [shempling@scotthemplinglaw.com](mailto:shempling@scotthemplinglaw.com); and to the attorneys of the parties of record: LUMA Energy, LLC, through Margarita Mercado Echegaray, [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com); Andrea Chambers, [andrea.chambers@us.dlapiper.com](mailto:andrea.chambers@us.dlapiper.com); Genera PR, LLC, through: Jorge Fernández-Reboredo, [jfr@sbgblaw.com](mailto:jfr@sbgblaw.com); [regulatory@genera-pr.com](mailto:regulatory@genera-pr.com); and [legal@genera-pr.com](mailto:legal@genera-pr.com). A courtesy copy of the present Motion will also be notified to the following; [hrivera@jrsp.pr.gov](mailto:hrivera@jrsp.pr.gov); [contratistas@jrsp.pr.gov](mailto:contratistas@jrsp.pr.gov); [victorluisgonzalez@yahoo.com](mailto:victorluisgonzalez@yahoo.com); [agraitfe@agraitlawpr.com](mailto:agraitfe@agraitlawpr.com); [Cfl@mcvpr.com](mailto:Cfl@mcvpr.com); [nancy@emmanuelli.law](mailto:nancy@emmanuelli.law); [jrinconlopez@guidhouse.com](mailto:jrinconlopez@guidhouse.com); [Josh.Llamas@fticonsulting.com](mailto:Josh.Llamas@fticonsulting.com); [Anu.Sen@fticonsulting.com](mailto:Anu.Sen@fticonsulting.com); [Ellen.Smith@fticonsulting.com](mailto:Ellen.Smith@fticonsulting.com); [Corey.Brady@weil.com](mailto:Corey.Brady@weil.com); [Intisarul.Islam@weil.com](mailto:Intisarul.Islam@weil.com); [Josef.Trachtenberg@weil.com](mailto:Josef.Trachtenberg@weil.com); [rafael.ortiz.mendoza@gmail.com](mailto:rafael.ortiz.mendoza@gmail.com); [rolando@emmanuelli.law](mailto:rolando@emmanuelli.law); [jorge@maxetaenergy.com](mailto:jorge@maxetaenergy.com);

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