

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

IN RE: REQUEST FOR CERTIFICATION
GENERA PR, LLC

CASE NO.: NEPR-CT-2023-0001

SUBJECT: Noncompliance with filing
deadlines for Gross Revenue Report and
Financial Statements.

RESOLUTION AND ORDER

Genera PR, LLC ("Genera") is an electric service company certified by the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") through a Resolution and Order issued on August 8, 2024.

Act 57-2014¹ requires that every Electric Service Company² obtain a certification³ to provide electric services in Puerto Rico, besides presenting specific information under the requirements established by the Energy Bureau. Regulation 8701⁴ establishes the requirements that any electric service company must comply with providing electric services in Puerto Rico.

Section 4.02 of Regulation 8701 requires electrical services companies to submit to the Energy Bureau a gross revenue report and a copy of the financial statements corresponding to the Natural Year. The financial statements must be certified by a Certified Public Accountant (CPA) authorized to practice said profession in Puerto Rico, or in any jurisdiction of the United States of America.⁵

The Energy Bureau has established the *Gross Revenue and Financial Statements Report Electric Power Companies* (Form NEPR B05) as the official document to be completed, to provide the financial information of an electric service company to the Energy Bureau in the administrative process. Specifically, Section 4.02(A) and (B) of Regulation 8701 establishes that electric services must inform their Annual Gross Revenue within sixty (60) days after the end of the Natural Year. Under Section 4.02 (E) and (F) of Regulation 8701 the electric service company must submit its financial statements within one hundred and twenty (120) days) after the end of their Fiscal Year.

¹ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended ("Act 57-2014").

² Section 1.3(l) of Act 57-2014 defines the term "Electric Power Company" or "Electric Power Service Company" as follows: "Shall mean any natural or juridical person or entity, energy cooperative, engaged in the provision of generation services, transmission and distribution services, billing, wheeling, grid services, energy storage, resale of electric power as well as any other electric power service as defined by the Bureau. The Electric Power Authority or its successor as well as any Contractor under a Partnership or Sales Contract executed in relation to PREPA Transactions conducted by virtue of Act No. 120-2018 shall be deemed Electric Power Service Companies for purposes of this Act."

³ See Section 6.13 of Act 57-2014. See also Section 1.3(h) of Act 57-2014 which defines the term "Certified" as follows: "Shall mean every electric power service company that has been evaluated and authorized by the Energy Bureau."

⁴ *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, Regulation 8701, February 17, 2016 ("Regulation 8701"), as amended by Regulation No. 9182, *Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, Regulation 9182, June 24, 2020 ("Regulation 9182").

⁵ The financial statements must be audited or compiled according to the amount of gross revenue established in Regulation 8701, as amended. Section 4.02(E) requires compiled financial statements for electric service companies with three million dollars (\$3,000,000) or less in annual gross revenue. Section 4.02(F) of Regulation 8701, as amended, requires audited financial statements for electric service companies with more than three million dollars (\$3,000,000) in annual gross revenue. The financial statements must be signed by the CPA to attest the authority of the certification. Section 4.02(G) applies to the Puerto Rico Electric Power Authority (PREPA).



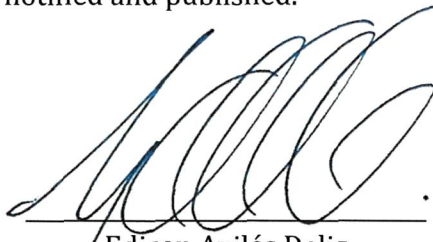
Genera has not submitted the gross revenue report for the corresponding Natural Year. For the 2024 Natural Year the due date for the gross revenue report was March 3, 2025. For Genera's Fiscal Year, ending in June 30, the due date for submitting its financial statements is October 28, 2025.

The Energy Bureau **ORDERS** Genera to, within **fifteen (15) days** from the notification of this Resolution and Order: (i) submit its gross revenue report for Natural Year 2024, and (ii) show cause why the Energy Bureau should not impose an administrative fine of one thousand five hundred dollars (\$1,500.00) for its failure to comply with Act 57-2014 and Regulation 8701 by not submitting its gross revenue report on the regulatory dates.

The Energy Bureau **WARNS** Genera that, in accordance Art. 6.36 of Act 57-2014:⁶

- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions of up to one hundred twenty-five thousand dollars (\$125,000) per day; and
- (ii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than fifteen thousand dollars (\$15,000) nor greater than two hundred fifty thousand dollars (\$250,000), at the discretion of the Energy Bureau.

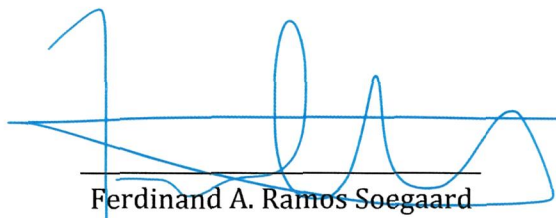
Be it notified and published.




Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Antonio Torres Miranda
Associate Commissioner



⁶ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended ("Act 57-2014").

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on May 9, 2025. Associate Commissioner Sylvia B. Ugarte Araujo did not intervene. I also certify that on May 9, 2025 a copy of this Resolution and Order was notified by electronic mail to jgonzalez@gmlex.net; arivera@gmlex.net; rpallens@genera-pr.com; legal@genera-pr.com; regulatory@genera-pr.com. I also certify that today, May 9, 2025, I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau. I sign this in San Juan, Puerto Rico, today May 9, 2025.



Sonia Seda Gaztambide
Clerk

