

**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 Order Revising  
Order of May 8, 2025

**Hearing Examiner's Order Revising Order of May 8, 2025, Relating to Informal  
Procedures on Rate Design**

My Order of May 8, 2025, addressing the subject of rate design, requested that the participants in this formal adjudication consider accommodating informal contacts between the consultants for LUMA and for the Energy Bureau. The contacts would allow the Energy Bureau's team to prepare draft rate design filing requirements for the participants' review quickly and efficiently, so as to meet the tight deadlines established by that Order. I asked for objections by May 9, 2025 at 5:00pm Atlantic.

I received no outright objections. I received submissions from LUMA and from the Solar and Energy Storage Association of Puerto Rico (SESA). Both helpful submissions offered ideas and requested clarifications. I appreciate the flexibility and speed exhibited by these two participants, as well as the nonopposition by all others.

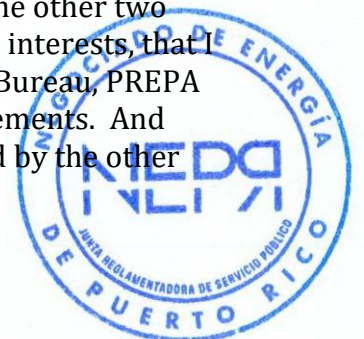
This Order adjusts my May 8 Order by either accepting ideas from the two submitters, or substituting approaches that make one or more of their suggestions unnecessary. It also addresses PREPA's request to participate in the informal meetings. The requirements and procedures stated next are a complete substitute for those in my May 8 Order.

*Limits on the subjects discussed:* In these informal meetings, I require all attendees to limit the subjects discussed to the following: data availability, granularity of data, level of effort required to perform specific analysis, limitations on performing specific analyses, *current limitations of LUMA's billing system*, 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. The italicized item was requested by LUMA. Otherwise, this paragraph is unchanged from the May 8 Order.

*Transparency:* For transparency, I impose these requirements:

- All substantive interactions will occur on the Teams platform. The Energy Bureau's consultant will use the platform to record each session. Immediately after each session, the Energy Bureau's consultant will transmit the recording to Energy Bureau Secretary Seda. Within the next business day, Secretary Seda will transmit the recording link to all participants and post it on the docket's website. There will be no written summaries.
- If the consultants exchange any materials, such as spreadsheets, data sets, or other technical materials, the Energy Bureau's consultant will transmit them to Secretary Seda, who will post them on the docket's website and transmit them to all participants.

Late Friday evening, May 9, 2025, I received a request from PREPA to participate in these informal meetings. Because of its decades of experience designing and charging rates in Puerto Rico, PREPA could have practical information of value to the other two consultants. It is for that purpose, not for purposes of protecting PREPA's interests, that I will allow an expert from PREPA to attend. Unlike LUMA and the Energy Bureau, PREPA has no legal obligation to propose a rate design or to fashion filing requirements. And PREPA's interests, like all participants' interests, are adequately protected by the other



features of my prior orders; in particular, the opportunity to comment on the draft filing requirements.

I therefore require PREPA immediately to notify Mr. Zach Ming, zachary.ming@ethree.com, of the name and contact information of the expert designated by PREPA to participate. Note that I said expert, not counsel. I require Mr. Ming to notify that individual of meetings. I do not require the LUMA and Energy Bureau consultants to delay or reschedule any meetings because of schedule conflicts that PREPA's expert may have. Candidly, we do not have time to make everyone happy; and given the transparency and other features of this procedure, I have no additional legal obligation to make everyone happy. If I learn from Mr. Ming that the meetings are not going smoothly because of an excess of participants or an excess of participation, I will consider changing today's decision.

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.

*Rate design proposals from others:* As my May 8 Order stated: The Filing Requirements that the 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.

*Possible technical conference:* 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 12, 2025. I also certify that on May 12, 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; gcastro@sbgbllaw.com; jennalvarez@sbgbllaw.com; jfr@sbgbllaw.com; regulatory@genera-pr.com; legal@genera-pr.com; hriviera@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.brady@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;

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 zachary.ming@ethree.com; PREBconsultants@acciongroup.com; carl.pechman@keylogic.com;  
 bernard.neenan@keylogic.com. I also certify that on May 12, 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 12, 2025.



  
 Sonia Seda Gaztambide