

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

NEPR

Received:

May 23, 2025

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IN RE: PUERTO RICO ELECTRIC
POWER AUTHORITY RATE REVIEW

CASE NO: NEPR-AP-2023-0003

SUBJECT: Order Requesting Comments
on Possible Additional Rate Design Filing

**COMMENTS ON THE INCLUSION OF A
“NET-METERING CUSTOMER CLASS” FILING REQUIREMENT**

TO THE HONORABLE ENERGY BUREAU:

COMES NOW, the Solar and Energy Storage Association of Puerto Rico ("SESA"), represented by the undersigned legal counsel, and respectfully submits the following:

On May 22, 2025, the Hearing Examiner, Mr. Scott Hempling, issued an order (the "May 22 Order") inviting comments on four potential additions to the draft filing requirements for LUMA's forthcoming rate-design application. One of those additions would potentially involve placing net-metering ("NEM") customers in a stand-alone rate class, and the May 22 Order requests comments on advantages or disadvantages associated therewith. SESA hereby respectfully submits the following comment limited to that single requirement.

Puerto Rico's legal framework and interconnection rules allow NEM across all customer classes, residential, commercial and industrial. The current Tariff Book for Electric Service Rates and Riders treat NEM participants as ordinary residential, commercial or industrial customers who receive credits under the "Net Metering Credit

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Rider” or “Rider NM.” The circumstances of each group of customers subject to NEM will undoubtedly be different across such groups. No provision currently authorizes the creation of a distinct “net-metering-only” class.

The Tariff Book for Electric Service Rates and Riders contains roughly fifteen primary rate schedules—including GRS, GSS, GST, various large-industrial, lighting, and time-of-use rates—all of which already permit net metering via Rider NM. Creating a separate “net-metering class” would therefore *not* add a single incremental class; it would double every existing schedule—yielding GRS-NEM, LRS-NEM, GSS-NEM, GST-NEM, and so on. This would force LUMA to prepare parallel cost-of-service studies, revenue-proof models, billing tables, IT configurations, customer notices, and compliance exhibits for each such tariff. The administrative load on both the utility and the Bureau would escalate, without any statutory mandate, regulatory precedent, or evidentiary showing that such proliferation would advance cost-causation or public-policy objectives.

Because a distinct NEM class is legally unsupported, empirically premature, and operationally unworkable, and would expend valuable time and resources, SESA respectfully urges the Hearing Examiner to omit this topic from the draft filing instructions. SESA respectfully reserves all rights to supplement these comments and to address the merits of any future proposal should the issue be formally presented in this proceeding.

WHEREFORE, SESA respectfully requests that the Hearing Examiner exclude the proposed “net-metering customer class” requirement from LUMA’s filing instructions.

Respectfully submitted, on May 23, 2025, in San Juan, Puerto Rico.

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WE HEREBY CERTIFY that this motion was filed using the Energy Bureau’s electronic filing system and that electronic copies of this motion will be notified to the Hearing Examiner. Scott Hempling, via hempling@scotthemplinglaw.com; and to the attorneys of the parties of record. To wit, to LUMA through Margarita Mercado - margarita.mercado@us.dlapiper.com; Carolyn Clarkin - carolyn.clarkin@us.dlapiper.com; and Andrea Chambers - andrea.chambers@us.dlapiper.com; the Puerto Rico Electric Power Authority through Mirelis Valle-Cancel - mvalle@gmlex.net; Juan González- jgonzalez@gmlex.net; and Alexis G. Rivera Medina - arivera@gmlex.net; and to Genera PR, LLC, through Jorge Fernández-Reboredo - jfr@sbqblaw.com; regulatory@genera-pr.com; and legal@genera-pr.com.

A courtesy copy of this motion will also be notified to the following:

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