

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

**NEPR**

**Received:**

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**IN RE:**

REVIEW OF THE PUERTO RICO  
ELECTRIC POWER AUTHORITY'S 10-  
YEAR INFRASTRUCTURE PLAN-  
DECEMBER 2020

**CASE NO. NEPR-MI-2021-0002**

**SUBJECT: Informative Motion on Modification of  
FEMA Assistance for Federally-Funded Project,  
Request for Confidentiality, and Memorandum in  
Support of Confidentiality**

**INFORMATIVE MOTION ON MODIFICATION OF FEMA ASSISTANCE FOR  
FEDERALLY FUNDED PROJECT, REQUEST FOR CONFIDENTIALITY, AND  
MEMORANDUM IN SUPPORT OF CONFIDENTIALITY**

**TO THE PUERTO RICO ENERGY BUREAU:**

**COME NOW LUMA Energy, LLC, and LUMA Energy ServCo, LLC**, (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submit the following:

**I. Submittal of Modified FEMA Approval and Request for Confidentiality**

1. On March 26, 2021, this Honorable Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order in the instant proceeding, ordering, in pertinent part, that the Puerto Rico Electric Power Authority ("PREPA") submit to the Energy Bureau the specific projects to be funded with Federal Emergency Management Agency ("FEMA") funds or any other federal funds at least thirty (30) calendar days prior to submitting these projects to the Puerto Rico Central Office for Recovery, Reconstruction and Resiliency ("COR3"), FEMA or any other federal agency ("March 26<sup>th</sup> Order"). It also directed PREPA to continue reporting to the Energy Bureau and FEMA within the next five years, the progress of all ongoing efforts related to the approval of the submitted projects not yet approved by the Energy Bureau. This Energy Bureau thereafter determined that this directive applied to PREPA and LUMA. *See* Resolution and Order of August 20, 2021.

2. On July 29, 2022, LUMA filed a *Motion Submitting Four Scopes of Work and Updated List of Projects and Request for Confidentiality and Supporting Memorandum of Law* (“July 29th Motion”). In the July 29<sup>th</sup> Motion, LUMA submitted one SOW for a T&D Project for the Energy Bureau’s review and approval prior to submitting it to COR3 and FEMA. The SOW submitted by LUMA included the “Transmission and Distribution Automation Program Installation of Intelligent Reclosers, Single Phase Reclosers and Fault Current Indicators” T&D Project.

3. On August 25, 2022, the Energy Bureau issued a Resolution and Order that determined that the SOW for the T&D project submitted by LUMA was necessary to improve the system’s reliability (“August 25th Order”). Therefore, it approved the project presented in the July 29th Motion, the “Transmission and Distribution Automation Program Installation of Intelligent Reclosers, Single Phase Reclosers and Fault Current Indicators” T&D Project SOW. The Energy Bureau also ordered LUMA to inform the Energy Bureau once the project is completed.

4. On November 7, 2023, LUMA filed a *Motion Submitting One Scope of Work, Request for Confidentiality and Supporting Memorandum of Law*, whereby LUMA submitted the “Transmission and Distribution Automation Program Installation of Three Phase Reclosers, Single Phase Reclosers and Fault Current Indicators and Feeder Headend Protection Devices” SOW for the Energy Bureau’s approval (“November 7<sup>th</sup> Motion”).

5. On November 27, 2023, the Energy Bureau issued a Resolution and Order approving the “Transmission and Distribution Automation Program Installation of Three Phase Reclosers, Single Phase Reclosers and Fault Current Indicators and Feeder Headend Protection Devices” SOW and ordered LUMA to submit a copy of the approval by COR3 and/or FEMA of

the T&D Project, which shall contain the costs obligated for each project within ten (10) days of receiving such approval (“November 27<sup>th</sup> Order”).

6. The “Transmission and Distribution Automation Program Installation of Intelligent Reclosers, Single Phase Reclosers and Fault Current Indicators” SOW was divided into separate programs, which include the “FAASt [Automation Program Group 14] (TL/Distribution),” “FAASt [Automation Program Group 12] (TL/Distribution),” “[Automation Program Group 19] (TL/Distribution),” “FAASt [Automation Program Group 20] (TL/Distribution),” and “[Automation Program Group 15] (TL/Distribution)” T&D Projects.

7. On February 11, 2025, LUMA filed a *Motion Submitting Seven FEMA Approvals of Projects, Request for Confidential Treatment, and Supporting Memorandum of Law*. Therein, LUMA submitted the approvals issued by FEMA on February 6, 2025, for the following T&D Projects: “FAASt [Automation Program Group 14] (TL/Distribution),” “FAASt [Automation Program Group 12] (TL/Distribution),” “[Automation Program Group 19] (TL/Distribution),” “FAASt [Automation Program Group 20] (TL/Distribution),” and “[Automation Program Group 15] (TL/Distribution).” The document contained FEMA’s approvals and included the costs obligated for each Project.

8. In compliance with the August 25<sup>th</sup> and November 27<sup>th</sup> Orders, LUMA hereby informs that the “FAASt [Automation Program Group 15] (Distribution)” T&D Project was de-obligated due to a federal administrative issue whereby FEMA obligated the project to the incorrect funds code. FEMA has now de-obligated the project and is preparing to re-obligate the project with the correct code. This re-obligation will not affect the previously approved scope of work or costs. *See Exhibit 1.*

9. LUMA is submitting herein a redacted public version of the FEMA approval (*Exhibit 1*) protecting confidential information associated with Critical Energy Infrastructure Information (“CEII”). As explained in this Motion, portions of the FEMA approval of the T&D Projects are protected from disclosure as CEII, *see, e.g.*, 6 U.S.C. §§ 671-674; 18 C.F.R. § 388.113 (2020), and pursuant to the Energy Bureau’s Policy on Management of Confidential Information. *See* Energy Bureau’s Policy on Management of Confidential Information, CEPR-MI-2016-0009, issued on August 31, 2016, as amended by Resolution dated September 20, 2016.

## **II. Memorandum of Law in Support of Request for Confidentiality**

### **A. Applicable Laws and Regulations to Submit Information Confidentially Before the Energy Bureau**

10. The bedrock provision on the management of confidential information filed before this Energy Bureau, is Section 6.15 of Act 57-2014, known as the “Puerto Rico Energy Transformation and Relief Act.” It provides, in pertinent part, that: “[i]f any person who is required to submit information to the [Energy Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Energy Bureau] to treat such information as such [...]” 22 LPRA § 1054n. If the Energy Bureau determines, after appropriate evaluation, that the information should be protected, “it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted.” *Id.* § 1054n(a).

11. Access to confidential information shall be provided “only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.” *Id.* § 1054n(b). Finally, Act 57-2014 provides that this Energy Bureau “shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these

cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Energy Bureau] who needs to know such information under nondisclosure agreements. However, the [Energy Bureau] shall direct that a non-confidential copy be furnished for public review.” *Id.* § 1054n(c).

12. Relatedly, in connection with the duties of electric power service companies, Section 1.10 (i) of Act 17-2019 provides that electric power service companies shall provide the information requested by customers, except for confidential information in accordance with the Rules of Evidence of Puerto Rico.

13. Moreover, the Energy Bureau’s Policy on Management of Confidential Information details the procedures a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the referenced Policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 20, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and why each claim or designation conforms to the applicable legal basis of confidentiality. *Id.* at ¶ 3. The party who seeks confidential treatment of information filed with the Energy Bureau must also file both a “redacted” or “public version” and an “unredacted” or “confidential” version of the document that contains confidential information. *Id.* at ¶ 6.

14. The Energy Bureau’s Policy on Management of Confidential Information states the following with regard to access to validated CEII:

Critical Energy Infrastructure Information (“CEII”)

The information designated by the [Energy Bureau] as Validated Confidential Information on the grounds of being CEII may be accessed by the parties' authorized representatives only after they have executed and delivered the Nondisclosure Agreement.

Those authorized representatives who have signed the Non-Disclosure Agreement may only review the documents validated as CEII at the [Energy Bureau] or the Producing Party's offices. During the review, the authorized representatives may not copy or disseminate the reviewed information and may bring no recording device to the viewing room.

*Id.* at § D (on Access to Validated Confidential Information).

15. Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, also includes a provision for filing confidential information in proceedings before this Energy Bureau. To wit, Section 1.15 provides that “a person has the duty to disclose information to the [Energy Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged information, request the [Energy Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed according to [...] Article 6.15 of Act No. 57-2015, as amended.” *See also* Energy Bureau Regulation No. 9137 on *Performance Incentive Mechanisms*, § 1.13 (addressing disclosure before the Energy Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

#### **B. Request for Confidentiality**

16. The FEMA approval included in *Exhibit I* contains portions of CEII that, under relevant federal law and regulations, are protected from public disclosure. LUMA stresses that the FEMA approvals with CEII warrant confidential treatment to protect critical infrastructure from

threats that could undermine the system and negatively affect electric power services to the detriment of the interests of the public, customers, and citizens of Puerto Rico. In several proceedings, this Energy Bureau has considered and granted requests by PREPA to submit CEII under seal of confidentiality.<sup>1</sup> In at least two Data Security and Physical Security proceedings,<sup>2</sup> this Energy Bureau, *motu proprio*, has conducted proceedings confidentially, thereby recognizing the need to protect CEII from public disclosure.

17. Additionally, this Energy Bureau has granted requests by LUMA to protect CEII in connection with LUMA's System Operation Principles. *See* Resolution and Order of May 3, 2021, table 2 on page 4, Case No. NEPR-MI-2021-0001 (granting protection to CEII included in LUMA's Responses to Requests for Information). Similarly, in the proceedings on LUMA's proposed Initial Budgets and System Remediation Plan, this Energy Bureau granted confidential designation to several portions of LUMA's Initial Budgets and Responses to Requests for Information. *See* Resolution and Order of April 22, 2021, on Initial Budgets, Table 2 on pages 3-4, and Resolution and Order of April 22, 2021, on Responses to Requests for Information, table 2 on pages 8-10, Case No. NEPR-MI-2021-0004; Resolution and Order of April 23, 2021, on Confidential Designation of Portions of LUMA's System Remediation Plan, table 2 on page 5,

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<sup>1</sup> *See e.g., In re Review of LUMA's System Operation Principles*, NEPR-MI-2021-0001 (Resolution and Order of May 3, 2021); *In re Review of the Puerto Rico Power Authority's System Remediation Plan*, NEPR-MI-2020-0019 (order of April 23, 2021); *In re Review of LUMA's Initial Budgets*, NEPR-MI-2021-0004 (order of April 21, 2021); *In re Implementation of Puerto Rico Electric Power Authority Integrated Resource Plan and Modified Action Plan*, NEPR MI 2020-0012 (Resolution of January 7, 2021, granting partial confidential designation of information submitted by PREPA as CEII); *In re Optimization Proceeding of Minigrid Transmission and Distribution Investments*, NEPR-MI 2020-0016 (where PREPA filed documents under seal of confidentiality invoking, among others, that a filing included confidential information and CEII); *In re Review of the Puerto Rico Electric Power Authority Integrated Resource Plan*, CEPR-AP-2018-0001 (Resolution and Order of July 3, 2019 granting confidential designated and request made by PREPA that included trade secrets and CEII. However, *see* Resolution and Order of February 12, 2021, reversing in part, grant of confidential designation).

<sup>2</sup> *In re Review of the Puerto Rico Electric Power Authority Physical Security Plan*, NEPR-MI-2020-0018.

and Resolution and Order of May 6, 2021, on Confidential Designation of Portions of LUMA's Responses to Requests for Information on System Remediation Plan, table 2 at pages 7-9, Case No. NEPR-MI-2020-0019.

18. Similarly, the Energy Bureau has granted LUMA's requests for confidential treatment of portions of the FEMA approvals submitted for approval in the present case. Notably, the Energy Bureau has granted LUMA's request for confidential treatment of portions of FEMA Approvals of Projects submitted for consideration and authorization. Furthermore, this Energy Bureau designated portions of submitted FEMA Approvals of Projects as confidential CEII in its Resolution and Order of March 20, 2023; *see* Table 1 on pages 1-2.

19. As mentioned above, the Energy Bureau's Policy on Management of Confidential Information provides for the management of CEII. It directs that the parties' authorized representatives access information validated as CEII only after executing and delivering a Non-Disclosure Agreement.

20. CEII or critical infrastructure information is generally exempted from public disclosure because it involves assets and information that pose public security, economic, health, and safety risks. Federal Regulations on CEII, particularly, 18 C.F.R. § 388.113, state that:

Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:

- (i) Relates details about the production, generation, transportation, transmission, or distribution of energy;
- (ii) Could be useful to a person in planning an attack on critical infrastructure;
- (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
- (iv) Does not simply give the general location of the critical infrastructure.

*Id.*



21. Additionally, “[c]ritical electric infrastructure means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters. *Id.* Finally, “[c]ritical infrastructure means existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.” *Id.*

22. The Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671-674 (2020), part of the Homeland Security Act of 2002, protects critical infrastructure information (“CII”).<sup>3</sup>

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<sup>3</sup> Regarding protection of voluntary disclosures of critical infrastructure information, 6 U.S.C. § 673, provides in pertinent part, that CII:

- (A) shall be exempt from disclosure under the Freedom of Information Act;
- (B) shall not be subject to any agency rules or judicial doctrine regarding *ex parte* communications with a decision-making official;
- (C) shall not, without the written consent of the person or entity submitting such information, be used directly by such agency, any other Federal, State, or local authority, or any third party, in any civil action arising under Federal or State law if such information is submitted in good faith;
- (D) shall not, without the written consent of the person or entity submitting such information, be used or disclosed by any officer or employee of the United States for purposes other than the purposes of this part, except—
  - (i) in furtherance of an investigation or the prosecution of a criminal act; or
  - (ii) when disclosure of the information would be--
    - (I) to either House of Congress, or to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee thereof or subcommittee of any such joint committee; or
    - (II) to the Comptroller General, or any authorized representative of the Comptroller General, in the course of the performance of the duties of the Government Accountability Office
- (E) shall not, be provided to a State or local government or government agency; of information or records;
  - (i) be made available pursuant to any State or local law requiring disclosure of information or records;
  - (ii) otherwise be disclosed or distributed to any party by said State or local government or government agency without the written consent of the person or entity submitting such information; or
  - (iii) be used other than for the purpose of protecting critical Infrastructure or protected systems, or in furtherance of an investigation or the prosecution of a criminal act.

CII is defined as “information not customarily in the public domain and related to the security of critical infrastructure or protected systems [...]” 6 U.S.C. § 671 (3).<sup>4</sup>

23. Portions of the FEMA approval in *Exhibit 1* qualify as CEII because each of these documents contains the express coordinates and physical addresses to power transmission and distribution facilities (18 C.F.R. § 388.113(iv)), and these specific coordinates and addresses could potentially be helpful to a person planning an attack on the energy facilities listed as part of this FEMA approval. The information identified as confidential in this paragraph is not common knowledge and is not made publicly available. Therefore, it is respectfully submitted that, on balance, the public interest in protecting CEII weighs in favor of protecting the relevant portions of the FEMA approval with CEII in *Exhibit 1* from disclosure, given the nature and scope of the details included in those portions of the Exhibit.

24. Based on the above, LUMA respectfully submits that portions of the FEMA approval should be designated as CEII. This designation is a reasonable and necessary measure to protect the specific location of the energy facilities listed or discussed in the FEMA approval in

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(F) does not constitute a waiver of any applicable privilege or protection provided under law, such as trade secret protection.

<sup>4</sup> CII includes the following types of information:

- (A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;
- (B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or
- (C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, construction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

*Exhibit 1*. Given the importance of ensuring the safe and efficient operation of the generation assets and the T&D System, LUMA respectfully submits that these materials constitute CEII that should be maintained confidentially to safeguard their integrity and protect them from external threats.

**C. Identification of Confidential Information**

25. In compliance with the Energy Bureau's Policy on Management of Confidential Information (CEPR-MI-2016-0009) below, find a table summarizing the portions of the FEMA approvals for which we present this request for confidential treatment.

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
Exhibit 1	FAAST [Automation Program Group 15] (Distribution)	Pages 1, 3, 4, 5, and 13	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	June 6, 2025

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **accept** the copy of the FEMA approval attached herein as *Exhibit 1*; and **grant** the request for confidential treatment of *Exhibit 1*.

**RESPECTFULLY SUBMITTED.**

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this Motion to counsel for PREPA Alexis Rivera, arivera@gmlex.net, and to Genera PR LLC, through its counsel of record, Jorge Fernández-

Reboredo, jfr@sbgblaw.com, Jennise M. Álvarez González, jennalvarez@sgblaw.com, and Francisco Santos, francisco-santos@gener-pr.com.

In San Juan, Puerto Rico, on the 6<sup>th</sup> of June, 2025.



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*Exhibit 1*

**Department of Homeland Security  
Federal Emergency Management Agency**

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## General Info

<b>Project #</b>	755211	<b>PW #</b>	108022	<b>Project Type</b>	Specialized
<b>Project Category</b>	F - Utilities	<b>Applicant</b>	PR Electric Power Authority (000-UA2QU-00)		
<b>Project Title</b>	FAASt [Automation Program Group 15] (Distribution)			<b>Event</b>	4339DR-PR (4339DR)
<b>Project Size</b>	Small	<b>Declaration Date</b>	9/20/2017		
<b>Activity Completion Date</b>	9/20/2027	<b>Incident Start Date</b>	9/17/2017		
<b>Process Step</b>	Obligated	<b>Incident End Date</b>	11/15/2017		

## Damage Description and Dimensions

The Disaster # 4339DR, which occurred between 09/17/2017 and 11/15/2017, caused:

**Damage #1392753; FAASt [Automation Program Group 15: San Juan, Feeder: 1646-02] (Distribution)**

### General Facility Information:

- **Facility Type:** Power generation, transmission, and distribution facilities
- **Facility:** Automation Program Group 15: San Juan, Feeder: 1646-02
- **Facility Description:** Transmission and Distribution Automation Feeder 1646-02
- **Approx. Year Built:** 1980
- **Start GPS Latitude/Longitude:** [REDACTED]
- **End GPS Latitude/Longitude:** [REDACTED]

## Final Scope

**1392753** **FAASt [Automation Program Group 15: San Juan, Feeder: 1646-02] (Distribution)**

### Introduction:

This document is to submit for approval a Detailed Scope of Work ("SOW") to COR3 and FEMA for the Transmission and Distribution Automation Program under DR-4339-PR Public Assistance. The document provides a description of the project, including scope, schedule, and cost estimates. LUMA Energy is seeking approval from COR3 and FEMA for project funding to repair, restore, or replace the eligible facilities.

LUMA submits this detailed SOW according to the Transmission and Distribution Operations & Maintenance Agreement between Puerto Rico Electric Power Authority ("PREPA"), the Puerto Rico Public-Private Partnerships Authority ("P3A"), and LUMA Energy, and following the Consent to Federal Funding Letter issued by PREPA and P3A, which collectively provides the necessary consent for LUMA Energy, as agent of PREPA, to undertake work in connection with any Federal Funding requests related to the Transmission and Distribution System submitted to FEMA.

### Background:

In order to rebuild the entire electrical grid, the Transmission & Distribution Automation Program ("Program") installs advanced technology equipment (i.e., reclosers and communicating fault current indicators) to reduce service interruptions to the electrical grid caused by disaster-related damage. The multiple projects within this Program are designed to fortify the electrical system's resilience, safeguard its infrastructure, and enhance service reliability. The strategy is to deploy full automation equipment to the transmission and to the distribution systems. While the individual projects are interconnected and enhance each other, each can also be implemented independent of each other, and each confers

benefits independently. The Program includes multiple projects being implemented across the island on both systems. Automation is one of several initiatives to complete final restoration of the transmission and distribution systems. The 3.5 million residents throughout Puerto Rico are dependent upon the successful completion of the Program and its ability to sustain the power grid in future disasters.

Project 755211 is one of the Program's distribution-level projects. It installs hardened poles, advanced technology equipment (specifically three-phase reclosers and communicating fault current indicators), and online protection devices to reduce service interruptions to the distribution grid that could be caused by disaster-related damage. Implementing the reclosers and communicating fault current indicators is critical for the Energy Management System ("EMS") and related components to function at their full capabilities and mitigate loss of service and potential damages for upcoming occurrences. This project is necessary for the EMS to maintain the continuity of the distribution power grid on Feeder 1646-02.

Key components of this project are (1) pole replacement, (2) the installation of three-phase and single-phase reclosers, and (3) the installation of communicating fault current indicators. Each of these components and their benefit to the grid are described further below:

### **(1) Pole Replacement to Accommodate the Installation of Reclosers:**

The addition of three-phase reclosers imposes additional load on poles due to the weight and operational components of the devices and it also increases the wind area exposed to extreme weather conditions, such as hurricanes, thereby augmenting the structural load these poles must withstand. Pole loading analysis will be used to determine whether a recloser pole and/or pole adjacent to the recloser will maintain structural integrity. If the pole cannot maintain structural integrity, higher-class (strength) structures/poles made of steel or concrete will be installed to comply with codes and standards. This includes adjacent poles (*i.e.*, poles that are on either side of the recloser pole supporting the overhead line conductors). Any new structure and foundation will be designed to LUMA design and industry standards so they can support the pole, recloser, and its attachments.

In addition, LUMA is using a per-location approach to pole replacement because of the intricate dynamics of deploying three-phase reclosers. Furthermore, the integration of more connections, switches, and related infrastructure often necessitates taller poles to meet phase spacing and circuit-to-circuit spacing requirements. Therefore, LUMA will replace all wood poles where three-phase reclosers are being installed, irrespective of their current condition, to address the compounded structural demands and spacing prerequisites, and ensure the resilience and reliability of the electrical grid infrastructure.

### **(2) Feeder Reclosers:**

Reclosers are sophisticated devices that remotely detect faults within distribution lines, enable the isolation of circuit breakers linked to those faults—whether due to independent failures or breakdowns—and facilitate the swift restoration of power, often within milliseconds. This project will install three-phase and single phase reclosers on a distribution feeder.

**Three-Phase Reclosers** A three-phase recloser is a protection device that is used on three-phase distribution feeders with high fault currents at the location. It is a single device with three switches that can open to interrupt fault currents and automatically reclose to restore power. Three-phase reclosers are communication-ready to enable remote control and visualization.

Implementation of reclosers will preserve the continuity of electric services by pre-empting or minimizing power disruptions. The three-phase reclosers can be triggered remotely and provide data back to the operations center, enabling LUMA to prioritize restoration activities, reduce customer outage time, and minimize the potential for cascading infrastructure damage. Installation of the three-phase reclosers and associated hardware is critical for the EMS and associated components to function with full capabilities and to prevent loss of service and potential damages in future disasters.

**Single-Phase Reclosers:** A single-phase recloser performs the same functions as a three-phase recloser, but it does not have the ability to communicate with the EMS. This project will install single-phase reclosers on the distribution feeder and distribution lines branching from the feeder. It is a protection device that is used on a single-phase or a two-phase distribution feeder. Single-phase reclosers are used on feeders with three-phases if fault currents are low at the location. A single-phase recloser is a single device with one switch that can open to interrupt fault currents and automatically reclose to restore power.

### **(3) Communicating Fault Current Indicators**

Install communicating fault current indicators ("cFCI") at strategic locations to improve the outage management, restoration, and recovery process, specifically by decreasing the time required to detect and locate faults. cFCI operate independent of the feeder reclosers. cFCI help identify permanent and incipient faults in the distribution system and collect voltage and current data which can be used to detect system imbalance, prevent future issues due to harmonics and help in building a predictive failure models. That data is used by the grid operator to make decisions on operations, management and restoration. The cFCI can be programmed to send automatic notification/alarms based on user set parameters. This allows for quick dispatch of field crews to specific sections of the feeders and reduces the total restoration time during an outage event which saves. Installation of the three-phase reclosers and associated hardware, the communicating fault current indicators (communications ready) are critical for the Energy Management System ("EMS") and associated components to function with full capabilities and to mitigate the loss of service and potential damages in future disasters.

This project is distinguishable from projects where the reclosers are installed on microgrids, such as those in Vieques and Culebra. Microgrids require extremely fast communications that fiber optics can provide; other advanced technology such as Phasor Measurement Units may also require such

high speed/bandwidth communications. That speed/bandwidth is not required on a standard feeder and would significantly increase the cost. LUMA has developed this scope for reclosers and their associated hardware only. cFCIs and reclosers can communicate through a few different modes of communications, so the lack of fiber optics in this scope of work does not prevent or limit the monitoring capabilities of reclosers and cFCIs or the automation capabilities of reclosers. Furthermore, it does not prohibit the incorporation of fiber optics later.

## Facilities:

### Facilities Description

The facilities listed below are part of the electrical distribution system. All feeders originate from a substation (start) and serve customers along the route to various locations (end). The coordinates shown below represent the mainline backbone of each feeder. Please refer to the **APPENDIX D - LUMA Active Projects** to show no duplication of scope elements.

### Facilities List

Name	Damage Number	Feeder Number	GPS Location
San Juan	1392753	1646-02	

Note: Please refer to **Appendix C —Project Considerations** for a list of all GPS locations that this project will impact.

## Project Scope of Work:








Below is a list of the “Proposed 428 Public Assistance Scope of Work” proposed for Feeder 1646- 02.

### Proposed 428 Public Assistance Scope of Work Feeder 1646-02

Pole FID	Coordinates Lat, Long	Existing	428 Replacement	SCOPE OF WORK
New Pole		None	(60' S10 STEEL POLE) (CP-C6- XARM) (CP-C5-XARM) (ASSY-1509) (E-1-2-3) (F-1-3) (K-5) (STL-10) (REC-2-1-1 ver 1)	<ul style="list-style-type: none"> <li>• Install new 60' S-10 Galvanized steel pole as a midspan pole.</li> <li>• Install Primary and secondary framing.</li> <li>• Install (1) three- phase recloser 1646- 02-A on a radial configuration.</li> <li>• Install (2) 1kva transformer (13.2/7.62- 120/240v) to recloser from source side and load side.</li> </ul>
22795938		(65'-H6 CONCRETE POLE)  (38KV SC VERTICAL TANGENT 10(QTY=1))  (CP1C8(QTY=1)) (S-1(QTY=1))	(70' S8 12-SIDED GALVANIZED STEEL POLE)  (38KV SC TANGENT DELTA SUSPENSION(QTY=1))  REC-2-1-1 VER1(QTY=1))  (S-1(QTY=1))	<ul style="list-style-type: none"> <li>• Remove and dispose 65' H6 Concrete pole</li> <li>• Replace with 70' S8 12-sided galvanized steel pole.</li> <li>• Install (1) three-Phase recloser 1646- 02B on a radial configuration.</li> <li>• Replace primary framing.</li> <li>• Install (2) 1kva transformer (13.2/7.62- 120/240v) to recloser from source Side and load side</li> </ul>

Pole FID	Coordinates Lat, Long	Existing	428 Replacement	SCOPE OF WORK
NEW POLE		(NONE)	(60' S8 12-SIDED GALVANIZED STEEL POLE) (38KV 3P DELTA SUSPENSION) (CP-C9-XARM) (REC-3-C) (K-6 (QTY=1))	<ul style="list-style-type: none"> <li>• Install new 60' S8 12-sided galvanized steel pole as Midspan.</li> <li>• Install 38kv standards framing.</li> <li>• Install primary and secondary framing.</li> <li>• Install (3) Outout Mounted Single-Phase Recloser on segment FID 26851351.</li> </ul>



15158761		(55'-C2 WOOD POLE) (CP-C1) (K-6 (QTY=1))	(45' S5.7 STEEL POLE) (CP-C6-VERT) (REC-3-C-VERT) (K-6 (QTY=1))	<ul style="list-style-type: none"> <li>Remove and dispose 55'C2 wood pole.</li> <li>Replace with 45' S5.7 12-sided galvanized steel pole.</li> <li>Replace primary and secondary framing.</li> <li>Install (3) cutout mounted Single-Phase recloser on segment FID 26851351.</li> </ul>
15158776		(ASSY- 1509(QTY=3))	(LABOR & REPAIR)	<ul style="list-style-type: none"> <li>Remove and dispose fuses (fid: 26521870 (qty=3)) close jumpers due to cutout mounted single-phase recloser installation in pole fid: 15158761.</li> </ul>
15152286		(ASSY- 1509(QTY=3))	(LABOR & REPAIR)	<ul style="list-style-type: none"> <li>Remove and dispose fuses (fid: 26521895 (qty=3)) close jumpers due to cutout mounted single-phase recloser installation in segment fid: 26522009.</li> </ul>
28482726		(ASSY- 1509(QTY=3))	(LABOR & REPAIR)	<ul style="list-style-type: none"> <li>Remove and dispose fuses (qty=3) and close jumpers due to cutout mounted single-phase recloser installation segment fid: 26851351.</li> </ul>
15158633		(ASSY- 1509(QTY=3))	(LABOR & REPAIR)	<ul style="list-style-type: none"> <li>Remove and dispose fuses (qty=3) and close jumpers due to cutout mounted single-phase recloser installation segment fid: 26851351.</li> </ul>
NA		NONE	(LABOR, cFCI) (QTY=3)	<ul style="list-style-type: none"> <li>Labor to install communicating fault current indicator on segment 23399078.</li> </ul>
NA		NONE	(LABOR, cFCI) (QTY=3)	<ul style="list-style-type: none"> <li>Labor to install communicating fault current indicator segment 26522373.</li> </ul>

For more detailed information about the scope of work please refer to the **APPENDIX B- LUMA Project Cost Estimate**.

#### Scope Notes:

1) The work will be performed in accordance with the notes below, the Distribution Construction Standards (Concrete Base Standard) and LUMA Overhead Electrical Distribution System Manual V4, and **APPENDIX C – Project Considerations**.

#### Pole Replacement

- Remove and dispose and replace poles, including hardware in the same location. If unable to install the replacement in the same location, the pole will be installed within 3 feet.
- Most pole installations are to replace existing pole locations; there are two new pole locations included in this scope of work. Refer to **APPENDIX C – Project Considerations**, column C (soil area and depth impact) for the depths of the poles to be installed.
- Adjacent poles will be installed, in locations noted in table above, in conformance with LUMA and industry standards.
- New guy wire/ anchors are to be installed in compliance with the LUMA Overhead Electrical Distribution System Manual within 3ft of the existing anchor. The maximum distance an anchor will be installed for a 50ft pole is 25ft from the base of the pole, within the right-of-way.
- The brushing of vegetation will be limited to a 10 ft radius that surrounds the surface of the pole without exceeding the width of the right-of-way. No tree removal will occur as part of this scope. Refer to **APPENDIX C- Project Considerations** for locations where vegetation brushing is anticipated. The vegetation removal process will be managed according to applicable federal and state regulations.
- All existing overhead conductors, poles, assemblies, and attached components will be disconnected, removed, and replaced as outlined in the scope of work. When poles, assemblies, and attached components are not being replaced per the scope of work, all assemblies and components will be re-installed to the pole, with the overhead conductor re-attached to complete the installation and reconstruction of the feeder.
- All work for this program will be performed within the current electrical right- of-way.

- 2) Debris will be separated and taken to an approved waste disposal facility in compliance with applicable federal and local regulations.
- 3) The construction of **access roads** is not required for this scope of work. Poles are close to the roads and are site accessible.
- 4) **Staging area** requirements were considered for the new equipment to be installed and the equipment to be retired. All materials will be stored and dispatched from the assigned LUMA's Regional Warehouse. The warehouse assigned is the Carolina District Warehouse, whose address is #21 Campeche Street, Industrial Julio N. Matos, Martin González Ward, Carolina, PR. Coordinates are [REDACTED] Refer to document *Warehouse Locations*.
- 5) Fill, Gravel, and Sand materials will be obtained from an approved supplier as referenced in the document *LUMA Vendor Directory List*.
- 6) The equipment to be used is a *Skid Steer, Excavator, Dump truck, Manlift, 120- ton Motor Crane, Boom Trucks, 45-ton Crane, Zoom Boom, Air compressor, Truck Digger, Water truck, Pump Truck, Concrete Vibrator, Oil Tanker, Filtering Machine, and Flatbed platform*. Vegetation will be removed utilizing a *machete, chainsaw, electric pruner, telescopic pole pruner, bucket truck, and/or chipper*. All equipment used will comply with Tier 4 EPA Emission Standard, if available.
- 7) Specific List of Permits Required:
  - a. Department of Transportation and Public Works - ("DTOP") Endorsements & Municipality Notifications
  - b. Excavation and Demolition Notification in the DTOP
  - c. LUMA will provide proof of all permits.

#### Proposed 406 Hazard Mitigation Scope of Work

This version of the project will be fully funded using PA 428 funds. A future version of this project may contain PA 406 HM measures.

#### Type of Project:

Restoration to Codes/Standards: Restores the facility(s) to pre-disaster function and to approved codes and standards.

This work will follow FEMA (Public Assistance Alternative Procedures (Section 428) Guide for Permanent Work FEMA-4339-DR-PR February 2020).

**Note:** If preliminary A&E work has not been completed, the type of project designation is considered initial and based on currently available information. The designation may be revised based on the completed preliminary A&E work results.

#### Codes and Standards:

The following will be referenced when applying specific codes, specifications, and standards to the project design:

1. Consensus-based codes, per FEMA (Public Assistance Alternative Procedures (Section 428) Guide for Permanent Work FEMA-4339-DR-PR February 2020).
2. Industry standards per FEMA Recovery Policy FP-104-009-5, Version 2, Implementing Section 20601 of the 2018 Bipartisan Budget Act through the Public Assistance Program.
3. FEMA Recovery Interim Policy FP-104-009-11 Version 2.1, Consensus-Based Codes, Specifications, and Standards for Public Assistance.
4. LUMA's latest Design Criteria Document (DCD) aggregates the design considerations of most of the consensus-based codes, specifications, and standards listed in FEMA Recovery Interim Policy 104-009-11 Version 2.1 (December 20, 2019).

#### Project Schedule:

<u>Milestone</u>	<u>Target Date</u>
FEMA Obligation Funds	September 2024
Start Procurement of Long-Lead Items	July 2023
Start Environmental and Permitting	September 2024
Start Detailed Design Engineering	January 2024

**Project Cost Estimate (PCE):**

The estimated costs (Class 3 Accuracy +/-30%) to complete the project are captured in the table(s) below. The cost estimate was developed utilizing preliminary Architectural and Engineering design information and is subject to being updated. LUMA has allocated 10% of the project cost to mitigate potential known risks. For more details refer to **APPENDIX B- Detailed Cost Estimate**.

COST ESTIMATE			
COST ELEMENT	428	406	PROJECT TOTAL
PLANNING	\$50,770.52	-	\$50,770.52
MANAGEMENT	\$31,088.05	-	\$31,088.05
Group 15- DAUT	\$533,842.94	-	\$533,842.94
GENERAL CONDITIONS	\$33,428.39	-	\$33,428.39
CONTINGENCY	\$76,289.52	-	\$76,289.52
COST TOTALS	\$725,419.42	-	\$725,419.42
DEDUCTIONS	TOTAL INSURANCE PROCEEDS RECEIVED		\$0
FAASt ALLOCATIONS	FAASt Project # 755211 TOTAL		\$643,560.85
	FAASt A&E # 335168 TOTAL		\$81,858.57

**Project Cost Summary, Version 0:**

Work to be Completed (WTBC): \$725,419.42

A&E Deduction (Global A&E FAASt 335168): -\$81,858.57

Project Total: \$643,560.85

**Attachments:**

755211-DR4339PR-APPENDIX A - Initial Scope of Work

755211-DR4339PR-APPENDIX B – Detailed Cost Estimate

755211-DR4339PR-APPENDIX C - Project Considerations

755211-DR4339PR-APPENDIX D - LUMA's Active Projects

**Project Notes:**

1. Refer to the detailed SOW provided in document named: **755211- DR4339PR- DSOW Group 15 DAUT Revision 01.pdf**.
2. This project is part of Donor FAASt 136271 – MEPA078 Puerto Rico Electrical Power Authority (PREPA) Island Wide FAASt Project.
3. Architectural and Engineering (A&E) costs are deducted given previously obligated Global A&E Project for the subject FAASt PREPA work (see project: 335168 - FAASt A&E PREPA).
4. This project is part of Donor FAASt 136271 – MEPA078 Puerto Rico Electrical Power Authority (PREPA) Island Wide FAASt Project.
5. The permanent staging area will be located inside the existing PREPA facilities.

6. For detailed cost estimate, please refer to document named: *755211-DR4339PR-APPENDIX B- DETAILED COST ESTIMATE.xlsx*.

## **406 HMP Scope**

406 Hazard Mitigation measures were not requested by the subrecipient for this project in Version 0. However, the mitigation opportunities will be applied in a future version (V1) of the Permanent Work Project. The project is ready for Insurance completion.

## Cost

Code	Quantity	Unit	Total Cost	Section
9001	1	Lump Sum	\$725,419.42	Uncompleted
3510	1	Lump Sum	(\$81,858.57)	Uncompleted
9201	1	Lump Sum	\$0.00	Completed

CRC Gross Cost \$643,560.85

Total 406 HMP Cost \$0.00

Total Insurance Reductions \$0.00

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CRC Net Cost \$643,560.85

Federal Share (90.00%) \$579,204.77

Non-Federal Share (10.00%) \$64,356.08

## Subgrant Conditions

- As described in Title 2 Code of Federal Regulations (C.F.R.) § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions are stated in 2 C.F.R. §200.333(a) – (f)(1) and (2). All records relative to this project are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- The terms of the FEMA-State Agreement are incorporated by reference into this project under the Public Assistance award and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide; and other applicable FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the declaration date of this emergency declarations or major disaster, as applicable, are incorporated by reference into this project under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at Title 2 Code of Federal Regulations (C.F.R.) Part 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. Part 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The subrecipient must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the subrecipient commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.
- When any individual item of equipment purchased with PA funding is no longer needed, or a residual inventory of unused supplies exceeding \$5,000 remains, the subrecipient must follow the disposition requirements in Title 2 Code of Federal Regulations (C.F.R.) § 200.313-314.
- Pursuant to section 312 of the Stafford Act, 42 U.S.C. 5155, FEMA is prohibited from providing financial assistance to any entity that receives assistance from another program, insurance, or any other source for the same work. The subrecipient agrees to repay all duplicated assistance to FEMA if they receive assistance for the same work from another Federal agency, insurance, or any other source. If an subrecipient receives funding from another federal program for the same purpose, it must notify FEMA through the Recipient and return any duplicated funding.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the subrecipient's completion of this project, the final claim for payment, and supporting documentation within 180 days from the date that the applicant completes the scope of work, or the project deadline, whichever occurs first. FEMA reimburses Large Projects (those with costs above the large project threshold) based on the actual eligible final project costs. Therefore, during the final project reconciliation (closeout), the project may be amended to reflect the reconciliation of actual eligible costs.
- The Subrecipient provided the estimate for this PW. FEMA validated the estimate and found it to be reasonable for the work to be performed.

## Insurance

### Additional Information

5/7/2025

It was determined that this project would be processed at \$0.00, as a Version to address fund code correction from FC6E to FC06 for FAAST

projects. This administrative amendment does not change the previously approved scope of work or costs, however, to be able to process the correction a version is being submitted for de-obligating the available balance in this PW. As a result, no insurance review was conducted. However, any previously applied insurance reduction and/or obtain & maintain requirement has been eliminated, as no funding is being provided. In the event those costs are reinstated to the project a full insurance review will be required.

FEMA requires the applicant to take reasonable efforts to pursue claims to recover insurance proceeds that it is entitled to receive from its insurer(s) to ensure no duplication of benefits has occurred.

**Jean-Carlo Echevarria, PA Insurance Specialist, CRC Atlantic, Guaynabo P.R.**

## O&M Requirements

There are no Obtain and Maintain Requirements on **FAASt [Automation Program Group 15] (Distribution)**.

## 406 Mitigation

There is no additional mitigation information on **FAASt [Automation Program Group 15] (Distribution)**.

## Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Yes

### EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- The Applicant must provide documentation at close-out that proves completion of required Conservation Measures
- Puerto Rican Boa (*Chilabothrus inornatus*) 1. Inform all project personnel about the potential presence of the Puerto Rican (PR) boa and Virgin Islands (VI) boa in areas where the proposed work will be conducted and provide training on PR and VI boa identification. A pre-construction meeting will be conducted to inform all project personnel about the need to avoid harming these species. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973. An educational poster or sign with photo or illustration of these species will be displayed at the project site. 2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area and any area to be excluded and protected will be clearly marked in the project plan and in the field to avoid further habitat degradation outside of the footprint of the project. 3. Once areas are clearly marked, and right before the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), biologist or designated project personnel with experience on these species will survey the areas to be cleared to verify the presence of any PR or VI boa within the Action Area. If a PR or VI boa is found during the search, it should be captured and managed as per #6 below. Once the removal of vegetation begins, the biologist or designated personnel must remain at the work site and be ready to capture any boa that might be in harm's way as the result of the habitat disturbance (see #6). 4. For VI boas, once the Action Area has been searched, vegetation will be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow VI boas present on site to move away on their own to adjacent available habitat. If there is no suitable habitat adjacent to the project site, any VI boa found will be relocated accordingly (see #6). 5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. Data will also include a photo of the animal (dead or alive), relocation site GPS coordinates, time and date of the relocation, and comments on how the animal was detected and its behavior. 6. If any PR or VI boa (dead or alive) is found within the Action Area and on harm's way, the action will stop, and information will be recorded (see #5). All attempts will be made to immediately safely capture and relocate the animal

within suitable habitat (forested) at least 1 km from the Action Area and away from construction areas. PR boa relocation sites will be pre-determined before the project start and sites shared with the Service for revision and concurrence. Relocation of PR boas will be conducted by trained, designated personnel ensuring the animal is not harmed or injured during the capture and relocation process.

- 7. Measures will be taken to avoid and minimize PR boa and VI boa casualties by heavy machinery or motor vehicles being left in the Action Area. \*. Any heavy machinery left on site (staging areas) or near potential PR or VI boa habitat will be thoroughly inspected each morning before work starts to ensure that no boa is sheltered within engine compartments or other areas of the heavy machinery. If a PR boa or VI boa is found within vehicles or heavy machinery, boas will be safely captured accordingly. If not possible, the animal will be left alone until it leaves the vehicle or machine by itself. \*. The PR boa and VI boa may seek shelter within debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in new debris piles as a result of project activities. New debris piles should be placed in areas as far as possible from forested areas. Prior to moving, disposing, or shredding, debris piles should be carefully inspected for the presence of PR boas and VI boas. If debris piles will be left on site, we recommend they be placed in an undisturbed area. \*. In the event a PR boa and VI boa is found dead within the project area, the Federal Agency and the Recipient must contact the Service to appropriately dispose the animal. \*. If a PR boa or a VI boa is accidentally injured or killed during capture and relocation activities during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinstate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. \*. Should the forms of take reach the amount of exempted take during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinstate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. For questions and to submit reports, the Service's Point of Contact (POC) is José Cruz-Burgos, Endangered Species Coordinator, and can be contacted at: Mobile: 305-304-1386 Office phone: 786-244-0081 Office Direct Line: 939-320-3120 Email: Caribbean\_es@fws.gov or jose\_cruz-burgos@fws.gov
- The Applicant shall handle, manage, and dispose of all types of hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill. The contractor/applicant will be responsible for the proper disposition of construction debris in authorized landfills providing the name, location, coordinates and permits of the facility to the corresponding authorities.
- Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the Applicant shall handle, manage, and dispose petroleum products, hazardous materials, and toxic waste in accordance with the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt of federal funds.
- Applicant must obtain any required permits from the Puerto Rico Permits Management Office (OGPe) prior to initiating work and comply with any conditions of the permit established by the Planning Board (JP) for constructions in floodplains. All coordination (emails, letters, documented phone calls) pertaining to these activities and compliance must be provided and maintained in the Applicant's permanent files
- The applicant is responsible to ensure damaged transformers are handled, managed, and disposed of in accordance with all federal and state laws and requirements. Downed electrical equipment may contain toxic and hazardous materials, such as polychlorinated biphenyls (PCBs), and may spill these materials if a rupture occurs. Applicant is responsible for screening transformers that do or may contain PCBs and the area where any related spill occurred. The applicant is then responsible to handle, manage, dispose of, or recycle damaged equipment and contaminated soil as appropriate. Where possible, temporary measures should be implemented to prevent, treat, or contain further releases or mitigate the migration of PCBs into the environment. If damaged equipment or material storage containers must be stored temporarily, containers should be placed on hardened surface areas, such as a concrete or an asphalt for no more than 90 days. Excavated contaminated material should be disposed of in accordance with federal and state laws and requirements.
- The Subrecipient and/or Subrecipients contractor must follow the Low Impact Debris Removal Stipulations (LIDRS) outlined in Appendix E of the Project-Specific Programmatic Agreement Among FEMA, the SHPO, ACHP, COR3, and PREPA (PSPA), executed on August 2, 2022.
- Pursuant to Stipulation III.B of the PSPA, if, in the course of implementing this Individual Undertaking(s), previously unidentified structures, sites, buildings, objects, districts, or archaeological deposits, that may be eligible for listing in the National Register, or human remains are uncovered, or if it appears that an Individual Undertaking has affected or will affect a previously identified historic property in an unanticipated manner, the contractor must notify Subrecipient who will immediately notify the Recipient. Work must stop in the vicinity of the discovery and measures must be taken to protect the discovery and avoid additional harm.
- Additional staging areas and/or work pads within work site area have not been identified yet. The Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.
- All borrow or fill material must come from pre-existing stockpiles, material reclaimed from maintained roadside ditches (provided the designed width or depth of the ditch is not increased), or commercially procured material from a source existing prior to the event. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g., a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review the source for compliance with all applicable federal environmental planning and historic preservation laws and executive orders prior to a Sub-recipient or their



contractor beginning borrow extraction. Consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal funding. Documentation of borrow sources utilized is required at close-out and must include fill type (private, commercial, etc.), name, fill site GPS coordinates (not of the company/governmental office), address, and type of material.

- Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.

## EHP Additional Info

There is no additional environmental historical preservation on **FAASt [Automation Program Group 15] (Distribution)**.

## Final Reviews

### Final Review

**Reviewed By** LEFRANC-GARCIA, CARLOS L.

**Reviewed On** 05/08/2025 5:04 PM PDT

#### Review Comments

"Version to address fund code correction from FC6E to FC06 for FAASt projects. This administrative amendment does not change the previously approved scope of work or costs, however, to be able to process the correction a version is being submitted for de-obligating the available balance in this PW. Per the Financial Management Section, the amount to be de-obligated in this version is -\$643,560.86 (100%) / -\$579,204.77 (90%)."

### Recipient Review

**Reviewed By** LEFRANC-GARCIA, CARLOS L.

**Reviewed On** 05/08/2025 5:05 PM PDT

#### Review Comments

"Version to address fund code correction from FC6E to FC06 for FAASt projects. This administrative amendment does not change the previously approved scope of work or costs, however, to be able to process the correction a version is being submitted for de-obligating the available balance in this PW. Per the Financial Management Section, the amount to be de-obligated in this version is -\$643,560.86 (100%) / -\$579,204.77 (90%)."

## Project Signatures

**Reviewed By** Unsigned

**Reviewed On** Unsigned

## General Info

<b>Project #</b>	755211	<b>PW #</b>	108022	<b>Project Type</b>	Specialized
<b>Project Category</b>	F - Utilities	<b>Applicant</b>	PR Electric Power Authority (000-UA2QU-00)		
<b>Project Title</b>	FAASt [Automation Program Group 15] (Distribution)			<b>Event</b>	4339DR-PR (4339DR)
<b>Project Size</b>	Small	<b>Declaration Date</b>	9/20/2017		
<b>Activity</b>	9/20/2027	<b>Incident Start Date</b>	9/17/2017		
<b>Completion Date</b>		<b>Incident End Date</b>	11/15/2017		
<b>Process Step</b>	Obligated				

## Damage Description and Dimensions

The Disaster # 4339DR, which occurred between **09/17/2017** and **11/15/2017**, caused:

**Damage #1392753; FAASt [Automation Program Group 15: San Juan, Feeder: 1646-02] (Distribution)**

**General Facility Information:**

- **Facility Type:** Power generation, transmission, and distribution facilities
- **Facility:** Automation Program Group 15: San Juan, Feeder: 1646-02
- **Facility Description:** Transmission and Distribution Automation Feeder 1646-02
- **Approx. Year Built:** 1980
- **Start GPS Latitude/Longitude:** [REDACTED]
- **End GPS Latitude/Longitude:** [REDACTED]

## Final Scope

**1392753** **FAASt [Automation Program Group 15: San Juan, Feeder: 1646-02] (Distribution)**

\*\*\*\*\* Version 1 \*\*\*\*\*

Version 1 was created to address fund code correction from FC6E to FC06 for FAASt projects. This administrative amendment does not change the previously approved scope of work or costs, however, to be able to process the correction a version is being submitted for de-obligating the available balance in this PW, and a next version will be submitted to reconcile available funding in the correct code. Per the Financial Management Section, the amount to be de-obligated in this version is -\$643,560.85 (100%) / -\$579,204.77 (90%).

Note: SOW from previous version has been removed from the current SOW. It can be found in the *Versioning and Amendments* tab in GM.

## 406 HMP Scope

406 Hazard Mitigation measures were not requested by the subrecipient for this project in Version 0. However, the mitigation opportunities will be applied in a future version (V1) of the Permanent Work Project. The project is ready for Insurance completion.

## Cost

Code	Quantity	Unit	Total Cost	Section
9001	1	Lump Sum	\$725,419.42	Uncompleted
3510	1	Lump Sum	(\$81,858.57)	Uncompleted
9201	1	Lump Sum	\$0.00	Completed
9001	1	Lump Sum	(\$643,560.85)	Uncompleted

CRC Gross Cost \$0.00

Total 406 HMP Cost \$0.00

Total Insurance Reductions \$0.00

CRC Net Cost \$0.00

Federal Share (90.00%) \$0.00

Non-Federal Share (10.00%) \$0.00

## Subgrant Conditions

- As described in Title 2 Code of Federal Regulations (C.F.R.) § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions are stated in 2 C.F.R. §200.333(a) – (f)(1) and (2). All records relative to this project are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- The terms of the FEMA-State Agreement are incorporated by reference into this project under the Public Assistance award and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide; and other applicable FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the declaration date of this emergency declarations or major disaster, as applicable, are incorporated by reference into this project under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at Title 2 Code of Federal Regulations (C.F.R.) Part 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. Part 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The subrecipient must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the subrecipient commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.
- When any individual item of equipment purchased with PA funding is no longer needed, or a residual inventory of unused supplies exceeding \$5,000 remains, the subrecipient must follow the disposition requirements in Title 2 Code of Federal Regulations (C.F.R.) § 200.313-314.
- Pursuant to section 312 of the Stafford Act, 42 U.S.C. 5155, FEMA is prohibited from providing financial assistance to any entity that receives assistance from another program, insurance, or any other source for the same work. The subrecipient agrees to repay all duplicated assistance to FEMA if they receive assistance for the same work from another Federal agency, insurance, or any other source. If an subrecipient receives funding from another federal program for the same purpose, it must notify FEMA through the Recipient and return any duplicated funding.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the subrecipient's completion of this project, the final claim for payment, and supporting documentation within 180 days from the date that the applicant completes the scope of work, or the project deadline, whichever occurs first. FEMA reimburses Large Projects (those with costs above the large project threshold) based on the actual eligible final project costs. Therefore, during the final project reconciliation (closeout), the project may be amended to reflect the reconciliation of actual eligible costs.
- The Subrecipient provided the estimate for this PW. FEMA validated the estimate and found it to be reasonable for the work to be performed.

## Insurance

### Additional Information

5/7/2025

It was determined that this project would be processed at \$0.00, as a Version to address fund code correction from FC6E to FC06 for FAAST

projects. This administrative amendment does not change the previously approved scope of work or costs, however, to be able to process the correction a version is being submitted for de-obligating the available balance in this PW. As a result, no insurance review was conducted. However, any previously applied insurance reduction and/or obtain & maintain requirement has been eliminated, as no funding is being provided. In the event those costs are reinstated to the project a full insurance review will be required.

FEMA requires the applicant to take reasonable efforts to pursue claims to recover insurance proceeds that it is entitled to receive from its insurer(s) to ensure no duplication of benefits has occurred.

**Jean-Carlo Echevarria, PA Insurance Specialist, CRC Atlantic, Guaynabo P.R.**

## O&M Requirements

There are no Obtain and Maintain Requirements on **FAASt [Automation Program Group 15] (Distribution)**.

## 406 Mitigation

There is no additional mitigation information on **FAASt [Automation Program Group 15] (Distribution)**.

## Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Yes

## EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- The Applicant must provide documentation at close-out that proves completion of required Conservation Measures
- Puerto Rican Boa (*Chilabothrus inornatus*) 1. Inform all project personnel about the potential presence of the Puerto Rican (PR) boa and Virgin Islands (VI) boa in areas where the proposed work will be conducted and provide training on PR and VI boa identification. A pre-construction meeting will be conducted to inform all project personnel about the need to avoid harming these species. All personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing species protected under the Endangered Species Act of 1973. An educational poster or sign with photo or illustration of these species will be displayed at the project site. 2. Prior to any construction activity, including removal of vegetation and earth movement, the boundaries of the project area and any area to be excluded and protected will be clearly marked in the project plan and in the field to avoid further habitat degradation outside of the footprint of the project. 3. Once areas are clearly marked, and right before the use of heavy machinery and any construction activity (including removal of vegetation and earth movement), biologist or designated project personnel with experience on these species will survey the areas to be cleared to verify the presence of any PR or VI boa within the Action Area. If a PR or VI boa is found during the search, it should be captured and managed as per #6 below. Once the removal of vegetation begins, the biologist or designated personnel must remain at the work site and be ready to capture any boa that might be in harm's way as the result of the habitat disturbance (see #6). 4. For VI boas, once the Action Area has been searched, vegetation will be cut about one meter above ground prior to the use of heavy machinery for land clearing. Cutting vegetation by hand will allow VI boas present on site to move away on their own to adjacent available habitat. If there is no suitable habitat adjacent to the project site, any VI boa found will be relocated accordingly (see #6). 5. For all boa sightings (dead or alive), record the time and date of the sighting and the specific location where it was found. Data will also include a photo of the animal (dead or alive), relocation site GPS coordinates, time and date of the relocation, and comments on how the animal was detected and its behavior. 6. If any PR or VI boa (dead or alive) is found within the Action Area and on harm's way, the action will stop, and information will be recorded (see #5). All attempts will be made to immediately safely capture and relocate the animal

within suitable habitat (forested) at least 1 km from the Action Area and away from construction areas. PR boa relocation sites will be pre-determined before the project start and sites shared with the Service for revision and concurrence. Relocation of PR boas will be conducted by trained, designated personnel ensuring the animal is not harmed or injured during the capture and relocation process.

- 7. Measures will be taken to avoid and minimize PR boa and VI boa casualties by heavy machinery or motor vehicles being left in the Action Area. \*. Any heavy machinery left on site (staging areas) or near potential PR or VI boa habitat will be thoroughly inspected each morning before work starts to ensure that no boa is sheltered within engine compartments or other areas of the heavy machinery. If a PR boa or VI boa is found within vehicles or heavy machinery, boas will be safely captured accordingly. If not possible, the animal will be left alone until it leaves the vehicle or machine by itself. \*. The PR boa and VI boa may seek shelter within debris piles. Measures should be taken to avoid and minimize boa casualties associated with sheltering in new debris piles as a result of project activities. New debris piles should be placed in areas as far as possible from forested areas. Prior to moving, disposing, or shredding, debris piles should be carefully inspected for the presence of PR boas and VI boas. If debris piles will be left on site, we recommend they be placed in an undisturbed area. \*. In the event a PR boa and VI boa is found dead within the project area, the Federal Agency and the Recipient must contact the Service to appropriately dispose the animal. \*. If a PR boa or a VI boa is accidentally injured or killed during capture and relocation activities during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinitiate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. \*. Should the forms of take reach the amount of exempted take during the Action, the Federal Agency and the Recipient shall terminate the authorized activities and contact the Service within 24 hours to reinitiate consultation. The Federal Agency will consult with the Service to determine whether authorized activities should continue as proposed and whether modifications are warranted. For questions and to submit reports, the Service's Point of Contact (POC) is José Cruz-Burgos, Endangered Species Coordinator, and can be contacted at: ¿ Mobile: 305-304-1386 ¿ Office phone: 786-244-0081 ¿ Office Direct Line: 939-320-3120 ¿ Email: Caribbean\_es@fws.gov or jose\_cruz-burgos@fws.gov
- The Applicant shall handle, manage, and dispose of all types of hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. In addition, the Applicant shall ensure that all debris is separated and disposed of in a manner consistent with the PR DNER guidelines at a permitted site or landfill. The contractor/applicant will be responsible for the proper disposition of construction debris in authorized landfills providing the name, location, coordinates and permits of the facility to the corresponding authorities.
- Unusable equipment, debris, white goods, scrap metal any other material shall be disposed in approved manner and location. In the event significant items are discovered during the implementation or development of the project the Applicant shall handle, manage, and dispose petroleum products, hazardous materials, and toxic waste in accordance with the requirements of the local and federal agencies. Noncompliance with these requirements may jeopardize receipt of federal funds.
- Applicant must obtain any required permits from the Puerto Rico Permits Management Office (OGPe) prior to initiating work and comply with any conditions of the permit established by the Planning Board (JP) for constructions in floodplains. All coordination (emails, letters, documented phone calls) pertaining to these activities and compliance must be provided and maintained in the Applicant's permanent files
- The applicant is responsible to ensure damaged transformers are handled, managed, and disposed of in accordance with all federal and state laws and requirements. Downed electrical equipment may contain toxic and hazardous materials, such as polychlorinated biphenyls (PCBs), and may spill these materials if a rupture occurs. Applicant is responsible for screening transformers that do or may contain PCBs and the area where any related spill occurred. The applicant is then responsible to handle, manage, dispose of, or recycle damaged equipment and contaminated soil as appropriate. Where possible, temporary measures should be implemented to prevent, treat, or contain further releases or mitigate the migration of PCBs into the environment. If damaged equipment or material storage containers must be stored temporarily, containers should be placed on hardened surface areas, such as a concrete or an asphalt for no more than 90 days. Excavated contaminated material should be disposed of in accordance with federal and state laws and requirements.
- The Subrecipient and/or Subrecipients contractor must follow the Low Impact Debris Removal Stipulations (LIDRS) outlined in Appendix E of the Project-Specific Programmatic Agreement Among FEMA, the SHPO, ACHP, COR3, and PREPA (PSPA), executed on August 2, 2022.
- Pursuant to Stipulation III.B of the PSPA, if, in the course of implementing this Individual Undertaking(s), previously unidentified structures, sites, buildings, objects, districts, or archaeological deposits, that may be eligible for listing in the National Register, or human remains are uncovered, or if it appears that an Individual Undertaking has affected or will affect a previously identified historic property in an unanticipated manner, the contractor must notify Subrecipient who will immediately notify the Recipient. Work must stop in the vicinity of the discovery and measures must be taken to protect the discovery and avoid additional harm.
- Additional staging areas and/or work pads within work site area haven't been identified yet. The Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.
- All borrow or fill material must come from pre-existing stockpiles, material reclaimed from maintained roadside ditches (provided the designed width or depth of the ditch is not increased), or commercially procured material from a source existing prior to the event. For any FEMA-funded project requiring the use of a non-commercial source or a commercial source that was not permitted to operate prior to the event (e.g., a new pit, agricultural fields, road ROWs, etc.) in whole or in part, regardless of cost, the Applicant must notify FEMA and the Recipient prior to extracting material. FEMA must review the source for compliance with all applicable federal environmental planning and historic preservation laws and executive orders prior to a Sub-recipient or their

contractor beginning borrow extraction. Consultation and regulatory permitting may be required. Non-compliance with this requirement may jeopardize receipt of federal funding. Documentation of borrow sources utilized is required at close-out and must include fill type (private, commercial, etc.), name, fill site GPS coordinates (not of the company/governmental office), address, and type of material.

- Additional staging areas and/or work pads within work site area haven't been identified yet. The Recipient/Subrecipient and/or private operator must provide the information of any additional staging areas or work pads for EHP evaluation as soon as available specially if any construction activity will be necessary to prepare the site(s). Information for staging areas and/or work pads confined to previously disturbed or hardened surfaces can be provided at close-out.

## EHP Additional Info

There is no additional environmental historical preservation on **FAAST [Automation Program Group 15] (Distribution)**.

## Final Reviews

### Final Review

**Reviewed By** Not Reviewed

**Reviewed On** Not Reviewed

#### Review Comments

*No comments available for the Final Review step*

### Recipient Review

**Reviewed By** Not Reviewed

**Reviewed On** Not Reviewed

#### Review Comments

*No comments available for the Final Review step*

## Project Signatures

**Reviewed By** Unsigned

**Reviewed On** Unsigned

## Award Information

### Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
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### Drawdown History

EMMIE Drawdown Status As of Date	IFMIS Obligation #	Expenditure Number	Expended Date	Expended Amount
No Records				

### Obligation History

Version #	Date Obligated	Obligated Cost	Cost Share	IFMIS Status	IFMIS Obligation #
0	2/6/2025	\$579,204.77	90%	Accepted	4339DRPRP01080221
1	5/12/2025	(\$579,204.77)	90%	Accepted	4339DRPRP01080221