

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

NEPR

Received:

Jun 10, 2025

2:48 PM

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

**REQUEST FOR RATIONALE FOR AND RECONSIDERATION OF THE “NET-
METERING CUSTOMER CLASS” FILING REQUIREMENT DESPITE
STAKEHOLDER AGREEMENT TO THE CONTRARY**

**TO THE HONORABLE HEARING EXAMINER AND THE HONORABLE ENERGY
BUREAU:**

COMES NOW, the Solar and Energy Storage Association of Puerto Rico ("SESA"), represented by the undersigned, Javier Rua-Jovet, Chief Policy Officer for SESA, and respectfully STATES and REQUESTS as follows:

1. On May 22, 2025, the Honorable Hearing Examiner issued an order inviting stakeholder comment on the possible inclusion of a “Net Metering Customer Class” in LUMA’s upcoming rate design filing.
2. On May 23d, 2025, SESA submitted timely comments strongly opposing the inclusion of a distinct class for net-metering (NEM) customers, citing statutory, operational, evidentiary, and fairness concerns.
3. That same May 23d, stakeholder LUMA filed its own timely motion where, on that same topic, it expressed that the items that the Honorable Examiner requested comments on (including the notion of net-metered clients as a distinct

or stand-alone class) “appear more as topics for discussion through testimony rather than items of data to be included in the filing requirements.”

4. Including such stand-alone net-metering customer class in the questions and analyses in LUMA’s upcoming July 3rd rate design filing causes an unnecessary use of time and resources by the utility, as well as all stakeholders.
5. Despite the opposition from stakeholders and the absence of any statutory or evidentiary foundation supporting such a change, the concept of a distinct NEM class has apparently remained as a requirement, via the Energy Bureau’s Resolution and Order of May 29th, 2025.
6. SESA posits that whenever there is consensus among stakeholders on a topic, that agreement naturally benefits the Energy Bureau, as it facilitates administrative and adjudicative processes.
7. SESA humbly and respectfully requests from the Honorable Examiner the rationale for maintaining the inclusion of a distinct Net Metering Customer Class, especially given that stakeholders agreed not to proceed with such a category or classification, as well as clarification on the intention, going forward, regarding future instances in this docket where stakeholders agree on a path.
8. SESA, also humbly posits, regarding the second point above on the forward-looking intention of the Honorable Hearing Examiner in like situations, that if the current decision disregarding stakeholder agreement where to stand, a precedent would be set in this docket that could not only discourage agreement; it could encourage counterproductive contentiousness by pushing stakeholders apart.

9. In light of the foregoing, SESA reiterates its request that the Energy Bureau reconsider its decision in its Resolution and Order of May 29th, 2025 which includes Net Metered Customers as a distinct, stand-alone class in LUMA's upcoming rate design filing.

WHEREFORE, SESA respectfully requests that the Hearing Examiner provide a brief explanation or rationale for the continued inclusion or consideration of a separate Net Metering Customer class in filing requirements, despite agreement to the contrary by stakeholders, so that all parties may understand the basis for said decision. SESA also reiterates its prior request to the Energy Bureau to exclude any stand-alone Net Metering Customer class in the questions and analyses in LUMA's upcoming July 3rd rate design filing.

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, this 10th day of June, 2025.

I 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 following parties: LUMA, 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, Mirelis Valle-Cancel - mvalle@gmlex.net; Juan González - jgonzalez@gmlex.net; and Alexis G. Rivera Medina - arivera@gmlex.net Genera PR, LLC, Jorge Fernández-Reboredo - jfr@sbqblaw.com; regulatory@genera-pr.com; and legal@genera-pr.com.

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