

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

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY RATE REVIEW

CASE NO.: NEPR-AP-2023-0003

SUBJECT: Hearing Examiner's Order
Summarizing Conference of June 18, 2025 on
Compliance with the Energy Bureau's Order
of April 21, 2025

**Hearing Examiner's Order Summarizing Conference of June 18, 2025 on Compliance
with the Energy Bureau's Order of April 21, 2025**

On June 18, 2025 at 6.00pm Atlantic, I held a conference to confirm the contents of the rate application that the Energy Bureau will receive on July 3, 2025. I deemed the conference necessary because the Joint Motion, filed by PREPA and LUMA on June 17 to confirm those contents, lacked the necessary clarity. Because I scheduled the June 18 conference only a few hours before it occurred, I promised to provide a summary for those who could not attend. This Order is that summary.

PREPA commits to providing LUMA by June 25, 2025, PREPA's proposed revenue requirement.

LUMA will file on July 3, 2025, a rate application that complies fully with the Energy Bureau's Order of April 21, 2025. That application will have a consolidated revenue requirement—one that includes the individual revenue requirements of LUMA, PREPA, and Genera; and a revenue allocation and rate design based on that combined revenue requirement. If PREPA does not provide the necessary revenue requirement information by June 25, 2025, LUMA will submit (a) a consolidated revenue requirement that uses PREPA's FY 2025 revenue requirement adjusted for inflation, and (b) a revenue allocation and rate design based on that consolidated revenue requirement.

The above two paragraphs have the information for which I sought confirmation at the close of our June 9 conference. It took only five minutes at the June 18 conference to get that confirmation from LUMA's consultant Mr. Shannon. Why it took LUMA and PREPA eight days after June 9 to file a Joint Motion that purported to provide that confirmation, but didn't, is beyond me.

There is no need to file a revised consolidated package, such as the August 4, 2025, submission suggested by the Joint Motion, unless and until I or the Energy Bureau require it. Over the coming months, there could be multiple reasons why the three companies



would have cause to adjust the package submitted on July 3. As this case proceeds, we can discuss and decide whether and when it would be best to have a revised submission.

PREPA's counsel asserted that LUMA's June 5 letter to PREPA, requiring PREPA's revenue requirement by June 11, was inappropriate in tone and purpose. I disagree I viewed the letter not as a monarchical directive but as a legitimate expression of impatience, frustration, and wonder—given that PREPA, knowing since December 2024 that a rate application would be necessary by July 1, 2025, had provided LUMA nothing as of June 5.

To PREPA CEO Ms. Zapata, I expressed my concern about the Joint Motion's statement that the reason for PREPA's failure to provide LUMA with revenue requirement information was PREPA's "limited human and financial resources." I said that this statement makes me wonder whether PREPA is, and will be, prepared to engage professionally and productively in this rate proceeding—even as PREPA, per its Resolution 5183, as discussed in my Order of June 13, 2025, expects to replace LUMA in carrying out responsibilities relating to federal funding. I also said that if at any time Ms. Zapata felt that limits on PREPA's resources, or external influences on its decisionmaking, interfered with its ability to carry out its statutory duties, she should inform me and the Energy Bureau. I understood Ms. Zapata to respond that she understood my concerns and would comply with all orders by me or the Energy Bureau.

Be notified and published.



Scott Hempling
Hearing Examiner



CERTIFICATION

I certify that the Hearing Examiner, Scott Hempling, has so established on June 20, 2025. I also certify that on June 20, 2025, a copy of this Order was notified by electronic mail to javruea@sesapr.org; mvalle@gmlex.net; arivera@gmlex.net; jmartinez@gmlex.net; jgonzalez@gmlex.net; katiуска.bolanos-lugo@us.dlapiper.com; Yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; carolyn.clarkin@us.dlapiper.com; andrea.chambers@us.dlapiper.com; sromero@sbgblaw.com; gcastro@sbglaw.com; jennalvarez@sbgblaw.com; jfr@sbgblaw.com; regulatory@genera-pr.com; legal@genera-pr.com; hriviera@jrsp.pr.gov; contratistas@jrsp.pr.gov; victorluisgonzalez@yahoo.com; Cfl@mcvpr.com; nancy@emmanuelli.law;

jrinconlopez@guidehouse.com; Josh.Llamas@fticonsulting.com; Anu.Sen@fticonsulting.com;
 Ellen.Smith@fticonsulting.com; Intisarul.Islam@weil.com; kara.smith@weil.com;
 rafael.ortiz.mendoza@gmail.com; rolando@emmanuelli.law; jan.albinolopez@us.dlapiper.com;
 Rachel.Albanese@us.dlapiper.com; varoon.sachdev@whitecase.com; epo@amgprlaw.com;
 loliver@amgprlaw.com; acasellas@amgprlaw.com; matt.barr@weil.com;
 Robert.berezin@weil.com; Gabriel.morgan@weil.com; corey.brady@weil.com;
 lramos@ramoscruzlegal.com; tlauria@whitecase.com; gkurtz@whitecase.com;
 ccolumbres@whitecase.com; isaac.glassman@whitecase.com; tmacwright@whitecase.com;
 jcunningham@whitecase.com; mshepherd@whitecase.com; jgreen@whitecase.com;
 hburgos@cabprlaw.com; dperez@cabprlaw.com; howard.hawkins@cwt.com;
 mark.ellenberg@cwt.com; casey.servais@cwt.com; bill.natbony@cwt.com;
 thomas.curtin@cwt.com; escalera@reichardescalera.com; riverac@reichardescalera.com;
 susheelkirpalani@quinnemanuel.com; erickay@quinnemanuel.com;
 dmonserrate@msglawpr.com; fgierbolini@msglawpr.com; rschell@msglawpr.com;
 eric.brunstad@dechert.com; Stephen.zide@dechert.com; David.herman@dechert.com;
 Julia@londoneconomics.com; Brian@londoneconomics.com; luke@londoneconomics.com;
 juan@londoneconomics.com; mmcgill@gibsondunn.com; LShelfer@gibsondunn.com;
 jnieves@cstlawpr.com; arrivera@nuenergypr.com; apc@mcvpr.com. I also certify that on June 20,
 2025, I have proceeded with the filing of the Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, on June 20, 2025.




 Sonia Seda Gaztambide
 Clerk