

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

IN RE: REQUEST FOR CERTIFICATION
LIGUETO OPERATING PR SA LLC

CASE NO: NEPR-CT-2024-0012

SUBJECT: Filing of 2025 Operational
Report, 2024 Financial Statements, and
Request for Third Party Credentials

RESOLUTION AND ORDER

I. Introduction

On March 31, 2025, Ligueto Operating PR SA, LLC ("Ligueto") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion to Request Confidential Treatment of Operational Report* ("March 31 Motion").

On May 15, 2025, Ligueto filed a document titled *Motion to Request Confidential Treatment of FY2024 Financial Statements* ("May 15 Motion") accompanied by the following:

1. Redacted and Unredacted version of the May 15 Motion, including redacted and unredacted compiled Financial Statements for Fiscal Year 2024.

Ligueto submitted both redacted and unredacted versions of both filings in compliance with: (i) Section 6.15 of Act 57-2014¹; (ii) Section 1.15 of Regulation 8701;² and (iii) *In Re: Policy on Management of Confidential Information in Procedures before the Commission*, Case No.: CEPR-MI-2016-0009, Resolution and Order issued on August 31, 2016 ("Confidential Treatment Resolution").

II. Applicable Laws and Regulations

Section 2.02 of Regulation 8701 requires that all electric service companies must submit an Operational Report with the frequency corresponding to their classification³. The required format for such reports is the *Operation Report for Electric Power Companies* (Form NEPR-B03), as established by the Energy Bureau.

In addition, Section 2.03(A)(2) of Regulation 8701 mandates that all electric service companies submitting an operational report must pay the applicable fee.

Under Section 2.02 (A)(1)(d) of Regulation 8701, companies must report if any part of their system's operation is contracted to a third party. In cases where all or part of the system's operation is to be contracted out to another entity, the company must provide the name, contact information, and credentials of the entity to be contracted.

Form NEPR-B03 requires disclosure of:

- The name and contact information of the contracted entity; and
- Evidence of the entity's credentials and operational capacity.

¹ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, ("Act 57-2014, as amended").

² *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, February 17, 2016 ("Regulation 8701"), as amended by Regulation No. 9182, *Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, June 24, 2020 ("Regulation 9182").

³ Each year for companies defined in Section 2.02(A)(1) and (A)(2). Each three (3) years for companies defined in Section 2.02(A)(4), (A)(3) and (2(A)(5).



These credentials must include:

1. Proof of legal personality to operate in Puerto Rico, including:

- o Name, legal structure (e.g., LLC, corporation), jurisdiction and country of organization;
- o Certificate of incorporation and registration;
- o Certificate of good standing issued by the Puerto Rico Department of State (dated within three months of submission);
- o If a foreign entity, certificate of authorization to do business in Puerto Rico; and
- o Any additional information required by the Energy Bureau or its forms.

2. Evidence of capacity to operate the contracted services, including:

- o Summary of operational personnel;
- o Their technical qualifications and licenses.

Section 4.02 (E) and (F) of Regulation 8701, as amended, establishes that electric service companies must submit their financial statements within one hundred and twenty (120) days) after the end of their Fiscal Year. The financial statements must be certified by an Authorized Public Accountant (CPA) authorized to practice said profession in Puerto Rico, or in any jurisdiction of the United States of America.⁴

III. Conclusion

Upon reviewing the unredacted versions of the March 31 and May 15 Motions and its arguments, the Energy Bureau **GRANTS** them confidential designation and treatment.

The Energy Bureau **TAKES NOTICE** that LIGUETO has submitted its 2025 Operational Report and 2024 Financial Statements. The Energy Bureau **DETERMINES LIGUETO COMPLIED** with Section 2.02(A)(2) by submitting evidence of payment of the applicable filing fee.

In its Operational Report, LIGUETO provided the name and contact information of two system operation contractors. Nonetheless, LIGUETO did not provide the credentials of such entities. Therefore, the Energy Bureau **ORDERS** LIGUETO to submit the credentials of the entities contracted to operate its system, as required under Section 2.02 (A)(1)(d) of Regulation 8701 within **fifteen (15) days** from the notification of this Resolution and Order.

These credentials, analogous from those required by Regulation 8701 from all electric service companies, must include:

3. Proof of legal personality to operate in Puerto Rico, including:

- o Name, legal structure (e.g., LLC, corporation), jurisdiction and country of organization;
- o Certificate of incorporation and registration;
- o Certificate of good standing issued by the Puerto Rico Department of State (dated within three months of submission);



⁴ The financial statements must be audited or compiled according to the amount of gross revenue established in Regulation 8701, as amended. Section 4.02(E) requires compiled financial statements for electric service companies with three million dollars (\$3,000,000) or less in annual gross revenue. Section 4.02(F) of Regulation 8701, as amended, requires audited financial statements for electric service companies with more than three million dollars (\$3,000,000) in annual gross revenue. The financial statements must be signed by the CPA to attest the authority of the certification. Section 4.02(G), with additional requirements, applies to the Puerto Rico Energy Power Authority (PREPA).

- If a foreign entity, certificate of authorization to do business in Puerto Rico; and
 - Any additional information required by the Energy Bureau or its forms.
4. Evidence of capacity to operate the contracted services, including:
- Summary of operational personnel;
 - Their technical qualifications and licenses.

Furthermore, the Energy Bureau **ORDERS** LIGUETO to **DESCRIBE** what services, equipment, and systems the contracted entity will operate.

The Energy Bureau **WARNS** LIGUETO, that, in accordance Art. 6.36 of Act 57-2014 noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions.

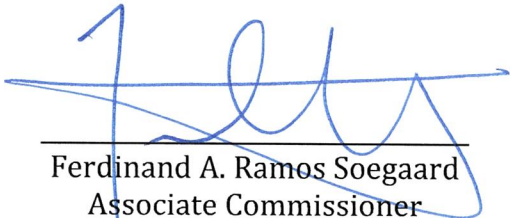
Be it notified and published.




Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner



Antonio Torres Miranda
Associate Commissioner

Certification

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on June 20, 2025. Also certify that on June 23, 2025, I have proceeded with the filing of this Resolution and was notified by email to: apc@mcvpr.com; derek.heckendorn@palmetto.com.

I sign this in San Juan, Puerto Rico, today, June 23, 2025.



Sonia Seda Gaztambide
Clerk