

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

**IN RE:** REQUEST FOR CERTIFICATION  
SAN FERMÍN SOLAR FARM, LLC

**CASE NO.:** CEPR-CT-2016-0012

**SUBJECT:** Filing of 2025 Operational Report and 2024 Gross Revenue Report; Order to Submit 2024 Fiscal Year Financial Statements.

**RESOLUTION AND ORDER**

**I. Introduction**

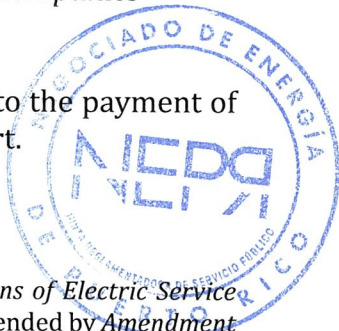
On March 26, 2025, SAN FERMÍN SOLAR FARM, LLC (“San Fermín”) filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) the following information, forms, and documents:

1. *Operational Report for Electric Power Companies* (Form NEPR-B03) as fossil fuel or renewable energy generation with aggregated capacity of one hundred (100) MW or less as established in Section 2.02(A)(1) of Regulation 8701<sup>1</sup>, including:
  - *Complementary Sheet* (Form NEPR-Z01) with certain information required as annexes in Form NEPR-B03.
  - Corporate resolution by the contracted entity stating that: (a) is authorized to conduct business in Puerto Rico pursuant to its Certificate of Organization and Limited Liability Company agreement as registered Domestic Limited liability company under the laws of Puerto Rico; (b) as the authority and capacity to provide operation and maintenance services for the San Fermín Solar Project; (c) has the necessary expertise, resources, and capacity to perform the operation and maintenance services as contracted.
  - San Fermín declaration that: (a) they had conducted appropriate due diligence regarding the capacity of the contracted entity to fulfill the contracted operation and maintenance services; (b) the contracted entity has maintained a fully staffed team of six (6) qualified technicians dedicated to the facility; (c) the operator has been successfully performing the contracted services since September 2022 without interruption or material issued; (d) based on their review of the operator’s resources, capabilities, and performance history, San Fermín confirm that the operator possesses the necessary capacity and expertise to continue fulfilling its contracted obligations.

2. *Gross Revenue and Financial Statements Report Electric Power Companies* (Form NEPR B05) for Natural Year 2024.

San Fermín did not submit evidence of the \$800 filing fee, corresponding to the payment of the regulatory fees pursuant to Regulation 8701, for the Operational Report.

<sup>1</sup> *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico, Regulation 8701, February 17, 2016 (“Regulation 8701”), as amended by Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico, Regulation 9182, June 24, 2020 (“Regulation 9182”).*



San Fermín did not submit its financial statements for 2024 Fiscal Year, which were due on April 30, 2025.

## II. Applicable Laws and Regulations

### A. Operational Report and Filing Fee

Section 2.02 of Regulation 8701 requires that all electric service companies must submit an Operational Report with the frequency corresponding to their classification<sup>2</sup>. The required format for such reports is the *Operational 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.

### B. Request of Information and Credentials of Contracted Entity

Under Section 2.02 of Regulation 8701, companies must report if any part of their system's operation is contracted to a third party. 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.

*Operational Report for Electric Power Companies* (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.

These credentials must include:

1. Proof of legal personality to operate in Puerto Rico, including:
  - Name, legal structure (*e.g.*, LLC, corporation), jurisdiction and country of organization.
  - Certificate of incorporation and registration.
  - Certificate of good standing issued by the Puerto Rico Department of State (dated within three months of submission).
  - If a foreign entity, certificate of authorization to do business in Puerto Rico.
  - Any additional information required by the Energy Bureau or its forms.
2. Evidence of capacity to operate the contracted services, including:
  - Summary of operational personnel.
  - Their technical qualifications and licenses.

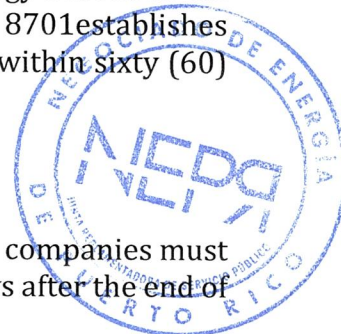
### C. Gross Revenue

The Energy Bureau has established the *Gross Revenue and Financial Statements Report Electric Power Companies* (Form NEPR B05) as the official document to be completed, to provide the financial information of an electric service company to the Energy Bureau in the administrative process. Specifically, Section 4.02(A) and (B) of Regulation 8701 establishes that electric services companies must inform their Annual Gross Revenue within sixty (60) days after the end of the Natural Year.

### D. Financial Statements

Section 4.02 (E) and (F) of Regulation 8701 establishes that electric service companies must submit their financial statements within one hundred and twenty (120) days after the end of

<sup>2</sup> 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).





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.<sup>3</sup>

### III. Conclusion

Upon reviewing the *Operational Report for Electric Power Companies* (Form NEPR-B03) submitted by San Fermín the Energy Bureau **TAKES NOTICE** of the information presented.

The Energy Bureau **DETERMINES** San Fermín **DID NOT COMPLY** with Section 2.03(A)(2)(a) by not submitting evidence of payment of the correct applicable filing fee. The Energy Bureau **ORDERS** San Fermín to submit evidence of the \$800 fee within **five (5) days** of the notification of this Resolution and Order.

In its Operational Report, San Fermín provided the name, contact information and certain information of the system operation contractor. Nonetheless, San Fermín did not provide the required credentials of such entity. Therefore, the Energy Bureau **ORDERS** San Fermín to submit the credentials of the entity 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 the following documents:

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

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

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

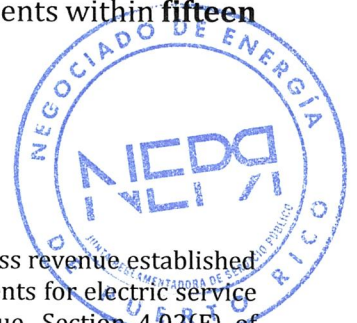
- Summary of operational personnel;
- Their technical qualifications and licenses.

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

Upon reviewing the *Gross Revenue and Financial Statements Report Electric Power Companies* (Form NEPR B05) filed by San Fermín, the Energy Bureau **TAKES NOTICE** of the information presented and **DETERMINES** San Fermín **COMPLIED** with Section 4.02 of Regulation 8701 by submitting Form NEPR B05 for Natural Year 2024.

T Energy Bureau **ORDERS** San Fermín to submit its 2024 financial statements within **fifteen (15) days** of the notification of this Resolution and Order.

<sup>3</sup> 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).

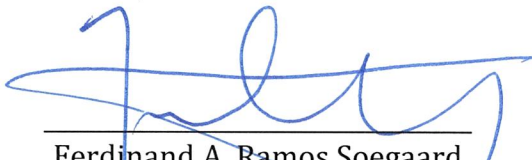



The Energy Bureau **WARNS** SAN FERMÍN that non-compliance with this Resolution and Order will result in the imposition of fines, in accordance with Section 6.36 of Act 57-2014.<sup>4</sup>

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 25, 2025. Also certify that on June 26, 2025, I have proceeded with the filing of this Resolution and was notified by email to: [rbullock@ycamstex.com](mailto:rbullock@ycamstex.com).

I sign this in San Juan, Puerto Rico, today, June 26, 2025.

  
\_\_\_\_\_  
Sonia Seda Gaztambide  
Clerk



<sup>4</sup> Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended (“Act 57-2014”).