

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

NEPR

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IN RE:

PUERTO RICO ELECTRIC POWER
AUTHORITY RATE REVIEW

CASE NO.: NEPR-AP-2023-0003

SUBJECT: Motion to Submit Supplemental
Direct Testimony of María Sánchez Brás

**MOTION TO SUBMIT SUPPLEMENTAL DIRECT TESTIMONY OF MARÍA
SÁNCHEZ BRÁS ON BEHALF OF GENERA**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ through its counsel of record, and respectfully state and request the following:

1. On July 3, 2025, LUMA Energy LLC (“LUMA”) filed the *Motion Submitting Rate Review Petition* (“Rate Review Petition”), including Genera’s pre-filed testimonies Exhibit 21 through Exhibit 30.

2. On July 8, 2025, the Hearing Examiner issued an Order², whereby it posed several clarification questions to LUMA, PREPA, and Genera. In short, with respect to Genera, the Hearing Examiner raised questions regarding its witness testimonies not

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority, Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

² *Hearing Examiner’s Order Posing Clarification Questions About July 3 Rate Application, Addressing Two Genera Motions, Noting Correction of Discrepancy in LUMA’s Proposed Provisional-Rate Rider Amount, and Granting Requests to Intervene*, issued July 8, 2025.

discussing or addressing a provisional rate, therefore he required Genera to make its CEO or CFO available at Virtual Conference scheduled for July 14, 2025 for clarification.

3. On July 14, 2025, the day of the Virtual Conference, among several things, Genera stated to the Hearing Examiner that Genera will be supplementing and submitting witness testimony in support of its Provisional Rate request.

4. In light of the above, Genera hereby submits for the record, and as part of its Provisional Rate request, a Supplemental Direct Testimony of María Sánchez Brás, Chief Financial Officer of Genera, duly sworn today July, 15, 2025, as **Exhibit A** of the instant motion.

5. Further, in compliance with accessibility requirements established on *Resolution and Order* issued on May 9, 2025, Genera submits a Spanish-language summary of the Supplemental Direct Testimony as **Exhibit B** of the instant motion.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes, **GRANT** the instant motion with the effect of deeming

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 15th day of July 2025.

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that I will send an electronic copy of this motion to:

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In San Juan, Puerto Rico, this 15th day of July 2025.

/s/ Jorge Fernández-Reboredo

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Exhibit A

Supplemental Direct Testimony of María Sánchez Brás
on behalf of Genera PR LLC

**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: Supplemental testimony of
María Sánchez Brás on behalf of Genera PR
LLC

Supplemental Direct Testimony of

MARÍA SÁNCHEZ BRÁS
Chief Financial Officer, Genera PR LLC

On behalf of
Genera PR LLC

July 15, 2025

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1 **I. INTRODUCTION**

2 **A. WITNESS IDENTIFICATION**

3 **Q. Please state your name, title, employer, and business address.**

4 A. My name is María Sánchez Bras. I am the Chief Financial Officer at Genera PR LLC
5 (“GENERA”). GENERA’s business address is 250 Ave. Luis Muñoz Rivera, Suite 1200,
6 San Juan, Puerto Rico 00918.

7 **Q. On whose behalf are you testifying?**

8 A. I am testifying on behalf of GENERA in support of the Puerto Rico Electric Power
9 Authority (“PREPA”) rate review proceeding before the Puerto Rico Energy Bureau
10 (“PREB”).

11 **II. SUMMARY OF SUPPLEMENTAL DIRECT TESTIMONY AND ATTACHMENTS**

12 **Q. What are the purposes and subjects of your supplemental direct testimony?**

13 A. The purpose of this Supplemental Direct Testimony is to clarify Genera’s previous request
14 for a Provisional Rate. In my capacity as Chief Financial Officer, I am responsible for
15 presenting the company’s financial outlook and summarizing the key elements of its
16 proposed budget. This testimony provides an overview of the financial projections
17 underlying the need for a Provisional Rate scenario and includes a description of major
18 expense categories.

19 **Q. Are there any exhibits to your testimony?**

20 A. Yes. My testimony includes:

- 21 • Exhibit 22.1: My curriculum vitae
- 22 • Exhibit 22.2: Genera’s Filing Schedules as provided to LUMA Energy LLC (“LUMA”)
- 23 for its rate application

Q. Does your testimony comply with Section 2.17 of Regulation 8720 to the best of your knowledge?

A. Yes. Section 2.17(B) outlines requirements for pre-filed written direct testimonies and includes standards for cost reasonableness. It is my professional opinion that the costs and expenses discussed in my testimony are reasonable and prudent, for the reasons presented here and further detailed in my testimony and those of other Genera witnesses.

III. CLARIFICATION OF REQUEST FOR PROVISIONAL RATE

Q. What is a Provisional Rate?

A. A Provisional Rate constitutes an interim rate mechanism authorized by the Energy Bureau pursuant to Section 6.25(e) of Act 57-2014, as amended. This temporary rate remains in effect pending the conclusion of a full rate review process. The Provisional Rate is subject to true-up or reconciliation, whereby any variance between the Provisional Rate and the final rate ultimately approved by the Energy Bureau (the “Permanent Rate”) shall be adjusted accordingly. In such a case, customers shall either receive a refund or be assessed an additional charge to account for the difference between the Provisional and Permanent Rates.

Q. Why is Genera requesting an application for a Provisional Rate?

A. From Genera’s perspective, the existing rate structure does not generate sufficient revenues to enable proactive maintenance, repair, and investment in the generation fleet. As recognized by the Energy Bureau, the revision of base rates is critical to ensuring the reliability and financial viability of Puerto Rico’s electric system. The Bureau further acknowledged that the Temporary Default Budget amounts are transitional in nature and are to remain in effect only until replaced by duly authorized provisional or permanent

47 rates as part of this rate review proceeding. Accordingly, while the ongoing rate review
48 will allow the utility to present an updated revenue requirement and seek final rate relief,
49 Genera understands that a final determination is not anticipated for at least one hundred
50 eighty (180) days following a determination of completeness. In the interim, a Provisional
51 Rate is warranted to mitigate the shortfall between the current inadequate funding levels—
52 as reflected in the FY 2026 Budget—and the level of resources necessary to address the
53 operational and capital requirements of the generation assets entrusted to Genera under the
54 LGA OMA.

55 **Q. Has Genera submitted a request for a Provisional Rate prior to the filing of this**
56 **Supplemental Testimony?**

57 A. Yes. As stated in the Direct Testimony of Mr. Alejandro Figueroa, in response to Question
58 106 of his Direct Testimony on July 2, 2025, Genera formally notified LUMA of its
59 intention to request a Provisional Rate and further informed LUMA that Genera would also
60 be seeking the Energy Bureau's approval of such rate as it pertains to Genera's operations.
61 This notification was provided in accordance with the coordination protocols established
62 under the Operation and Maintenance Agreement (LGA OMA).

63 **Q. What amount is Genera proposing to collect through the Provisional Rate?**

64 A. Through the Provisional Rate, Genera seeks to recover its FY26 revenue requirement
65 adjusted for inflation, as well as high-priority non-controversial additions. During the
66 provisional rate period Genera needs the \$288M approved by the Energy Bureau, on June
67 20, 2025, as part of the FY26 Temporary Default GenCo Budget, determination (NEPR-
68 MI-2021-004 IN RE: Review of LUMA's Initial Budgets) as well as: (1) \$22 million
69 disallowed by the Energy Bureau from Genera's proposed budget; (2) \$67 million

70 representing the 10% federal cost-share obligation; (3) \$17 million to fund expenditures
71 associated with temporary generation resources; (4) \$25 million designated for the
72 Generation Maintenance Reserve (“GMR”); (5) \$30 million for the replenishment of the
73 Outage Reserve Account, as required under the terms of the Legacy Generation Assets
74 Operation and Maintenance Agreement (“LGA OMA”) and; (6) \$28 million in Necessary
75 Maintenance and Expenses (“NME”) needed for repair and maintenance activities
76 scheduled to incur expenses during the provisional rate period.

77 **Q. Why is it important for Genera to recover the \$22 million disallowed by the Energy**
78 **Bureau from its proposed budget as part of the Provisional Rate?**

79 A. The \$22 million disallowed by the Energy Bureau from Genera’s proposed budget
80 represents critical funding necessary to support core operational functions and to ensure
81 the safe, reliable, and efficient operation of the legacy generation fleet. These funds are
82 tied to essential expense categories—including labor, maintenance, procurement, and
83 operational support—that directly affect Genera’s ability to meet performance standards
84 under the LGA OMA and meet Performance Metrics. The exclusion of these funds creates
85 a structural shortfall in Genera’s working budget, impairing the company’s capacity to plan
86 and execute routine and preventive maintenance, respond to unanticipated operational
87 issues, and maintain adequate staffing and resource levels. In the absence of this funding,
88 Genera’s ability to maintain generation system reliability and comply with performance
89 metrics is materially compromised. Accordingly, including these \$22 million in the
90 Provisional Rate is necessary to avoid operational disruptions, preserve service continuity,
91 and ensure the generation system remains in a stable and compliant condition pending final
92 resolution of the revenue requirement in this rate review proceeding.

93 **Q. Why is it necessary for Genera to recover the \$67 million associated with the 10%**
94 **federal cost-share obligation as part of the Provisional Rate?**

95 A. The \$67 million representing the 10% federal cost-share obligation is a critical component
96 of Genera's funding needs, as it enables access to significant federal funds allocated for
97 capital improvements, emergency response, and system stabilization projects. Under
98 applicable federal grant programs—particularly those administered by FEMA and other
99 federal agencies—a 10% local match is typically required for the disbursement of the
100 remaining 90% in federal funding. Without the availability of the cost-share portion,
101 Genera and PREPA risk forfeiting access to hundreds of millions of dollars in federal
102 investment, which are essential to modernize and reinforce Puerto Rico's generation
103 infrastructure. These funds are tied to urgent and long-term priorities, including plant
104 upgrades, environmental compliance, resilience enhancements, and temporary generation
105 support. Because PREPA, as a debtor in Title III proceedings, lacks the financial capacity
106 to contribute the matching funds from its own resources, and Genera is not permitted to
107 assume this obligation under the OMA, the recovery of the 10% cost-share through the
108 Provisional Rate is the only viable path to securing federal support. Failure to fund this
109 obligation would delay or derail key projects and result in lost federal dollars that will not
110 be reallocated or recovered in the future.

111 **Q. What is the purpose of the \$17 million allocated to temporary generation resources,**
112 **and why is its recovery under the Provisional Rate considered necessary?**

113 A. The \$17 million allocated to fund expenditures associated with temporary generation
114 resources is essential to maintaining system reliability and meeting generation demand
115 during periods of heightened operational risk or reduced baseline capacity and as such is a

high-priority and non-controversial cost. These temporary generation assets serve as a critical stopgap measure while permanent infrastructure upgrades are implemented, and while certain legacy units remain offline due to major maintenance, repairs, or capital improvements. Given the age and condition of Puerto Rico's legacy generation fleet, unexpected outages and reduced availability are common. Temporary generation assets provide the flexibility to ensure continuity of service, avoid load shedding, and support grid stability during planned or emergency events. Furthermore, these assets are often required to meet contractual or regulatory obligations related to system reserve margins and dispatchability. Without adequate funding for temporary generation, Genera may be unable to operate these units, increasing the risk of service disruptions and compromising grid resilience. Including this \$17 million in the Provisional Rate is therefore necessary to safeguard operational continuity and protect ratepayers from reliability events.

Q. What role does the Generation Maintenance Reserve ("GMR") play in Genera's operations, and why is it critical to secure \$25 million for this reserve through the Provisional Rate?

A. The \$25 million designated for the Generation Maintenance Reserve ("GMR") is essential to ensuring the continued availability, reliability, and operational integrity of Puerto Rico's legacy generation assets and are thus funds that are high-priority and non-controversial. The GMR functions as a dedicated funding mechanism to support major scheduled maintenance activities, capital repairs, and reliability-driven interventions that fall outside the scope of routine O&M expenditures. Given the advanced age, degraded condition, and historical underinvestment in the generation fleet, sustaining system performance requires timely execution of maintenance projects that are capital in nature or require significant lead

139 times, specialized labor, or procurement of long-lead equipment. Importantly, this reserve
140 also serves as the primary source of funding for the day-to-day operational expenses of the
141 generation plants. These include recurring needs such as materials, contractor services,
142 tooling, and other support resources necessary to keep the units in service and in
143 compliance with operational standards. The GMR provides Genera with the financial
144 capacity and flexibility to plan, initiate, and complete these activities without jeopardizing
145 day-to-day operations or deferring critical work. Without adequate funding in the GMR,
146 Genera's ability to meet performance metrics under the LGA OMA would be
147 compromised, and the risk of extended outages, forced derates, and emergency repairs
148 would increase substantially. The inclusion of this \$25 million in the Provisional Rate is
149 therefore vital to address the maintenance backlog and preserve system reliability during
150 the rate review period.

151 **Q. Why is replenishment of the Outage Event Reserve Account high priority and non-**
152 **controversial?**

153 A. The replenishment of the Outage Event Reserve Account is a high-priority and non-
154 controversial funding requirement from Genera's perspective, as it constitutes a critical
155 financial safeguard to ensure readiness and continuity of operations in response to, among
156 others, unforeseen generation outages or emergency events. Unlike other budgeted items,
157 the Outage Event Reserve is structured to provide immediate access to funds for
158 unanticipated contingencies—particularly given the inherently unpredictable nature of
159 emergencies such as equipment failures, natural disasters, or major system disruptions
160 affecting the generation fleet. As operator of the Legacy Generation Assets, Genera must
161 maintain operational reliability and system stability, and the availability of the Outage

Event Reserve—at the level established in the LGA OMA—is essential to meeting those obligations. Failure to replenish this account compromises Genera’s ability to act swiftly during critical situations and exposes the system, and ultimately ratepayers, to avoidable operational and financial risk.

Q. Per the LGA OMA, what is the required level of funding of the Outage Event Reserve Account?

A. 30 million.

Q. Per the LGA OMA, who is responsible for funding the Outage Event Reserve Account?

A. PREPA.

Q. Why is it necessary for Genera to recover the \$28 million in Necessary Maintenance and Expenses (“NME”) as part of the Provisional Rate?

A. The \$28 million allocated to Necessary Maintenance and Expenses (“NME”) is critical to executing essential repair and maintenance activities scheduled to take place during the provisional rate period and are also high-priority non-controversial funds. These funds are directly tied to the continued operability, safety, and reliability of the generation fleet and are necessary to address known deficiencies, deferred maintenance, and equipment degradation resulting from years of underinvestment. The NME projects covered by this funding are not discretionary in nature. They consist of planned interventions—such as overhauls, replacements of critical components, and compliance-driven upgrades—that are required to prevent forced outages, improve unit availability, and ensure compliance with operational and environmental standards. These activities have been scheduled based on asset condition assessments, OEM recommendations, and Genera’s obligation to maintain

the legacy assets in accordance with prudent utility practices and the LGA OMA. Failure to secure funding for NME during the provisional rate period would likely result in delays or cancellations of time-sensitive maintenance, increasing the risk of equipment failure, unplanned outages, and non-compliance with performance metrics. Therefore, inclusion of the \$28 million in the Provisional Rate is essential to preserve system integrity and ensure full compliance with Genera's contractual and performance responsibilities.

Q. Has Genera identified high priority and noncontroversial items in accordance with the Energy Bureau's April 21st Order?

A. Yes. The items outlined in the foregoing responses comprise the total amount being requested through the Provisional Rate. It is the considered view of myself and my colleagues that these items constitute high-priority and noncontroversial funding needs, as they reflect either (i) unavoidable and non-discretionary obligations, or (ii) essential investments in the generation system's reliability, resiliency, and operational continuity that must be undertaken during FY 2026. These expenditures are integral to fulfilling Genera's responsibilities under the Operation and Maintenance Agreement and to ensuring strict adherence to established performance metrics.

IV. CONCLUSION

Q. Please summarize the conclusion of your testimony.

A. As Chief Financial Officer In this Supplemental Direct Testimony, presents its request for the approval of a Provisional Rate under a Constrained Budget scenario, as authorized by Section 6.25(e) of Act 57-2014. The request responds to directives issued by the Puerto Rico Energy Bureau ("Energy Bureau") in its February 12 and April 21, 2025 Orders, acknowledging the need for interim rate relief ahead of the issuance of a final determination

in the ongoing rate review proceeding. Genera seek to recover approximately **\$477.393 million** through the Provisional Rate, comprised of:

1. **\$288.393 million** approved as part of the Temporary Default GenCo Budget, approved by the Energy Bureau on June 20, 2025 (NEPR-MI-2021-004 IN RE: Review of LUMA's Initial Budgets)
2. **\$22 million** disallowed from Genera's proposed budget, yet essential for core operations;
3. **\$67 million** to satisfy the 10% **federal cost-share obligation**, without which critical federal funds may be forfeited;
4. **\$17 million** to support **temporary generation resources**, necessary to ensure system reliability amid uncertain operating conditions;
5. **\$25 million** to fund the **Generation Maintenance Reserve (GMR)**, required to carry out non-routine maintenance on aging generation assets; and
6. **\$30 million** to replenish the **Outage Reserve Account**, as mandated by the LGA OMA.
7. **\$28 million** to fund **Necessary Maintenance Expenses ("NME")** projects scheduled to incur expenses during the provisional rate period.

Each of these components addresses an immediate, non-controversial funding need that is directly tied to the safe, reliable, and compliant operation of the generation fleet. Absent the requested provisional relief, Genera's ability to meet contractual operational obligations, respond to emergencies, and access federal recovery and stabilization funds would be materially impaired. Therefore, approval of the Provisional Rate is essential to

230 maintain system stability, protect ratepayers, and preserve progress toward broader energy
231 system transformation goals.

232 **Q. Does this complete your testimony?**


233 **A. Yes.**



ATTESTATION

Affiant, María Sánchez Brás, being first duly sworn, states the following:

The prepared Supplemental Direct Testimony and the Schedules and Exhibits attached thereto constitute the supplemental direct testimony of Affiant in the above-styled case. Affiant states that she would give the answers set forth in the Pre-filed Direct Testimony if asked the questions propounded therein at the time of the filing. Affiant further states that, to the best of her knowledge, her statements made are true and correct.


María Sánchez Brás

Affidavit No. 700

Acknowledged and subscribed before me by María Sánchez Brás, of legal age, lawyer, notary and certified public accountant, single, resident of San Juan, Puerto Rico, in her capacity as Chief Financial Officer at Genera PR LLC, who is personally known to me or whom I have identified by means of her driver's license number _____, in San Juan, Puerto Rico this 15th day of July, 2025.

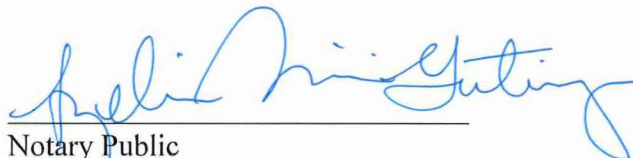

Notary Public



Exhibit B

Resumen en español del Testimonio Suplementario de María Sánchez Brás, Directora
Financiera de Genera PR

Resumen del Testimonio Directo Suplementario de

MARÍA SÁNCHEZ BRÁS

**EN APOYO A
GENERA PR LLC**

María Sánchez Brás, Directora Financiera de Genera PR LLC, testificó a nombre de dicha empresa en el procedimiento de revisión tarifaria de la Autoridad de Energía Eléctrica de Puerto Rico ante el Negociado de Energía.

Su testimonio tuvo como propósito aclarar la solicitud previa de una Tarifa Provisional. Ella explicó que esta tarifa temporal es necesaria debido a que la estructura tarifaria actual no genera ingresos suficientes para cubrir el mantenimiento, reparación e inversión necesarios en las unidades de generación. Indicó que la tarifa provisional ayudaría a mitigar esta insuficiencia mientras se completa el proceso de revisión tarifaria final.

La testigo describió los componentes que Genera solicita incluir en la tarifa provisional, tales como fondos ya aprobados como parte del presupuesto temporal, fondos rechazados previamente pero considerados esenciales para operaciones básicas, la obligación de pareo federal para acceder a fondos federales, gastos para generación temporal, reservas para mantenimiento y eventos imprevistos, y mantenimiento necesario programado para ese período.

Cada partida fue descrita como necesaria y no controversial, y su recuperación mediante la tarifa provisional fue justificada con base en la continuidad operacional, la seguridad, el cumplimiento con métricas de desempeño y la necesidad de evitar interrupciones en el servicio o pérdida de fondos federales.

Finalmente, reafirmó que su testimonio cumple con los requisitos regulatorios aplicables y concluyó solicitando al Negociado la aprobación de la tarifa provisional para garantizar la estabilidad del sistema y el cumplimiento de las obligaciones operacionales.