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

NEPR

Received:

Jul 21, 2025

IN RE: Request for Certification Sunnova Energy Corporation **CASE NO**. CEPR-CT-2016-0002

12:57 PM

SUBJECT: Gross Revenues FY2024

MOTION IN COMPLIANCE WITH JULY 10 RESOLUTION AND ORDER

TO THE HONORABLE ENERGY BUREAU:

COMES NOW Sunnova Energy Corporation ("<u>Sunnova</u>"), represented by the undersigned legal counsel, and respectfully submits the following:

- 1. Section 4.02(B) of the Amendment to Regulation No. 8618 on Certification, Annual Fees, and Operational Plans for Electric Service Companies in Puerto Rico, Regulation 8701 of the 17th of February 2016, as amended ("Regulation 8701") mandates all electric service companies operating in Puerto Rico to whom the Honorable Energy Bureau has issued a Certification to inform the Energy Bureau of their annual gross revenue within a period of sixty (60) days following the conclusion of the natural year.
- 2. On March 3, 3025, Sunnova submitted its *Motion to Request Confidential*Treatment of Gross Revenues.
- 3. Section 4.02(F) of Regulation 8701 further requires electrical service companies whose gross revenue for a given fiscal exceeds three million dollars to submit audited financial statements within 120 days of the end of the company's fiscal year.
- 4. On June 19, 2024, Sunnova filed before the Energy Bureau its *Motion to Request Confidential Treatment of Financial Statements*.

Sunnova Energy Corporation
CEPR-CT-2016-0002
Motion In Compliance with July 10
Resolution and Order
Page | 1

- 5. On July 10, 2025, issued a Resolution and Order (the "June 10 R&O") noting there was a discrepancy of between the information provided on the gross revenue report and that provided in the financial statements and granted Sunnova 10 days to explain the discrepancy.
- 6. In compliance with the July 10 R&O and Section 4.02(H) of Regulation 8701, Sunnova respectfully informs the Energy Bureau that the discrepancy between the information provided on the gross revenue report and that provided in the financial statements was due to an inadvertent error, using an incorrect internal report when filling out the gross revenue report form.
- 7. Sunnova respectfully submits the corrected Gross Revenue and Financial Statements Form NEPR-B05 (**Attachment 1**). We note that a discrepancy of remains between the gross revenue reported in the revised form and the amount reflected in the Audited Financial Statements (). Sunnova wishes to clarify to the Energy Bureau that such difference results from the recognition of revenue in accordance with GAAP on the financial statements versus the total amount billed during the year.
- 8. Lastly, Sunnova requests that confidential treatment be afforded to this motion and its corresponding attachment. Section 6.15 of Act No. 57 of May 17, 2014, as amended, 22 L.P.R.A. § 1054n, provides:

If any person who is required to submit information to the Energy [Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Bureau] to treat such information as such, subject to the following:

- (a) If the Energy [Bureau], after the appropriate evaluation, believes such information should be protected, it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted.
- (b) To such purposes, the Energy [Bureau] shall provide access to the document or the privileged portion of the document only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.
- (c) The Energy [Bureau] shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the Energy [Bureau] who needs to know such information under nondisclosure agreements. However, the Energy [Bureau] shall direct that a non-confidential copy be furnished for public review.
- (d) The Energy [Bureau] shall swiftly act on any privilege and confidentiality claim made by a person subject to its jurisdiction by means of a resolution to such purposes before any allegedly confidential information is disclosed.
- 9. In turn, Section 1.15 of Regulation 8701 provides that when a person who is required to submit information to the Energy Bureau considers such information to be privileged or confidential, the person shall identify the information it deems privileged or confidential, request the Energy Bureau to protect such information, and present arguments supporting the privilege or confidentiality claim. The Energy Bureau shall evaluate the petition and, if it concludes the information merits protection, it shall proceed pursuant to Section 6.15 of Act No. 57.

10. Concomitantly, the Energy Bureau's Policy on Confidential Information details the

procedures a party should follow to request that a document or portion thereof be afforded

confidential treatment. In essence, the referenced Policy requires identifying confidential

information and filing a memorandum of law explaining the legal basis and support for a

request to file information confidentially. See CEPR-MI-2016-0009, Section A, as

amended by the Resolution of September 21, 2016, CEPR-MI-2016-0009. The

memorandum should also include a table that identifies the confidential information, a

summary of the legal basis for the confidential designation, and why each claim or

designation conforms to the applicable legal basis of confidentiality. Id. at 1 3. The party

seeking confidential treatment of information filed with the Energy Bureau must also file

both "redacted" or "public version" and an "unredacted" or "confidential" version of the

document that contains confidential information. Id. at 1 6.

11. Sunnova respectfully requests that all the information contained in this motion and

the documents attached hereto be kept confidential in accordance with Section 1.15 of

Regulation 8701 and Section 6.15 of Act No. 57. These documents have sensitive

information, otherwise not available to the public, which Sunnova prefers not to disclose,

that could place Sunnova at a competitive disadvantage with respect to other market

participants and cause it economic harm. In compliance with the Energy Bureau's Policy

on Management of Confidential Information, CEPR-MI-2016-0009, below is a table

summarizing the hallmarks of this request for confidential treatment.

Sunnova Energy Corporation CEPR-CT-2016-0002 Motion In Compliance with July 10 Resolution and Order

Document Name	Page	Date	Legal Basis	Discussion
Gross Revenue Report Form NEPR-B05 (Attachment 1)	Page 1	7/21/25	 Act No. 57-2014, § 6.15 Regulation 8701, § 1.15 	This document contains sensitive information which should not be available to the public. The disclosure of this information would place Sunnova at a competitive disadvantage with respect to other market participants and cause it economic harm.

12. Sunnova respectfully requests that the Energy Bureau only grant access to the information contained in the document attached hereto to internal Energy Bureau personnel, counsel, and consultants subject to the execution of a confidentiality agreement.

WHEREFORE, Sunnova Energy Corporation respectfully requests that the Honorable take notice of Sunnova's corrected gross revenue report for fiscal year 2024, and that confidential treatment be afforded to this motion and its corresponding attachment.

Respectfully submitted, on July 21, 2025.

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Sunnova Energy Corporation
CEPR-CT-2016-0002
Motion In Compliance with July 10
Resolution and Order
Page | 5

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ATTACHMENT 1



FORM

GROSS REVENUE AND FINANCIAL STATEMENTS REPORT ELECTRIC POWER COMPANIES

Instructions:

- When filling out this form, examine the provisions of Section 4.02 of Regulation No. 8701 and be sure to provide all the required information.
- Indicate N/A where the information is not applicable.
- Use Complementary Sheet (NEPR-Z01) if additional space is required.
- Include the required documents according to the Regulation No. 8701, enumerated in the Annexes section.

Electric Power Company General Information						
Company Name: Sunnova Energy Corporation (CEPR-CT-2016-0002)						
Fiscal Year of presented information: 2024						
Information of Gross Revenue of the Electric Power Company						
Gross Revenue generated during the last fiscal year: (Confidential treatment requested)						
Identify the portion of the revenue corresponding to subsidiaries of the parent company, that are electric power companies:						
N/A						
Annexes: (Mark the documents included with the Gross Revenue and Financial Statements Form)						
Compiled financial statements (Section 4.02 (D)).						
Audited financial statements (Section 4.02 (E)).						
Complementary Sheet (NEPR-Z01).						
Other:						
I certify that the presented information on this form is correct and complete.						
7/40/0005						
VP, Tax 7/18/2025						
Name of Designated Contact Position						



OFFICIAL USE ONLY						
Gross Revenue:						
Annual Fee:						
Observations:						
-						
-						
Name	Position	Signature	 Date			
ivame	Position	Signature	pate			