

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

IN RE: ELECTRIC SYSTEM PRIORITY
STABILIZATION PLAN

CASE NO.: NEPR-MI-2024-0005

SUBJECT: Resolution and Order pertaining
to Puerto Rico Court of Appeals July 17,
2025 Ruling, in case TA2025RA00057.

RESOLUTION AND ORDER

In compliance with the Resolution issued by the Puerto Rico Court of Appeals on July 9, 2025, which ordered the stay of all proceedings related to the challenged procurement process, included but not limited to the execution of the contract for the services resulting from said process, and noting that no party has raised a claim regarding the Court of Appeals lack of jurisdiction following the issuance of the Resolution, on July 15, 2025, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") ordered the immediate stay of all pending administrative matters in the instant case, related to the 800MW of temporary emergency generation, until a final determination by the Court of Appeals was issued ("July 15 Resolution").

On July 17, 2025, the Court of Appeals lifted the stay related to the procurement process and dismissed the case because the controversy became moot.

On July 18, 2025, the Puerto Rico Electric Power Authority ("PREPA") filed document titled *Informative Motion Related to the Court of Appeals Case TA2025RA00057*, whereby it requested the Energy Bureau to take notice of the Courts of Appeals determination and lift the stay imposed through the July 15 Resolution ("July 18 Motion").

The Energy Bureau **TAKES NOTICE** that the Court of Appeals has declared the matter moot and lifted the previously issued stay. Accordingly, the administrative stay imposed by the Energy Bureau is **HEREBY LIFTED**.

According to the motion submitted by the Third-Party Procurement Office ("3PPO") before the Puerto Rico Court of Appeals on July 12, 2025, in the previously referenced case, and as confirmed by the Court's Judgment issued on July 17, 2025, the original procurement process for emergency generation was set aside, and a new procurement process is expected to commence shortly, representing a clean slate. As such, the Energy Bureau has **NOTHING FURTHER TO PROVIDE OR RULE UPON** in connection with the administrative matter related to the original procurement process.

The Energy Bureau **HIGHLIGHTS** that, in this case, no contract related to the emergency generation procurement has been submitted for the Energy Bureau's consideration under the new procurement process. Therefore, the statutory timeframes pertaining to agreement between electric power service companies under Section 6.32 of Act 57-2014¹ have not commenced and are not applicable at this stage. Any future determination by the Energy Bureau will require the formal submission of a contract that complies with the applicable requirements.



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

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 July 21, 2025. Also certify that on July 21, 2025, I have proceeded with the filing of this Resolution and Order and was notified by email to arivera@gmlex.net; lrn@roman-negron.com; legal@genera-pr.com; regulatory@genera-pr.com; RegulatoryPREBorders@lumapr.com; Emmanuel.porrogonzalez@us.dlapiper.com; laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com I sign in San Juan, Puerto Rico, today, July 21, 2025.



Sonia Seda Gaztambide
Clerk

