

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

IN RE: LUMA’S ACCELERATED STORAGE  
ADDITION PROGRAM (“ASAP”)

CASE NO.: NEPR-MI-2024-0002

SUBJECT: ASAP Program Delays.

RESOLUTION AND ORDER

On December 20, 2024, and January 14, 2025, respectively, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) approved the (4) four ASAP Program Phase 1 Standard Offer Agreements (“SO1 Agreements”) filed with the Energy Bureau, totaling 110MW of Battery Energy Storage Systems (“BESS”).

On June 16, 2025, the Energy Bureau requested LUMA<sup>1</sup> to provide a detailed status report on all Phase 1 projects.

On June 23, 2025, LUMA filed a document titled *Motion in Compliance with Resolution and Order of June 16, 2025 and Request for Confidential Treatment* (“June 23 Motion”). Through its June 23 Motion, LUMA provided a status update on the four (4) SO1 Agreements approved by the Energy Bureau. The Energy Bureau became aware that the projects were approved by the Puerto Rico Electric Power Authority (“PREPA”) and the Financial Oversight and Management Board for Puerto Rico (“FOMB”); however, execution has not yet started, as it is pending confirmation that PREPA can proceed with execution with the Puerto Rico Public-Private Partnerships Authority (“P3”) Authorization Letter.

In its ASAP proposal filed with the Energy Bureau on April 26, 2024, LUMA highlighted that Phase 1 projects could begin immediately, as they did not require network upgrades or interconnection costs, with some IPP claiming they could be commercial in **less than twelve (12) months**. As such, the execution of the referenced agreements should have already taken place, **as implementation was contemplated for April 2025**.

This is extremely concerning, as if those projects had been executed, the current generation challenges could have been avoided entirely and prevented the persistent reliance on loadshedding events, particularly considering that the outages involve MW capacity that would have been covered by the projects identified for execution under the Phase 1 ASAP Program, which total 110MW of BESS.

The Energy Bureau **GRANTS** PREPA **five (5) days** to provide a detailed explanation regarding the cause of the delay in the execution of the four (4) approved BESS Phase 1 projects and why their immediate execution should not proceed, in a manner consistent with the paramount public interest.

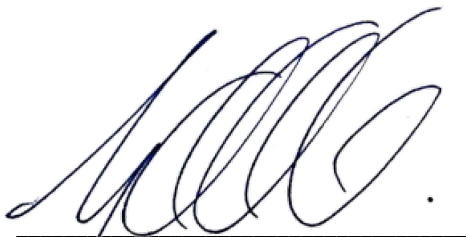
The Energy Bureau **WARNS** PREPA that failure to comply with this Resolution and Order, will result in the imposition of fines, in accordance with Art. 6.36 of Act 57-2014.<sup>2</sup>

Be it notified and published.



<sup>1</sup> LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as, “LUMA”).

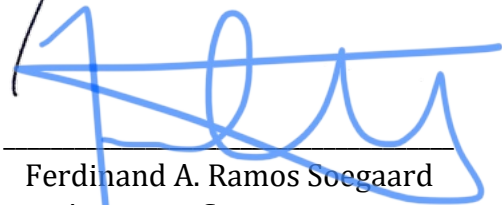
<sup>2</sup> Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended (“Act 57-2014”).



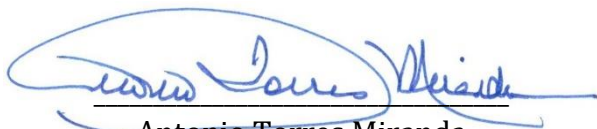
Edison Avilés Deliz  
Chairman



Lillian Mateo Santos  
Associate Commissioner



Ferdinand A. Ramos Soegaard  
Associate Commissioner



Antonio Torres Miranda  
Associate Commissioner

**CERTIFICATION**

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on July 23, 2025. Associate Commissioner Sylvia B. Ugarte Araujo did not intervene. I also certify that on July 23, 2025 I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau and notified a copy of it by electronic mail to [RegulatoryPREBorders@lumapr.com](mailto:RegulatoryPREBorders@lumapr.com); [laura.rozas@us.dlapiper.com](mailto:laura.rozas@us.dlapiper.com); [yahaira.delarosa@us.dlapiper.com](mailto:yahaira.delarosa@us.dlapiper.com); [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com); [arivera@gmlex.net](mailto:arivera@gmlex.net).

For the record, I sign this in San Juan, Puerto Rico, on July 23, 2025.



Sonia Seda Gaztambide  
Clerk