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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: Motion in Compliance with Hearing Examiner's July 8th Order on Public Notice

$\frac{\text{MOTION IN COMPLIANCE WITH HEARING EXAMINER'S JULY 8}^{\text{TH}} \text{ ORDER ON}}{\text{PUBLIC NOTICE}}$

TO THE HONORABLE PUERTO RICO ENERGY BUREAU AND ITS HEARING EXAMINER, SCOTT HEMPLING:

COME NOW LUMA Energy, LLC ("ManagementCo"), and LUMA Energy ServCo, LLC ("ServCo"), (jointly referred to as "LUMA"), and respectfully state and request the following:

- 1. On July 3, 2025, LUMA filed its Motion Submitting Rate Review Petition ("Rate Review Petition") with this Honorable Puerto Rico Energy Bureau ("Energy Bureau"). Therein, it included LUMA's, Genera PR, LLC's ("Genera") and the Puerto Rico Electric Power Authority's ("PREPA") witnesses' pre-filed testimonies, together with workpapers, schedules and supporting documents containing analyses, facts, and calculations in support of the utility's revenue and rate design needs, pursuant to the filing requirements outlined by the Energy Bureau, as modified by the Hearing Examiner, Scott Hempling.
- 2. In what is pertinent to this Motion, LUMA filed draft public notices with its Rate Review Petition both in Spanish and English. *See Attachment A* to LUMA's Rate Review Petition. This, in compliance with the directive set forth by this Energy Bureau in the Resolution

and Order, issued on February 12, 2025, establishing the scope and procedures for rate case ("February 12th Order"). See February 12th Order, at 10-11.

- 3. On July 8, 2025, the Energy Bureau's Hearing Examiner, Scott Hempling, issued an *Order on Draft Public Notice* ("July 8th Order"), conditionally approving the draft bilingual public notices submitted by LUMA. The July 8th Order required LUMA to submit a revised draft public notice with specific changes outlined in the Order. Additionally, the Hearing Examiner ordered LUMA to publish the revised public notices in "at least one Puerto Rico newspaper of general circulation", within ten (10) calendar days of the July 8th Order. *See* July 8th Order, at p. 1. Moreover, LUMA was required to submit, within ten (10) days of the newspaper's publication, "an affidavit from the newspaper confirming the dates of publication and a copy of the printed notice as it appeared in the newspaper; and a printout or screenshot of the notice as posted on PREPA's and LUMA's website." *Id.*, at 2.
- 4. In final compliance with the Energy Bureau's July 8th Order, LUMA hereby informs the Honorable Energy Bureau and its Hearing Examiner that the final public notice, as filed on July 10, 2025, was published on July 17, 2025 in both English and Spanish in a newspaper of general circulation: El Nuevo Día ("ENDI"). As proof of the foregoing, LUMA hereby files a copy of the printed notice as it appeared in the newspaper and an affidavit subscribed by an ENDI representative, confirming that the publication was completed. *See* Exhibits 1 and 2. It must be noted that although the Spanish version of the affidavit states that the publication was made on July 18, 2025, it was actually done on July 17, 2025, as the English version of the affidavit states and as shown in the right-hand corner of the newspaper printed notice. LUMA has requested

¹ In compliance with the Energy Bureau's July 8th Order, on July 10, 2025, LUMA submitted its *Motion Submitting Revised Draft Public Notice*. *Available* at https://energia.pr.gov/wp-content/uploads/sites/7/2025/07/20250710-AP20230003-Motion-Subm-Revised-Draft-Public-Notice.pdf

that ENDI submit a revised affidavit, which will be presented to the Energy Bureau forthwith upon its receipt.

- 5. Moreover, LUMA is hereby filing evidence of the public notice as posted on LUMA's website. *See Exhibit 1*.
- 6. In *Exhibits 3, 4 and 5,* this Energy Bureau will find the information that LUMA received from PREPA as evidence of PREPA having posted the public notice on its website. *See*

WHEREFORE, LUMA respectfully requests that the Hearing Examiner **take notice** of the aforementioned; and **deem** LUMA in full compliance with the July 8th Order.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 28th day of July, 2025.

WE HEREBY CERTIFY that this Motion was filed using the electronic filing system of this Energy Bureau and that electronic copies of this Motion will be notified to Hearing Examiner, Scott Hempling, shempling@scotthemplinglaw.com; and to the attorneys of the parties of record. To wit, to the Puerto Rico Electric Power Authority, through: Mirelis Valle-Cancel, mvalle@gmlex.net; Juan González, igonzalez@gmlex.net; Alexis G. Rivera Medina, arivera@gmlex.net; and Juan Martínez, <u>imartinez@gmlex.net</u>; and to *Genera PR, LLC*, through: Jorge Fernández-Reboredo, <u>ifr@sbgblaw.com</u>; Gabriela Castrodad, gcastrodad@sbgblaw.com; José J. Díaz Alonso, jdiaz@sbgblaw.com; Stephen Romero Valle, sromero@sbgblaw.com; Giuliano Vilanova-Feliberti, gvilanova@vvlawpr.com; Maraliz Vázquez-Marrero, myazquez@vvlawpr.com; ratecase@genera-pr.com; regulatory@genera-pr.com; and legal@genera-pr.com; Co-counsel for Oficina Independiente de Protección al Consumidor, hrivera@jrsp.pr.gov; contratistas@jrsp.pr.gov; pvazquez.oipc@avlawpr.com; Co-counsel for Instituto de Competitividad y Sustentabilidad Económica, jpouroman@outlook.com; agraitfe@agraitlawpr.com; Cocounsel National **Public** Finance Guarantee Corporation. epo@amgprlaw.com; for loliver@amgprlaw.com; acasellas@amgprlaw.com; matt.barr@weil.com; robert.berezin@weil.com; Gabriel.morgan@weil.com; Corey.Brady@weil.com; Co-counsel for GoldenTree Asset Management LP, lramos@ramoscruzlegal.com; tlauria@whitecase.com; gkurtz@whitecase.com; ccolumbres@whitecase.com; iglassman@whitecase.com; tmacwright@whitecase.com; jcunningham@whitecase.com; mshepherd@whitecase.com; jgreen@whitecase.com; Co-counsel for Assured Guaranty, Inc., hburgos@cabprlaw.com; dperez@cabprlaw.com; mmcgill@gibsondunn.com; lshelfer@gibsondunn.com; howard.hawkins@cwt.com; mark.ellenberg@cwt.com; casey.servais@cwt.com; bill.natbony@cwt.com; thomas.curtin@cwt.com; Co-counsel for Syncora Guarantee. escalera@reichardescalera.com; arizmendis@reichardescalera.com; riverac@reichardescalera.com; susheelkirpalani@quinnemanuel.com; erickay@quinnemanuel.com; Co-Counsel for the PREPA Ad Hoc Group, dmonserrate@msglawpr.com; fgierbolini@msglawpr.com; rschell@msglawpr.com; eric.brunstad@dechert.com; Stephen.zide@dechert.com; david.herman@dechert.com; michael.doluisio@dechert.com; stuart.steinberg@dechert.com; Sistema de Retiro de los Empleados de la Autoridad de Energía Eléctrica, nancy@emmanuelli.law;

rafael.ortiz.mendoza@gmail.com; rolando@emmanuelli.law; monica@emmanuelli.law; cristian@emmanuelli.law; lgnq2021@gmail.com; Official Committee of Unsecured Creditors of PREPA, jcasillas@cstlawpr.com; jnieves@cstlawpr.com; Solar and Energy Storage Association of Puerto Rico, Cfl@mcvpr.com; apc@mcvpr.com; javrua@sesapr.org; mrios@arroyorioslaw.com; ccordero@arroyorioslaw.com; Wal-Mart Puerto Rico, Inc., Cfl@mcvpr.com; apc@mcvpr.com; Mr. González, victorluisgonzalez@yahoo.com; and the Bureau's Energy Consultants, irinconlopez@guidehouse.com; Josh.Llamas@fticonsulting.com; Anu.Sen@fticonsulting.com; Ellen.Smith@fticonsulting.com; Intisarul.Islam@weil.com; jorge@maxetaenergy.com; RSmithLA@aol.com; msdady@gmail.com; mcranston29@gmail.com; rafael@maxetaenergy.com; dawn.bisdorf@gmail.com; ahopkins@synapse-energy.com; clane@synapse-energy.com; guy@maxetaenergy.com; Julia@londoneconomics.com; Brian@londoneconomics.com; luke@londoneconomics.com; kbailey@acciongroup.com; hjudd@acciongroup.com; zachary.ming@ethree.com; PREBconsultants@acciongroup.com.



DLA Piper (Puerto Rico) LLC

Calle de la Tanca #500, Suite 401 San Juan, PR 00901-1969 Tel. 787-945-9122 / 9103 Fax 939-697-6092 / 6063

/s/ Margarita Mercado Echegaray Margarita Mercado Echegaray RUA 16,266 margarita.mercado@us.dlapiper.com

Jan M. Albino López RUA 22,891 jan.albinolopez@us.dlapiper.com

Motion in Compliance with Public Notice Requirements

NEPR-AP-2023-0003

In compliance with the Resolution and Order issued by the Hearing Examiner on July 8, 2025 (July 8th R&O)1, LUMA published a public notice on its website and in the "EL NUEVO DIA" newspaper on July 17, 2025, detailing the proposed new rates with the requirements set forth in the July 8th R&O².

In further compliance with the July 8th R&O, LUMA has included, as Exhibit 2 to this filing, an affidavit from the newspaper confirming the dates of publication, with a copy of the printed notice as it appeared in the newspaper, and the image below of the public notice as displayed in LUMA's website. For direct access to the public notice on LUMA's website, please visit the following link: Inversiones históricas para el futuro energético de Puerto Rico - Luma Energy



SOLICITUD FORMAL DE REVISIÓN DE TARIFAS

SOLICITUD FORMAL DE REVISIÓN DE TARIES.

El 3 de julio de 2025, IUMA Energy SerVo, ILC, YUMA Energy, ILC
"UMA"), como agente de la Autoridad de Energia Electrica de Puerto Rico
"AET"), una empresa pública de anergia electrica y una instrumentalidad del
Jobberno del Estado Libre Aucoidad de Puerto Rico, presente una solicitud
ormal (en adelante, la "Retición") al Negocidad de Energia de la Juste
siglamentationa de Servicio Pública de Puerto Rico ("Negocidad de Energia de la Juste
siglamentationa de Servicio Pública de Puerto Rico ("Negocidad de Energia")
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E. Como operador de las catoris de desenvación ferria, y la costat de Cenero RP, ILC,
como operador de la soctavo de generoción ferriaca, y las costas de IUMA,
como operador del sistema de Inosensián y distribución (en adelante,
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arrismo sensorio de la contra de la contra de IUMA.
Sistema de 1807) Esgia ne seubibace na los testemios de serviciones esencicies
pora mejorar el servicio, la confibilidad y la eficiencia, y cumplir con las
tiligaciones que Remercio aus actientes.

responde la restrucción sus clienteses.

La definidad de descripción de cambiologo en las tarifas que incirción y se solicito la organización de cambion en las tarifas que incirción un aumento total de ingresos de \$1,483 mil milliones de diclares. El to promedio pora los clientes es el siguiente:

IN RE: PUERTO RICO ELECTRIC POWER AUTHORITY RATE REVIEW CASE NO.: NEPR-AP-2023-0003 SUBJECT: Public Notice

FORMAL APPLICATION FOR REVIEW OF RATES

On July 3, 2025, IUMA Energy ServCo IIC and IUMA Energy I. (*IUMA*), as agent of the Puerto Rico Electric Power Authority (*PREPA*), public power electric sality and an insurmentally of the Government of Commonwealth of Puerto Rico, submitted a formal application (the "Petition") the Energy Bureau of the Puerto Rico Public Regulatory Board (*Energy Bureau proposing new rolts for electric survice. PREPA base rolts were lost revised.



¹ Hearing Examiner's Order on Draft Public Notices of July 8, 2025, Docket No. NEPR-AP-2023-0003.

² Id.

GOBIERNO DE PUERTO RICO JUNTA REGLAMENTADORA DE SERVICIO PÚBLICO NEGOCIADO DE ENERGÍA DE PUERTO RICO

AVISO PÚBLICO

Revisión de Tarifas de la Autoridad de Energía Eléctrica de Puerto Rico Caso Núm.: NEPR-AP-2023-0003

SOLICITUD FORMAL DE REVISIÓN DE TARIFAS

FIDAVIT

Yo, Brenda Marin Cruz, habiendo prestado el debido juramento declaro: Que soy Representante del periódico "EL NUEVO DIA" que se publica en Guaynabo, P.R.; que en las ediciones de este periódico correspondientes a los días:

18 DE JULIO DE 2025

se dio publicidad al edicto expedido por

JUNTA REGLAMENTADORA DE SERVICIO PÚBLICO NEGOCIADO DE ENERGÍA DE PUERTO RICO

en el caso arriba mencionado y copia del cual se une al presente afidávit para que forme parte del mismo.

Guaynabo, P.R. JUL 2 3 20250 Afidávit No. 26, 640 del Registro.

Jurado y reconocido ante mi por Brenda Marin Cruz, vecina de Toa Alta, mayor de edad, casada, Representante del periódico "EL NUEVO DIA", a quien doy fe de conocer personalmente,

Guaynabo, P.R. NOTARIO Abogado

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

PUBLIC NOTICE

PUERTO RICO POWER AUTHORITY RATE REVIEW

Case No.: NEPR-AP-2023-0003

FORMAL APPLICATION FOR REVIEW OF RATES

AFFIDAVIT

I, Brenda Marin Cruz, of legal age, married, employee and resident of Toa Alta, Puerto Rico, do solemnly swear that I am a Representative for "EL NUEVO DÍA", a newspaper of general circulation in the Island of Puerto Rico, and I am dully authorized to declare that in the edition of this newspaper corresponding to JULY 17TH, 2025, the following Public Notice was published:

PUBLIC SERVICE REGULATORY BOARD PUERTO RICO ENERGY BUREAU

	Bull
Affidavit No. 26,641	
Acknowledged and sworn to before me by B and resident of Toa Alta, Puerto Rico, as representative of	renda Marin Cruz, of legal age, married, employee of "EL NUEVO DIA", whom I know personally.
Joseph	Guaynabo, P.R. JUL 2 3 2026 NOTARY PUBLIC

Aviso Público

GOBIERNO DE PUERTO RICO JUNTA REGLAMENTADORA DE SERVICIO PÚBLICO NEGOCIADO DE ENERGÍA DE PUERTO RICO

EN RE: REVISIÓN DE TARIFAS DE LA AUTORIDAD DE ENERGÍA ELÉCTRICA

DE PUERTO RICO

CASO NÚM .: NEPR-AP-2023-0003 **ASUNTO: Aviso Público**

SOLICITUD FORMAL DE REVISIÓN DE TARIFAS

El 3 de julio de 2025, LUMA Energy ServCo, LLC, y LUMA Energy, LLC ("LUMA"), como agente de la Autoridad de Energía Eléctrica de Puerto Rico ("AEE"), una empresa pública de energía eléctrica y una instrumentalidad del Gobierno del Estado Libre Asociado de Puerto Rico, presentó una solicitud formal (en adelante, la "Petición") al Negociado de Energía de la Junta Reglamentadora de Servicio Público de Puerto Rico ("Negociado de Energía") para proponer nuevas tarifas para el servicio eléctrico. La tarifa base de la AEE se revisó por última vez en el 2017.

La Petición incluye los costos de todo el sistema, incluidos los costos de la AEE, como operador de los activos hidroeléctricos, los costos de Genera PR, LLC, como operador de los activos de generación térmica, y los costos de LUMA, como operador del sistema de transmisión y distribución (en adelante, "Sistema de T&D"). Según se establece en los testimonios y otros materiales que se sometieron para apoyar la Petición, la aprobación y el establecimiento de tarifas nuevas es esencial para que la AEE pueda realizar inversiones esenciales para mejorar el servicio, la confiabilidad y la eficiencia, y cumplir con las obligaciones que tiene con sus clientes.

En la Petición, se solicita la aprobación de cambios en las tarifas que producirían un aumento total de ingresos de \$1.483 mil millones de dólares. El

aumento promedio para los clientes es el siguiente:

• Clientes residenciales: 42%

· Clientes comerciales: 37% Clientes industriales: 42%

En la Petición se incluye, además, una solicitud para que el Negociado de Energía apruebe una tarifa provisional que resultaría en \$0.073915 por kilovatio

Las tarifas propuestas son justas, razonables y consistentes con sanas prácticas fiscales y operacionales para proveer un servicio adecuado al menor costo razonable y garantizar la seguridad y confiabilidad del sistema de servicio eléctrico de Puerto Rico.

Cualquier persona que desee intervenir como parte en este procedimiento deberá presentar ante el Negociado de Energía una petición de intervención, conforme a la Sección 5.05 del Reglamento Núm. 8543, conocido como el Realamento de Procedimientos Adjudicativos, Avisos de Incumplimiento, Revisión de Tarifas e Investigaciones, la Ley 38-2017, según enmendada, conocida como la Ley de Procedimiento Administrativo Uniforme del Gobierno de Puerto Rico, y la jurisprudencia interpretativa aplicable. Cualquier persona puede presentar una petición de intervención mientras este caso está pendiente. Sin embargo, las peticiones presentadas luego del 3 de julio de 2025, fecha en la que se presentó la solicitud de revisión tarifaria, corren el riesgo de ser rechazadas por motivos de demora en el procedimiento o perjuicio a las partes existentes.

Una vez se reciba la Petición y las peticiones de intervención, el Negociado de Energía emitirá una orden mediante la cual concederá o denegará las peticiones de intervención, y determinará quién puede intervenir. En dicha orden, el Negociado de Energía establecerá también un calendario para (i) las vistas técnicas públicas en las que los testigos periciales testificarán ante el Negociado de Energía y (ii) las vistas públicas en las que los miembros del público podrán

exponer sus puntos de vista al Negociado de Energía.

Se puede encontrar información más detallada sobre LUMA en http://www.lumapr.com, sobre la AEE en http://www.prepa.com y sobre el Negociado de Energía en http://www.energia.pr.gov.

Public Notice

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: Public Notice**

FORMAL APPLICATION FOR REVIEW OF RATES

On July 3, 2025, LUMA Energy ServCo LLC and LUMA Energy LLC ("LUMA"), as agent of the Puerto Rico Electric Power Authority ("PREPA"), a public power electric utility and an instrumentality of the Government of the Commonwealth of Puerto Rico, submitted a formal application (the "Petition") to the Energy Bureau of the Puerto Rico Public Regulatory Board ("Energy Bureau") proposing new rates for electric service. PREPA's base rates were last revised in

The Petition includes PREPA's System-wide costs, including PREPA's costs, as operator of the hydroelectric assets, Genera PR LLC's costs as operator of the thermal generation assets and LUMA's costs, as operator of the Transmission and Distribution System ("T&D System"). As established by the testimony and other materials submitted in support of the Petition, the approval and establishment of new rates is essential in order for PREPA to make investments essential to improving service, reliability, and efficiency and to meet its obligations to its customers.

The Petition requests approval for changes in rates that would result in a total revenue increase of \$1.483 billion. The average increase for customers is as

- Residential customers: 42%
- Commercial customers: 37%
- Industrial customers: 42%

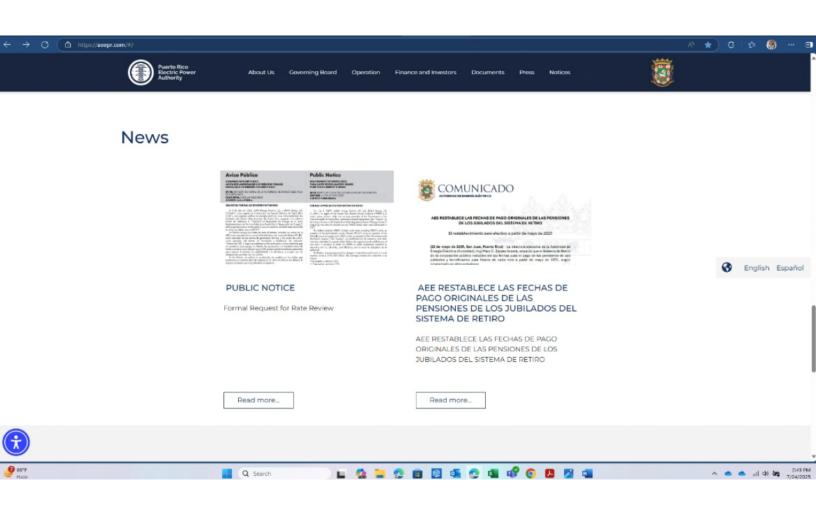
The Petition also includes a request that the Energy Bureau approve provisional rates that would result in an increase of \$0.073915 per kilowatt hour.

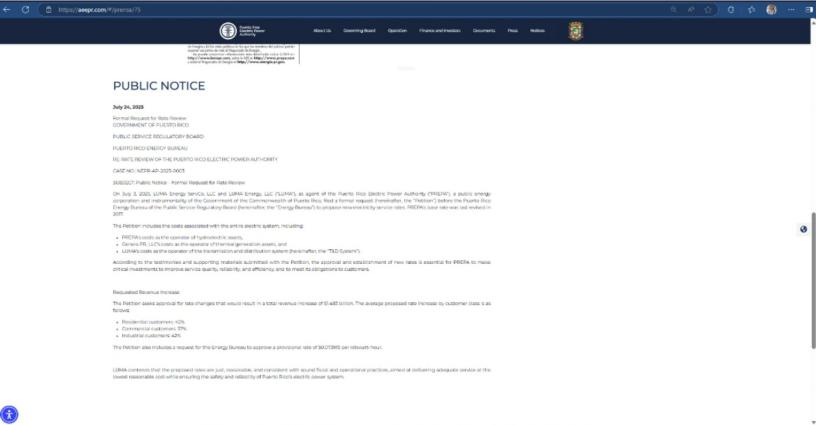
The proposed rates are just and reasonable, consistent with sound fiscal and operational practices, to provide an adequate service at the lowest reasonable cost to guarantee the security and reliability of Puerto Rico's electric utility system.

Any person desiring to intervene in this proceeding must submit to the Energy Bureau a petition to intervene, in accordance with Section 5.05 of Regulation No. 8543, known as the Regulation on Adjudicative, Notice of Noncompliance, Rate Review and Investigation Proceedings, Act 38-2017, as amended, known as the Government of Puerto Rico Uniform Administrative Procedure Act, and the interpretive case law. Any person may file a petition to intervene while this case is pending. But petitions filed since the July 3, 2025 application date risk rejection on grounds of delay to the proceeding or prejudice to existing parties.

Upon receiving the formal application and the requests for intervention, the Energy Bureau will issue an order granting or denying the petitions to intervene and determining who may intervene. Such order will also establish a schedule for (i) public technical hearings at which expert witnesses shall testify before the Energy Bureau and (ii) public citizen hearings at which members of the public may state their views to the Energy Bureau.

More detailed information about LUMA may be found at http://www.lumapr.com, more detailed information about PREPA may be found at http://www.prepa.com, and more detail about the Energy Bureau may be found at http://www.energia.pr.gov.





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