Received:

GOBIERNO DE PUERTO RICO JUNTA REGULADORA DE SERVICIOS PÚBLICOS DE PUERTO RICO NEGOCIADO DE ENERGÍA DE PUERTO RICO

3:52 PM

IN RE: ENMIENDAS A CONTRATO DE COMPRAVENTA DE ENERGÍA: PROYECTO NO-OPERACIONAL (XZERTA-TEC SOLAR, LLC).

NÚM. DE CASO: NEPR-AP-2021-0002

MOCIÓN PARA PRESENTAR INFORME DE PROGRESO MENSUAL CORRESPONDIENTE AL MES DE JUNIO DE 2025

AL NEGOCIADO DE ENERGÍA DE PUERTO RICO:

COMPARECE la Autoridad de Energía Eléctrica de Puerto Rico ("AEE") a través de su representación legal que suscribe, y muy respetuosamente expone y solicita:

- 1. Mediante la Resolución Final y Orden emitida por el Negociado de Energía de Puerto Rico (en adelante "NEPR") en el caso de epígrafe, se ordenó, entre otras cosas, que la AEE y Xzerta Tec Solar I, LLC (en adelante "Xzerta") presentaran informes de progresos mensuales sobre el estatus del proyecto.
- 2. En cumplimiento con las órdenes de este Honorable Negociado, la AEE somete el Informe de Progreso titulado *Xzerta-Tec Solar I, LLC June Progress Report*, el cual corresponde al mes de junio de 2025, según se desprende. Véase Anejo A.¹

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¹ Se le ha notificado dicho reporte a LUMA. De tener comentarios se estará expresando en escrito por separado.

POR TODO LO CUAL, la AEE solicita respetuosamente al Negociado de

Energía que tome conocimiento de lo aquí informado, y acepte el Informe de

Progreso de junio 2025.

RESPETUOSAMENTE PRESENTADO.

En San Juan, Puerto Rico, a 31 de julio de 2025.

CERTIFICO: Por la presente certificamos que este documento fue

presentado ante la Oficina del Secretario de la Oficina de Energía utilizando su

Sistema de Presentación Electrónica en https://radicacion.energia.pr.gov/login,

y se ha enviado copia de cortesía mediante correo electrónico a

Laura.rozas@us.dlapiper.com.

GONZÁLEZ & MARTÍNEZ

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<u>Anejo A</u>



July 03, 2025

Mr. Josué Colón Executive Director Puerto Rico Electric Power Authority

RE: Xzerta-Tec Solar I, LLC June Progress Report

Dear Executive Director:

Herewith, we are providing our monthly progress and status report including project activities required for the project completion. In the upcoming months, our team will continue sustaining meetings with both PREPA and LUMA to refine the engineering design and the facility's interconnection to the grid. The following table will be used to identify the project activities, and any other issues with their respective status and progression for the proper implementation of this project.

#	Activity	Description	Status	Comments
1	Design			
	A. Power Design - Drawings	The transmission line detailed design, which includes the path, transitions and the Sag and tension study, have been completed and shared with LUMA but Xzerta has not received any comments by LUMA. On June 27th, Xzerta submitted the plan set to Luma the final design for approval. This approval is essential to proceed with the detailed design and to receive the FNTP from PREPA. The contract with Eaton has been signed but Xzerta is waiting to receive an approval from CBDG PM to ensure that Xzerta is in compliance with the T&Cs contract for the Grant funds. Xzerta submitted to CBDG a sole source justification to signed Also, It was provided explanation that Eaton will only be solely performing designing and no manufacturing will occur until Xzerta	Final Design submitted to LUMA for approval. Pending Detailed Design.	Xzerta has completed the final design based on technical discussions with LUMA including their request to separate the lines for 115k and 38k. Xzerta has expressed concerns regarding the separation of the 38K and 115K since will be required to enter in a private property which has a history of litigation with PREPA. This issue will potentially impact the construction and provoke delays by others impeding the entrance to the premises.

Disclosure: This report is provided for informational purposes only. By accepting this information, the recipient agrees that it will, and it will cause its employees, agents, and representatives, to treat the information as such. Any reference made herein to terms or conditions should be subject to the language of the power purchase and operation agreement. The Information supersedes all information contained in any prior report or presentation for this project and is subject to change.



	received approval from them and the release of funds. A respond from CBDG is still pending. Eaton is necessary to complete the detailed design of the SCADA, Communications and protective systems.		Based on the force majeure events triggered by others and previously by LUMA, the project schedule has slipped/pushed down drastically impacting COD with no recovery and will have further consequences in the financial side. In order to mitigate the impacts, it will be necessary to receive the FNTP, which it was requested to PREB and PREPA.
B. Energy Yield Assessment and Relay Study	Relay Study was submitted on Sept 21, 2022, and the Energy Yield Assessment was submitted for approval on Sept 30 th , 2022. This item will remain open until the synchronization happens. The energy yield assessment was accepted by LUMA on June 2 nd , 2023 stating that all values were accepted, and no further comments were necessary.	Closed for Energy Yield Assessment. No comments were received of the relay study	The Energy Yield Assessment Report was closed on June 2nd, 2023. Relay study is still pending for approval. Nevertheless, a new updated study will be released during the synchronization process.
C. Products	Proposed products and Models for the interconnection have been submitted to LUMA for approval. Documentation for the inverters, batteries, Transformer, Protective relays, GCBs, BESS and MV switchgear were transmitted for approval, but LUMA stated that they will not approve any Products related to the solar farm or facility but only the interconnection. Xzerta has stated to LUMA that approval of products was necessary to avoid delays in our orders. That was the reason that Xzerta submitted all products for approval to limit the risks associated with ordering products that have not been properly vetted. To avoid any risks,	in compliance with the MTRs but waiting for Design approval	LUMA previously stated that the products will not be approved until the final design has been submitted and approved. Notwithstanding, Xzerta has completed the final design, which is pending for approval to proceed with detailed design of the Communications and Protective Systems even though the approval of products is imperative to complete the detailed design and



	Xzerta is forced to wait for the final acceptance of the design as stipulated in the PPOA. Approval of products is required to avoid further financial and schedule impacts. Hitachi has recently notified Xzerta that the lead times of some products could reach 36 months. Once all products are approved and CBDG PM gives the NTP to Xzerta, Xzerta will be able to commence all orders.		to order those long lead items. The schedule has continued to slip due to major delays affecting the COD because of the inability to proceed with the detailed design and with the ordering of the products with long lead items identified as critical path. Ordering any products without proper approval is high risk and major liability.
D. SCADA list	Our team is in receipt of the current SCADA list sample shared by LUMA. Based on this sample, our team will develop the preliminary SCADA Point list and will add all available alarms and events based on the final design. The list is pending on the execution of the contract with Eaton and any additional feedback by LUMA of our design and relay study to determine if additional protections, alarms or other necessary points are required to be included in our design.	In progress	Under development pending on the closure of the contract with Eaton
E. Other Design	A final design has for the transmission lines and protective relays has been submitted on 06/27/2025 based on the following changes: Relocation of Cambalache 115KV Line, the addition of a new GCB, and Separation of 38KV and 115KV. The Sag and tension study was included in the plan set. Xzerta expressed to LUMA and PREPA that the Separation of the lines had potential issues of encroachment with a nearby property. The potential issues with owner of the property may arise during the construction phase due to the impediment of accessing private property to perform the work in the ROW.	Open	All changes are pending on the approval by LUMA of the latest final design. All Dispute Items have been resolved or agreed upon. See the table below.



	F.	Dynamic Study	S&L confirmed that the PSSE and PSCAD or Dynamic Studies reports are in compliance with the MTR's	Closed	
	G.	Winds Conditions requirement	LUMA/PREPA winds conditions requirement of 160 MPH has become an issue. Several vendors have responded that they will be unable to meet this requirement. Currently, products meet 140 MPH. ASCE allows the 140 MPH criteria on the location that the farm will be built. It was requested an exemption and LUMA responded that the requirement is only applicable to equipment that will be handled or owned by PREPA or them. Furthermore, LUMA will not provide any technical inputs to any equipment or products that are not within the interconnection.	Closed	LUMA stated that this particular requirement is not applicable, and they will not provide any technical input of products used outside of the interconnection. GCB which meets 140 Mph has been approved. 140 MPH meets ASCE requirements
	Н.	Transmission line design and Easement Usage / Permit	The permit was finally executed as of 11/20/2024 but potential issues emerged due to the request to separate the 38kv from the 115KV line path. Xzerta has submitted the final design with Sag and tension study to LUMA for approval since no previous comments from LUMA have been received.	Closed	The permit is considered closed but the design is still open. It will be followed under item 1. See item 1, c and Dispute Items Table.
2	Con	nmercial	10001100.		
		Certifications	filed with the Puerto Rico Energy Bureau for Xzerta Tec's Electric Service Company Certification as required under Rule 8701	Completed	Approved
	В.	Loans	Term Sheet was received. A financial Structure was sent to PREPA for their evaluation.	In Progress	It was confirmed that the ITC's from 30% up to 50%. As of June 1, 2023, the Financial Due Diligence was completed. Final underwriting pending final design interconnection approval from Luma and construction permit. Xzerta applied to the CBDG ER2 and DOE loan programs. CBDG application has been completed,



				approved and the grant contract has been signed. Xzerta decided to pause other applications. Investors have been secured and credit lines with vendors have been opened.
	C. Leases Executed the extensions on the leases of the properties that required such extensions. Xzerta continues to maintain land control over all the proposed parcels, plus some additional lots have been added and surveyed to guarantee the necessary space for the increased capacity.		Completed	
	D. Mars CPA Report	Commissioned a report from our accounting firm Mars CPA regarding the possible incentives available to the project under the Puerto Rico Incentives Code, to review the prior decree granted to the project by the Department of Economic Development and to establish the final structure regarding the tax equity of the project.	Completed	
	E. LUMA request for payment for 2 nd interconnection Study	Item was closed	Closed	LUMA completed the 2 nd interconnection study and design changes. Item closed.
	F. LUMA Interconnection Agreement	LGIA has been signed, notarized and executed.	Closed	Closed
3	Contracting			
	A. Land Survey and Topographic Survey	Geomatic Solutions and Surveying, PSC	Completed	
L	B. Plant Design	Roman Duran Engineers, LLC	Completed	
	C. Archaeological Fernando Alvarado Study		Completed	
	D. Environmental Site Assessment Phase I-A Phase I-B	Tycroes group	Completed Delivered	Phase B received and under review
	E. Habitat Study	Alejandro Cubiña	Completed	
	F. Foundation Design	Carlos Rivera, P.E.	Completed	
	G. Anchoring	Solar Mounts	Completed	



	H. Electrical Design	-Miguel Ortiz, P.E. executed -Lisaidyn Perez Contract renewed -Enerzinx	Open	
		-Roman Duran Engineers, LLC contract has been executedDEA contract executed -Eaton Contract has been signed but it is waiting for CBDG clarification.		
	I. SCADA Systems Design	Lisaidyn Perez and Eaton	Open	Pending approval of Eaton's contract
	J. Modeling and Simulations	Enerzinx	Completed	S&L and LUMA stated that it is in compliance with all MTR's
	K. Relay Study	ay Study Enerzinx		On Feb 21, 2023, S&L and LUMA's completed the Interconnection and Facility Studies determine that Preliminary design is in compliance with all MTRs. Xzerta considers this item closed and approved. Further adjustments may be required during installation.
	L. Transmission Lines	RD Eng LLC - transmission line design DEA - the Sag and Tension Analysis	Completed	Final Design Submitted on 06/27/2025 for approval
3	Construction			approva.
	A. Permits	Completed the following: 1. Location 2. Environmental 3. Endorsements by - Highway and Transportation Authority - Puerto Rico Energy Bureau - Cultural Institute - Puerto Rico Telecommunications Bureau - Puerto Rico Aqueduct and Sewer Authority - Department of Agriculture 4. Permits Management Office (OGPe) – Construction Permit approved and Xzerta was	Partially Completed. See status on individual items	LUMA / PREPA approved the usage of ROW/ Easement, was finally signed and executed.



		validated as an electrical contractor 5. NWP-14 – Not required since there are not jurisdiction wetlands and water on the properties 6. Pending 1. NPDES General Permit – Not required until construction starts 2. NEPA – Initial study and reports has been submitted. Currently under consultation stage within federal agency. Pending approval		
	B. Land Acquisition		Completed	
	C. Contractors	No major changes, waiting for final drawings with Luma comments to be completed. Preliminary Scope of work was distributed to potential EPC, waiting for their updates of the quotes	In progress	General Contractor (GC), subcontractors and consultants' agreements are in process.
4	Procurement			
	A. Material List	The material list has been generated but many long lead products are waiting for proper approval. S&L and LUMA's interconnection and facility studies have determined that Xzerta proposed design is in compliance with the MTR's. Xzerta is waiting for final acceptance of the Design because LUMA has not approved of any products submitted in advance by Xzerta. Recently, LUMA agreed to reevaluate all products to determine which they can approve.	Waiting for approvals	Refer to Material List Annex 1 found below for further information, item 1 above and Dispute table below.
	B. Orders	Waiting for LUMA's or PREPA's approval of proposed products and approval of final design as required by PPOA	In progress	Long lead times of equipment will impact final implementation of project and COD. Design approval is causing major schedule slips and financial impacts. A notice of delay has been transmitted but with the additional delays on LUMA's



				having further delays impacting the COD.
5	Implementation			
	A. Installation	Preliminary definition of scope of works have been created and shared with proponents. Contractors (BLDM, Aireko, Solar Mounts and Dynamic Solar among others) visited in December once again the premises in order to update their quotes, but final prices and contract are pending on the final approvals. LUMA has agreed to perform only the construction of the modification at Hatillo TC leaving Xzerta with the contractual obligation to provide the materials. LUMA also agreed to involve Xzerta in the process of the procurement and management of the EPC.	In progress	Waiting for acceptance of proposed design changes and final design
	B. Testing	Master Plan to be generated after approval of the design and upon receiving PREPA's approved testing protocols. Master plan and test procedures will be generated in accordance with PREPA/LUMA approved testing protocols and operations.	Not started	LUMA submitted their test protocols. The master plan will be based on this information and the final approval of design

Dispute Items Table

The following table identified the open items that are in dispute since 2022 and requires a prompt resolution as stated in Xzerta 2nd Dispute Notice and Notice of Delay

1	Dispute item	Description	Status	Comments
	A. Cost for interconnection study	Xzerta position was that it will not bear the cost for all proposed changes nor pay in full for the requested interconnection study by LUMA since it was others that did not comply with PREPA's design standards and further, it is not a contractual obligation.	Closed	
	B. PREPA's Interconnection Facility Construction and provision of materials	l '	Closed	This item partially affects the design completion, and the procurement commencement as stated in the meeting of May 2 nd .



C. LUMA's	and purchasing of materials neglecting the PPOA terms. LUMA is requiring Xzerta to enter into	Closed	As of May 14, 2024, LUMA has agreed via email with the terms of the PPOA where LUMA will perform the construction and have Xzerta providing the materials. Several items were
Interconnection agreement	a new interconnection agreement. Xzerta position is this interconnection agreement is not in compliance with the PPOA and further, the PPOA has all required terms and conditions for the interconnection	Closed	discussed at the meeting of January 10, 2025. Then after, LUMA and Xzerta agreed on January 30th, 2025, with the latest LGIA T&Cs. Executed
D. Use of Right of Way	The usage of ROW was agreed by all parties since the route was already established within the PPOA. LUMA Land Office continues to maintain language in the CONDITIONED PERMIT FOR USE OF ELECTRICAL LINE EASEMENT that hinders the capacity of Xzerta to enter into the aforementioned conditioned permit, particularly due to the time limits to be imposed and other items related to LUMA's interconnection agreement.	Closed	Final version signed and executed on November 20, 2024.
E. Increase Interconnection Costs.	LUMA's estimate of the interconnection surpasses the original estimated value of 3.2M established within the PPOA. Xzerta is requesting PREPA to increase the cap value of Article 4.6 and PPOA inflation factor for the power purchasing by 2% as approved by PREB Motion of May 2021.	Closed	PREPA agreed with this request and therefore, the item is not considered a dispute. Item will be addressed separately via an amendment of article 4.6 of the PPOA. Due to several other issues that required prioritization, this item has not been sent for a request to amend the cap and is pending on the final amount cost once the RFP process is completed.

The following table shows the status of RFIs:



				Date	
#	Number	Description	Status	Submitted	Comments
1	RFI-001	Transformer specs and interconnection requirements (Y-D, D-Y or D-D)	Closed	4/26/2022	1 item remained open but followed byRFI-002. Transformer should be YG to Delta on the side of interconnection of 115 KV with PREPA with an internal shift of 30
2	RFI-002	Transformer specs (Not responded under RFI-001) SCADA Communication	Closed	5/23/2022	Specifications received. Issues with Wind Conditions requirement. It will be followed through RFI-006
3	RFI-003	Protocol and Sample of Points	Closed	5/23/2022	Received List.
4	RFI-004	Amount of demand Energy of PR	Closed	5/23/2022	Calculated at 0.0003% or 0.001 %
5	RFI-005	Request of Permit to usage of PREPAs ROW	Closed	5/23/2022	RFI was closed but Item is still open. LUMA requested to submit a request for usage of easement via another form since it is managed by their Dept of Land and Permits. Item is under Dispute.
6	RFI-006	Request for exemption to Wind Conditions requirements. Vendors unable to meet criteria of 160 MPH. Current design meets 120 to 140 MPH	Closed	6/2/2022	LUMA stated that the cited specification details the requirements for equipment to be owned, operated, and maintained by PREPA/LUMA. Knowing that this equipment will remain under the care, custody, and control of the proponent, LUMA will not provide technical input on alternate wind load criteria for transformer components, since it is not an evaluation factor to determine the Facility's capability to be interconnected to the grid. Current design meets ASCE req. Refer to PPOA sections 9.4(a) & (b).
7	RFI-007	Request for approval of GCB proposed product	Open	6/2/2022	Hitachi GCB Breaker for 115 KV. It has been conditionally approved. LUMA requested to increase CC of GCB1 based on their current design, 145 KV @ 2000 A CC. LUMA stated that it will not be approved until final design is completed.
8	RFI-008	Request for approval of MV Switchgear proposed product	Closed	6/30/2022	LUMA stated that the MV switchgear approval is not within responsibilities. This will remain under contractor decisions regarding the solar farm or facility design. Synchronization of the protective relays of the main



					breaker 52-1 are required to properly intertwined with GCB 2
					and GCB 52.
9	RFI-009	Request for approval of Protective Relays, Network Switch, Controller	Open	2/21/2023	S&L and LUMA's completed the Interconnection and Facility Studies. Preliminary design is in compliance with MTRs. Xzerta considers this item closed and approved but LUMA stated that it will not be approved until final design is completed. Recently, LUMA is working with Xzerta to close out item.
10	RFI-010	Request for approval of Dynamic Studies	Closed	2/21/2023	S&L and LUMA's completed the Interconnection and Facility Studies. Preliminary design is in compliance with MTRs. Xzerta considers this item approved.
11	RFI-011	Request for approval of 3P Main Step-Up Oil Transformer 34/115KV	Open	7/11/2022	S&L and LUMA's completed the Interconnection and Facility Studies. Preliminary design is in compliance with MTRs. Xzerta considers this item closed and approved but LUMA stated that it will not be approved until final design is completed.
12	RFI-012	Request for Testing Protocols and operating procedures	Closed	8/1/2022	Delivered
13	RFI-013	Request for LUMA/ PREPA to confirm if the Seismic Design Category can remain in A instead D because there is no historical data that requires to consider inertial loads associated with earthquakes within the area	Closed	10/13/2022	LUMA will not evaluate the civil design aspects for the medium voltage switchgear, since this equipment is located upstream from the Main Power Transformer, and thus lies beyond LUMA's evaluation responsibilities for privately-owned Renewables projects. It will comply with ASCE stds.
14	RFI-014	Request PLS-CADD files for Transmission line detailed design	Closed	12/6/2022	LUMA provided the requested information and files
15		Response for Letter for Request of Permit to usage of PREPAs ROW	Closed	1/24/2023	Xzerta submitted to LUMA's Lands & Permits team on Nov 23, 2022, a 2nd request for the usage of existing easement/right-of-way that was reserved for future work on previously existing 115kV transmission line 39100 spanning westbound from Hatillo TC to Mora TC, in Isabela. It has been approved with the condition of



					been prepared for dual lines. A conditional permit was executed.
16	RFI-016	Request of Design Information for secondary circuit of 115KV transmission line	Closed	3/22/2023	LUMA provided the requested information and files

The following table shows the status of Transmittals:

				Date	
#	Number	Description	Status	Submitted	Comments
1	XTA-TRA-0001	Relay Study and Updated Preliminary design	Closed	9/21/2022	Interconnection and facility study completed by S&L and LUMA on Feb 21, 2023. It determined that Xzerta proposed design is in compliance with all MTR's. Xzerta assumes that all preliminary design is approved and can proceed with the detail design
		- , <u>U</u>			LUMA releases on June 2 nd , 2023, an acceptance of this document. A second assessment is required to be performed once the system is implemented and ready
2	XTA-TRA-0002	Energy Yield Assessment	Closed	05/31/2023	for operations.
3	XTA-TRA-0003	Relay Study and Updated Preliminary design based on LUMA's Comments of 10/3/2022	Open	10/28/2022	Interconnection and facility study completed by S&L and LUMA on Feb 21, 2023. It determined that Xzerta proposed design is in compliance with all MTR's. As of today, Xzerta have not received any additional comments of the Relay Study thus this item is considered open.
		Xzerta Ltr 2nd Request of Permit Use of ROW and Rev 14			LUMA's team responded to Xzerta comments on August 8,2024 regarding their concerns of the language utilize especially those related to technical approach. A meeting was held to discuss those concerns and provide any additional clarification to LUMA Land Dept. It was agreed having Xzerta
4	XTA-TRA-0004	SLD Preliminary Design	Closed	11/23/2022	provides again an



					alternative language for the permit. The item is still open and is affecting the design
5	XTA-TRA-0005	RFI 016 Request of Design Information for secondary circuit of 115KV transmission line	Closed	3/22/2023	
6	XTA-TRA-0006	Energy Yield Assessment and comments of Conditioned Permit for use of the electrical lines' easement	Closed	6/02/2023	

We continue committed to providing PREPA and the people of Puerto Rico with clean and efficient energy and to assist in achieving the targets established in the Integrated Resources Plan (IRP) and the Public Policy aimed at by the Government of Puerto Rico.

Sincerely,

Fernando Molini-Vizcarrondo

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Attachments:



Equipment and Components – Materials Status List

Equipment	Company/Brand	Status	Comments
PV Modules	RFPs Submitted to vendors	Proposal Received from Talesun and Trina Solar.	Interconnection Study completed and compliance with MTRs
Inverters	Ingeteam	Refresh of Proposal Received from Ingeteam to proceed with PO	Interconnection Study completed and compliance with MTRs
Battery Equipment	Ingeteam	Refresh of Proposal Received from Ingeteam to proceed with PO	Interconnection Study completed and compliance with MTRs
Racks and Anchoring	Schletter/Solar Mounts	Provided latest preliminary design to prospects to have them Revised Proposal	Waiting for design approval
Main Switchgear	Eaton	Received proposal from Eaton and Submitted for approval	LUMA stated that Main Switchgear will remain under the contractor's prerogative. No approval necessary
GIS/GCB	Hitachi	Submitted for approval	LUMA approved it with comments. Changes incorporated to proceed with POs
Transformer 34.5/115K	Hitachi	Submitted for approval	Interconnection Study completed and compliance with MTRs
Meters	Eaton	Waiting to receive meters information from Eaton to submit product for approval	Interconnection Study completed and compliance with MTRs
Protective Relays	SEL	Submitted for approval	Interconnection Study completed and compliance with MTRs
Foundations	Pending Completion of design		
Posts & Towers	Generic	Preliminary Design submitted	
Cables & Miscellaneous	Caribe Sales	Revised proposal received. Final proposal will be delivered upon completing design	