

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

NEPR

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IN RE: PUERTO RICO ELECTRIC
POWER AUTHORITY RATE REVIEW

CASE NO.: NEPR-AP-2023-0003

SUBJECT: Compliance Filing Required by
July 31st Provisional Rate Order.

**MOTION SUBMITTING COMPLIANCE FILING IN ATTENTION TO
SECTION VI(W) OF THE JULY 31ST PROVISIONAL RATE ORDER**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

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 31, 2025, this Puerto Rico Energy Bureau (“Energy Bureau”) issued an order with the subject *Establishment of Fiscal Year 2026 Provisional Rates and Fiscal Year 2026 Provisional Budget* (“July 31st Provisional Rate Order”).

2. In Section VI(W) of the July 31st Provisional Rate Order, this Energy Bureau directed that by August 6, 2025, LUMA should submit a compliance filing “containing a clear calculation of the proposed provisional rate riders that aligns with the decisions in [the July 31st Provisional Rate Order], accompanied by any workpapers . . . that support the calculation.”

3. In compliance with Section VI(W) of the July 31st Provisional Rate Order, LUMA submits its updated calculation of the proposed provisional rate rider to align with the separate rider for pension funds and the revenue requirement approved through the July 31st Order.

4. As shown in LUMA's Exhibit 1, LUMA is calculating the provisional rate rider using the revenue deficiency of \$236,447 million.¹ To calculate the provisional rate rider, this revenue requirement is divided by the billing determinants of 15,243,558 MWh.² The resulting provisional rate is \$0.015511 per kWh, as shown in Exhibit 2.³

5. As shown in LUMA's Exhibit 1, LUMA is calculating the pension fund rider using the provisional revenue requirement of \$307,475 million approved in the July 31st Provisional Rate Order.⁴ To calculate the pension rider, this revenue requirement is divided by the billing determinants of 16,022,250 MWh.⁵ The resulting pension rider is \$0.019191 per kWh.

6. LUMA is also attaching, as Exhibits 3 and 4, the Tariff Sheets which show the Provisional Rate calculated above and the Pension Rate calculated above.⁶ LUMA also includes, as Exhibit 5, a Tariff Sheet that reflects the credit for Net Energy Metering customers for the Provisional Rate and the Pension Rate.

7. LUMA will file a request for approval of a revised LUMA customer bill separately.

WHEREFORE, LUMA respectfully requests that the Hearing Examiner **take notice** of the aforementioned; **deem** LUMA in full compliance with Section VI(W) of the July 31st Provisional Rate Order; **and** LUMA **requests** that the Energy Bureau accept the attached tariff

¹ As shown on Exhibit 1, this revenue amount reflects the proper calculation of the provisional rate requirement that LUMA provided to the PREB in response to ROI PC-of-LUMA-PROV-38.

² These billing determinants are provided in Footnote 8 of the July 31st Provisional Rate Order, which reflects the elimination of the rate schedules LRS, RFR, and RH3.

³ See Exhibit 2 – Provisional Rate Calculation.

⁴ July 31st Provisional Rate Order, at p. 26.

⁵ See July 31st Provisional Rate Order, at n.9.

⁶ See attached Exhibit 3 - Provisional Rate Rider and Pension Funding Rider.

sheets (Exhibits 3 through 5) to be effective September 1, 2025, with the effectiveness of the Provisional Rate and Pension Rider and permit LUMA to publish them in its tariff book.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 6th day of August, 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, jgonzalez@gmlex.net; Alexis G. Rivera Medina, arivera@gmlex.net; and Juan Martínez, jmartinez@gmlex.net; and to ***Genera PR, LLC***, through: Jorge Fernández-Reboredo, jfr@sbgblaw.com; Gabriela Castrodad, gcastrodad@sbgblaw.com; Jennise Alvarez, jennalvarez@sbgblaw.com; regulatory@genera-pr.com; José J. Díaz Alonso, jdiaz@sbgblaw.com; Stephen Romero Valle, sromero@sbgblaw.com; Giuliano Vilanova-Feliberti, gvilanova@vvlawpr.com; Maraliz Vázquez-Marrero, mvazquez@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; ***Co-counsel for National Public Finance Guarantee Corporation***, epo@amgprlaw.com; 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; mmcgrill@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, Inc.***, 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. Victor González, victorluisgonzalez@yahoo.com; and the **Energy Bureau's Consultants**, jrinconlopez@guidehouse.com; Josh.Llamas@fticonsulting.com; Anu.Sen@fticonsulting.com; Ellen.Smith@fticonsulting.com; Intisarul.Islam@weil.com; jorge@maxetaenergy.com; rafael@maxetaenergy.com; RSmithLA@aol.com; msdady@gmail.com; mcranston29@gmail.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. Notice will also be sent to carl.pechman@keylogic.com; bernard.neenan@keylogic.com; tara.hamilton@ethree.com; aryeh.goldparker@ethree.com; roger@maxetaenergy.com; and Shadi@acciongroup.com.



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Exhibit 1

Provisional Rate Compliance Filing

NEPR-AP-2023-0003

Provisional Rate

As described in LUMA's response to PC-of-LUMA-PROV-38, the numerator for the provisional rate calculation is the deficiency between revenues at present rates and the total approved provisional revenue requirement

The **deficiency**, which serves as the numerator in the provisional rate calculation, was determined by subtracting the revenues at present rates from the total approved provisional revenue requirement. Table 1-1 below outlines the components of this calculation, referencing the July 31st Order and LUMA's rate petition submitted on July 3rd, 2025¹.

Table 1-1 – Calculation of Deficiency

Component	Provisional	Source
Revenue Requirement – Total	\$1,779,626	July 31 st Order – Attachment A, Line 16
Less: Revenue Requirement - Pension	\$(307,475)	PREPA's July 11 th Motion, July 31 st Order Attachment A, Line 15
Less: Revenue at Present Rates	\$(1,179,202)	LUMA July 3 rd Filing, Schedule E-1
Less: Other Income	\$(56,501)	LUMA July 3 rd Filing, Schedule B-2, Line 8
Deficiency	\$236,447	

The **billing determinants** referenced in Footnote 8 of the July 31st Order amount to 15,243,558 MWh. This figure accounts for the removal of the rate schedules LRS, RFR, RH3 to comply with the directives outlined in the July 31st Order.

Consequently, the **Provisional Rate**, as shown on the *Provisional Rate* tab of the workbook attached as 01_Provisional Rate Calculation, is \$0.015511/kWh.

Provisional Rate Pension Fund Rider

The **deficiency**, which serves as the numerator in the pension rider calculation, is equal to the approved provisional pension revenue requirement of \$307,475,422.

The **billing determinants** referenced in Footnote 9 of the July 31st Order amount to 16,022,250 MWh. This figure accounts for all customers taking service on the base service tariffs, to comply with the directives outlined in the July 31st Order.

Consequently, the **Provisional Rate Pension Fund Rider**, as shown on the *Provisional Rate* tab of the workbook attached as 01_Provisional Rate Calculation, is \$0.019191/kWh.

¹ LUMA Rate Review Petition dated July 3, 2025, Docket No. NEPR-MI-2024-0005.

Exhibit 2
Provisional Rate Calculation
[Excel file to be submitted via email]

Exhibit 3
Provisional Rate Tariff Sheet



PROVISIONAL RATE RIDER

DESIGNATION:

PROV

AVAILABLE:

Everywhere in Puerto Rico.

APPLICABLE:

The PROV charge shall apply to all energy delivered to customers taking service on the base service tariffs, except for customers taking service under the LRS, RH3, and RFR schedules. Lighting service customers shall be charged the PROV for unmetered energy in accordance with the estimates in the PLG schedule. The Provisional Rate Rider is a temporary rate that reflects the provisional collection of a revenue requirement currently under consideration by the Puerto Rico Energy Bureau in a general rate case.

CHARGES:

These rates will be charged for all kilowatt-hours.

Provisional Rate:

\$0.015511 per kWh

Exhibit 4
Pension Rate Tariff Sheet



PENSION FUNDING RIDER

DESIGNATION:

PFR

AVAILABLE:

Everywhere in Puerto Rico.

APPLICABLE:

The PRF charge shall apply to all energy delivered to customers taking service on the base service tariffs. The Pension Fund Rider is a temporary rate that reflects the PREPA pension fund collection of a revenue requirement currently under consideration by the Puerto Rico Energy Bureau in a general rate case.

CHARGES:

These rates will be charged for all kilowatt-hours.

Provisional Rate:

\$0.019191 per kWh

Exhibit 5
Net Energy Metering Tariff Sheet



NET METERING RIDER

DESIGNATION:

NM

AVAILABLE:

Everywhere in Puerto Rico.

APPLICABLE:

To all tariffs with metered output.

The Net Metering credit is calculated from the customer's bills as per the provisions of Act 114-2007, as amended. Customers with a Net Metering Agreement with PREPA will receive a monthly credit from the energy produced by their system and exported into PREPA's electrical system, up to a customer's monthly consumption in kWh, subject to other limits as detailed in Act 114-2007, as amended, and the corresponding Regulations. The monthly credit for customers with a Net Metering Agreement will be effective at the beginning of the billing period after the installation or configuration of the appropriate meter. For each billing period, PREPA will meter the energy consumed by the customer (inflow) and the energy exported by the customer's system to PREPA's system (outflow).

Each Net-Metering customer shall pay for the net energy supplied by PREPA the full rate for its class including, but not limited to, the base rates, fuel charge, purchased power charge, CILT charge, SUBA-HH charge, SUBA-NHH charge, and EE charge, subject to the following:

1. Each billing period, in which the energy exported by the customer is lower than the energy supplied by PREPA, the credit for the energy exported shall be the sum of: customer's base rate energy charge, fuel charge, purchased power charge, SUBA-HH charge, SUBA-NHH charge, CILT, Energy Efficiency Charge, Provisional Rate charge, and Pension Recovery charge.
2. If during a billing period, the energy exported by the customer is equal or higher than the energy supplied by PREPA, the credit will be limited to the energy supplied by PREPA in that billing period. The excess exported energy will be accumulated to be used in the next billing period.
3. If any excess energy accumulated remains after the end of the current fiscal year, it will be credited as provided by the law, and to the corresponding Regulations, currently as explained below.
 - a. Seventy-five percent (75%) of the excess energy accumulated shall be purchased by PREPA at a rate of 10 cents per kilowatt-hour (¢/kWh) or the resulting quantity in ¢/kWh, once the fuel and purchased power charges are subtracted from the total ¢/kWh, whichever is the highest; and
 - b. The remaining twenty-five percent (25%) shall be granted to PREPA to be distributed in credit or reductions in the electricity bills of public schools.