

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

IN RE: REQUEST FOR CERTIFICATION
CROWLEY ADVANCED ENERGY PUERTO
RICO, LLC

CASE NO: NEPR-CT-2025-0009

SUBJECT: Resolution in Response to
Crowley Advanced Energy Puerto Rico, LLC
Request for Certification.

RESOLUTION

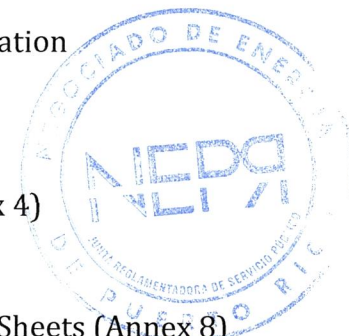
I. Introduction

On July 2, 2025, Crowley Advanced Energy Puerto Rico, LLC ("Crowley") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a Request for Certification as an Electric Power Service Company and for Certification as Highly Efficient Generation (jointly as "Application"). Crowley provided additional information and documents to be included in the Application. The Application includes the following documents:

1. Form NEPR-B01 (Personal Information) with supporting documentation:
 - Certificate of Incorporation from Puerto Rico Secretary of State
 - Certificate of Formation of LLC from Puerto Rico Secretary of State
 - Certificate of Good Standing from the Puerto Rico Secretary of State
 - Certificate of Organization from Puerto Rico Secretary of State
 - Evidence of a certified check to cover the following:
 - Submission of Personal Information;
 - Submission of the Operational Report;
 - Request for Certification Fee.
2. Form NEPR-B03 (Operational Report) with:
 - Supplemental Attachment II-1: Crowley Advanced Energy's Board Members and Shareholders
 - Supplemental Attachment II-1: Annexes to Form NEPR-B03, Operation Report
 - Demand Projections for the First Year of Operation (Annex 1)
 - Rate and Charges Information (Annex 2)
 - Projected Capital Investments (Annex 3)
 - Explanation for Contracted Entities (Annex 4)
 - Statement on Referral to EPPP and supporting letter (Annex 5)
3. Form NEPR-B04 (Request for Certification) with:
 - Supplemental Attachment II-3: Annexes to Request for Certification
 - Information on contracts with PREPA
 - CPA-Certified Financial Statement (Annex 2)
 - Human Resources Statement (Annex 3)
 - Certification of Economic Capacity and Solvency (Annex 4)
 - Generation Systems Description (Annex 5)
 - Generator Specification Sheets (Annex 6 & 7)
 - Energy Recovery System Description and Specification Sheets (Annex 8)
 - Supplemental Attachment II-4: Permits, Authorizations, and Endorsement
 - Permits Table
4. Power Purchase Agreement & Amendments
5. High Efficiency Generation Statement

In its Application, Crowley requested that the Energy Bureau (i) certify Crowley as an Electric Service Company under Regulation No. 8701⁵; (ii) certify that the CHP and non-CHP

⁵ Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Company Providers in Puerto Rico, Regulation 8701, Puerto Rico Energy Bureau, February 17, 2016



systems meet the definition of the term Highly Efficient Generation for Act 60-2019¹; and (iii) provide confidential treatment to certain information filed with the Application.

II. Applicable Law and Analysis

Act No. 57-2014² requires all electric service companies³ to obtain a certification⁴ and to file certain information under the terms established by the Energy Bureau.

Sections 2.01 and 3.03 of Regulation 8701 describe the information that every electric service company seeking to offer services in Puerto Rico must submit with its Request for Certification.⁶

A. Request for Certification as Electric Power Company

Crowley submitted various documents containing information required by Sections 2.01 and 3.03 of Regulation 8701. Upon careful consideration, Crowley **MEETS** all requirements set forth in Regulation 8701.

B. Request for Certification as Highly Efficient Generation

Crowley has requested certification that its two generation systems meet the definition of Highly Efficient Generation for Act 60-2019², as established on November 16, 2021, Resolution in Docket No. CEPR-MI-2016-0001.⁷

For the purposes of Act 60-2019, a generation unit or system is considered "Highly Efficient" if it meets the Emissions Requirements and the Operations Requirement as follows:

1) Emissions Requirement

The average annual rate of carbon dioxide emissions from the generating unit, as measured in pounds per megawatt-hour (lbs/MWh), is lower than the United States nationwide average for plants with the same primary fuel and primary fuel generation category as reported in the U.S. Environmental Protection Agency's Emissions & Generation Resource Integrated Database ("eGRID") (or successor source) for the most recent year in which data is available. The Energy Bureau may modify the referenced limits based on updated to the eGRID (or successor) data. According to eGRID's 2019 data, natural gas-fired electricity generating units emit an

("Regulation 8701" as amended by Regulation No. 9182, *Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, Regulation 9182, Puerto Rico Energy Bureau, June 24, 2020 ("Regulation 9182)).

¹ Known as the Puerto Rico Incentives Code, as amended, ("Act No. 60-2019").

² Known as the Puerto Rico Energy Transformation and RELIEF Act, as amended, ("Act 57-2014).

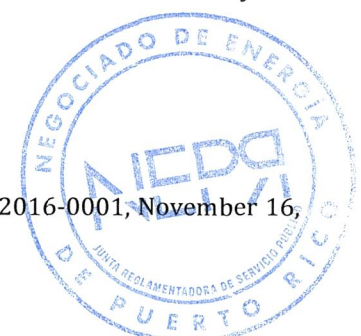
³ Section 1.3(1) of Act 57-2014 defines the term 'Electric Power Company' or 'Electric Power Service' as follows: 'Shall mean any natural or juridical person or entity, energy cooperative, engaged in the provision of generation services, transmission and distribution services, billing, wheeling, grid services, energy storage, resale of electric power as well as any other electric power service as defined by the Bureau. The Electric Power Authority or its successor as well as any Contractor under a Partnership or Sales Contract executed in relation to PREPA Transactions conducted by virtue of Act No. 120-2018 shall be deemed Electric Power Service Companies for purposes of this Act.'

⁴ See Section 6.13 of Act 57-2014. See also Section 11.3(h) of Act 57-2014 which defines the term "Certified" as follows: "Shall mean every electric power service company that has been evaluated and authorized by the Energy [Bureau]."

⁶ As defined in Regulation 8701.

² CITATION

⁷ Resolution, *In re: Highly Efficient Fossil Generation Definition*, Case No.: CEPR-MI-2016-0001, November 16, 2021.



average of approximately 1,433 pounds of carbon dioxide (CO₂) per megawatt-hour (lbs/MWh).⁸

Both rates are below the average carbon emission rate of 1,433 lbs CO₂/MWh allowed by the Energy Bureau. Therefore, both systems **MEET** the emission requirement needed for High Efficiency Generation.

2) Operational Requirement

Crowley states that neither system is designed to export electricity to the Puerto Rico grid, and as a result, the systems will not be used to sell electricity to the grid.

For the Crowley (non-CHP) system: This fossil-fueled generation asset must have an average annual heat rate of less than 8,750 BTU/kWh. The system's calculated heat rate is below the maximum established by the Energy Bureau.

For the Crowley CHP System: This system must comply with: (i) the Federal Energy Regulatory Commission (FERC) efficiency standard as stated in 18 CFR § 292.205, Criteria for Qualifying Cogeneration Facilities (a)(2)(i), and (ii) the condition described in 18 CFR § 292.205 (d)(1) to (d)(3). A combined heat and power (CHP) generator can comply with the Federal Energy Regulatory Commission (FERC) efficiency standard under 18 CFR § 292.205(a)(2)(i) by achieving a total efficiency of at least 42.5% for facilities using oil or gas as their primary energy source. This efficiency includes both electric and thermal outputs. To meet the additional conditions described in 18 CFR § 292.205(d)(1)-(3), the facility must ensure that the useful thermal output (e.g., heat or steam) is used productively, in a way that aligns with the cogeneration facility's purpose, and not primarily for sales to a third party, unless those sales meet specific regulatory allowances. This dual compliance ensures the CHP unit operates efficiently while contributing effectively to both electricity generation and beneficial heat recovery, consistent with FERC's regulatory criteria. Crowley's CHP efficiency standard is higher.

Crowley's efficiency is greater than the FERC requirements, and 100% of its useful thermal output will be used productively, meeting the Cogeneration Criteria. Therefore, Crowley **MEETS** the operational requirement needs for Highly Efficient Generation.

Under Act 60-2019, the Energy Bureau **GRANTS** Crowley's request for its systems to be certified as Highly Efficient Generation.

C. Request for Confidential Designation

In its Application, Crowley requested that certain documents be granted confidential treatment under Article 6.15 of Act 57-2014 and the August 31, 2016, Resolution in Case No. CEPR-MI-2016-0009⁹, In Re: Policy on Management of Confidential Information in Procedures Before the Commission, as amended by the September 20, 2016, Resolution on the same case ("August 31 Resolution").

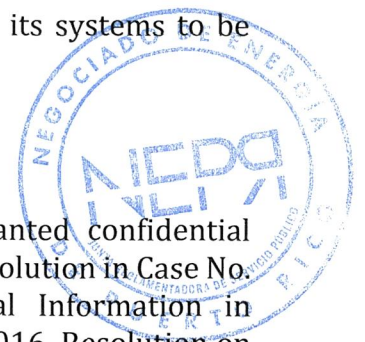
Table 1 below details the information to which Crowley requested confidential designation and treatment.

Table 1: Confidential Information Designation and Justification

Document Name	Provided Designation	Cited Legal Basis	Justification Provided	Date Filed
Attachment I-1: Power Purchase Agreement	Trade Secret; Third Party Information	Act 80-2011; Article 4 Act 122-2019	Document contains the agreed terms of service between Crowley and its	July 2, 2025

⁸ *Id.*

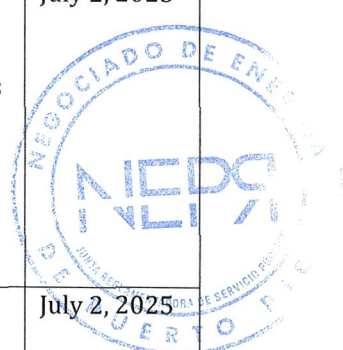
⁹ Resolution, *In re: Policy on Management of Confidential Information in Procedures Before the [Energy Bureau]*, CEPR-MI-2016-0009, August 31, 2016.



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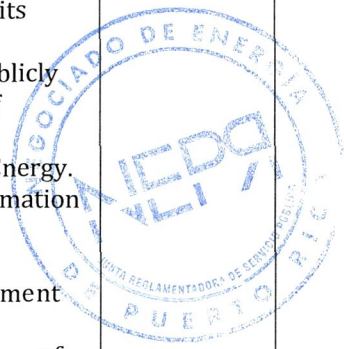
Document Name	Provided Designation	Cited Legal Basis	Justification Provided	Date Filed
			<p>industrial client. The information in Attachment I-1 is not publicly available and is of economic value to Crowley whose disclosure may affect Crowley's competitiveness.</p> <p>Attachment I-1 also contains Third Party Information regarding Crowley and its industrial client.</p>	
Attachment I-2: Power Purchase Agreement	Trade Secret; Third Party Information	Act 80-2011; Article 4 Act 122-2019	Document contains the agreed terms of service between Crowley Advanced Energy and one of its industrial clients. The information contained in Attachment I-2 is not publicly available and is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness. Attachment 1-2 also contains Third Party Information regarding Crowley Advanced Energy and its industrial client.	July 2, 2025
Attachment II-1: Form NEPR-B01, Personal Information	Third Party Information	Article 4 Act 122-2019	Document contains the personal information of Crowley Advanced Energy's board members, shareholders, principal executive officers, and its Authorized Representative. It also contains Crowley Advanced Energy's physical address.	July 2, 2025
Supplemental Attachment II-1: Crowley Advanced Energy's Board Members and Shareholders	Trade Secret; Third Party Information	Act 80-2011; Article 4 Act 122-2019	Document contains Crowley Advanced Energy's Board Members, Shareholders, including their personal information that is not publicly available, is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Attachment II-2: Form NEPR-B03, Operational Report	Third Party Information	Article 4 Act 122-2019	Document contains the personal information of Crowley Advanced Energy's Authorized Representative	July 2, 2025
Supplemental Attachment II-2, Annex 1: Demand Projection for first year of operation	Trade Secret	Act 80-2011	Document contains the estimated electric sales pursuant the terms of the PPAs. This information is not publicly available, is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Supplemental Attachment II-2, Annex 2: Rate and	Trade Secret	Act 80-2011	Document contains rates and charges information agreed with Crowley Advanced Energy's	July 2, 2025

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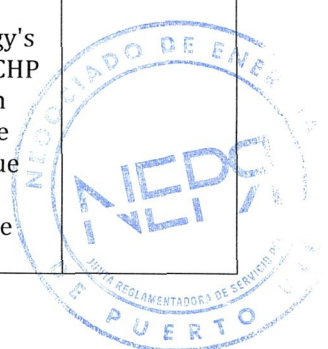
Document Name	Provided Designation	Cited Legal Basis	Justification Provided	Date Filed
Charges Information			industrial clients. This information is not publicly, available and is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	
Supplemental Attachment II-2, Annex 3: Projected Capital Investments	Trade Secret	Act 80-2011	Document contains Crowley Advanced Energy's projected investments, which reflects Crowley Advanced Energy's business strategy and the PPAs terms. Such information is not publicly available, is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Supplemental Attachment II-2, Annex 4: Credentials of Contracted Entities	Trade Sec ret	Act 80-2011	Document contains Crowley Advanced Energy's strategy to operate and manage the systems. Such information is not publicly available, is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Attachment II-3: Form NEPR-B04, Request for Certification	CEII Personal Information Trade Secret	Critical Infrastructures Protection Act of 2001; 18 CFR § 388.113; Article 4 Act 122-2019; Act 80-2011	Document contains the physical address of the places where service will be provided which is considered CEIL Document contains Crowley Advanced Energy's sales projections and a general description of its system assets. Such information is not publicly available and is of economic value to Crowley Advanced Energy. Disclosing such information may affect Crowley Advanced Energy's competitiveness. Document also contains the personal information of Crowley Advanced Energy's Authorized Representative	July 2, 2025
Supplemental Attachment II-3, Annex 2: CPA Certification and Audited Financial Statements	Personal Information Trade Secret	Article 4 Act 122-2019; Act 80-2011	Document contains Crowley Advanced Energy's financial information, which is personal in nature, is not publicly available, and is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Supplemental Attachment II-3, Annex 3: Human Resources Certification	Trade Secret	Act 80-2011	Document contains information regarding Crowley Advanced Energy's workforce projection and resources. This information	July 2, 2025

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Document Name	Provided Designation	Cited Legal Basis	Justification Provided	Date Filed
			reflects Crowley Advanced Energy's strategy to operate and to manage the systems. Such information is not publicly available, is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	
Supplemental Attachment II-3, Annex 4: Certification of Economic Capacity and Solvency	Personal Information Trade Secret	Article 4 Act 122-2019; Act 80-2011	Document contains Crowley Advanced Energy's financial information, which is personal in nature, is not publicly available, and is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Supplemental Attachment II-3, Annex 5: Generation System Description	CEII Trade Secret	Critical Infrastructures Protection Act of 2001; 18 CFR § 388.113; Act 80-2011	Document contains a detailed description of the generation assets to be used by Crowley Advanced Energy, including locations which is consider CEII. Information contained therein reflects Crowley Advanced Energy's strategy and approach to provide services in Puerto Rico, as well as its overall business strategies. Such information is not publicly available, is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Supplemental Attachment II-3, Annex 6 and Annex 7: Generator Specification Sheet	Trade Secret	Act 80-2011	Documents contain detailed description of the systems' generation assets, which is information regarding Crowley Advanced Energy's strategy to develop the systems. Such information is not publicly available and is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Supplemental Attachment II-3, Annex 8: Energy Recovery System Description and Specification Sheet	Trade Secret	Act 80-2011	Documents contain detailed description of the CHP system thermal assets, which is information regarding Crowley Advanced Energy's strategy to develop the CHP system. Such information is not publicly available and is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley	July 2, 2025

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Document Name	Provided Designation	Cited Legal Basis	Justification Provided	Date Filed
			Advanced Energy's competitiveness.	
Supplemental Attachment II-4: Permits, authorizations, and endorsements	Trade Secret	Act 80-2011	Document contains information regarding Crowley Advanced Energy's permitting process and strategy to develop its generation systems. Such information is not publicly available and is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025
Attachment III-1: Highly Efficient Generation Discussion	Trade Secret	Act 80-2011	Document contains detailed technical and operational descriptions of the generation assets to be used by Crowley Advanced Energy. Information contained therein reflects Crowley Advanced Energy's strategy and approach to provide services in Puerto Rico and its overall business strategies. Such information is not publicly available, is of economic value to Crowley Advanced Energy whose disclosure may affect Crowley Advanced Energy's competitiveness.	July 2, 2025

Crowley provided justifications for each document's confidentiality request, citing Section 6.15 of Act No. 57 of May 17, 2014, as amended, and Section 1.15 of Regulation No. 8701. In compliance with the August 31, 2016, Resolution in Case No. CEPR-MI-2016-0009, In Re: Policy on Management of Confidential Information in Procedures Before the Commission, as amended by September 20, 2016, Resolution on the same case ("August 31 Resolution"), Crowley filed both redacted and unredacted versions of these documents.

The Energy Bureau has reviewed the confidentiality requests, the justification provided, and the redacted versions of the documents.

Act 57-2014 establishes that any person having the obligation to submit information to the Energy Bureau may request that any information it is considered privileged or confidential be treated in such fashion.¹⁰ Specifically, Act 57-2014 requires the Energy Bureau to treat as confidential the information submitted provided that "after the appropriate evaluation, believes such information should be protected".¹¹ In such case, "the Energy Bureau shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted".¹²

Under Article 6.15 of Act 57-2014, the Energy Bureau **GRANTS** confidential treatment to all documents identified in Table 1 herein.

¹⁰ Section 6.15 of Act 57-2014, Rules of Confidentiality.

¹¹ *Id.* at (a).

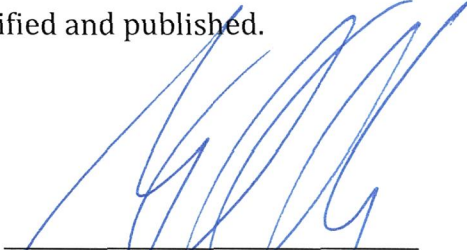
¹² *Id.*



III. Conclusion

After thorough evaluation of Crowley's July 2 Application, the Energy Bureau **APPROVES** Crowley's Request for Certification as an Electric Service Company and **APPROVES** Crowley's request for its systems to be certified as Highly Efficient Generation. The Energy Bureau **GRANTS** confidential treatment to all documents identified in Table 1 herein.

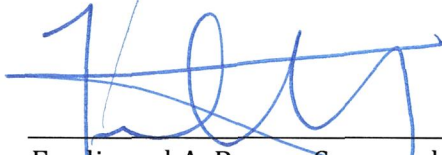
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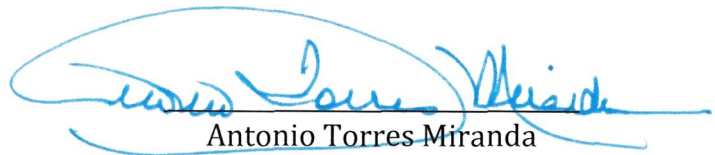
Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner

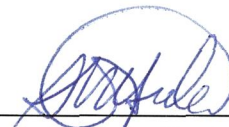


Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau agreed on August 7, 2025. Associate Commissioner Sylvia B. Ugarte Araujo did not intervene. I also certify that on August 7, 2025 a copy of this Resolution was notified by electronic mail to arrivera@nuenergypr.com. I also certify that on August 7, 2025, I have proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, on August 7, 2025.



Sonia M. Seda Gaztambide
Clerk

