

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

NEPR

Received:

Aug 8, 2025

10:00 AM

**IN RE:
LUMA’S ACCELERATED STORAGE
ADDITION PROGRAM**

CASE NO.: NEPR-MI-2024-0002

SUBJECT: Supplement to the August 5, 2025
Request

SUPPLEMENT TO REQUEST SUBMITTED ON AUGUST 5, 2025

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC (“ManagementCo”), and **LUMA Energy Servco, LLC** (“ServCo”) (jointly referred to as “LUMA”), through the undersigned counsel, and respectfully states and requests the following:

I. INTRODUCTION

1. On August 5, 2025, LUMA submitted a *Request for Approval of Standard Offer Phase 1 Agreement with Fifth Participant* (the “August 5th Motion”), through which LUMA sought the Energy Bureau’s approval of the fifth draft Standard Offer Phase 1 (“SO1”) Agreement under the Accelerated Storage Addition Program (“ASAP”). This agreement, negotiated with a new Independent Power Producer (“Fifth Participant”), builds upon the previously approved ASAP framework and aligns with Puerto Rico’s Integrated Resource Plan and energy public policy. LUMA emphasizes that this agreement is a key step in expanding battery energy storage systems across the island’s electric grid. The August 5th Motion includes both clean and redline versions of the draft agreement and requests that the Energy Bureau designate the documents as confidential due to their commercially sensitive and infrastructure-critical nature.

2. The August 5th Motion outlines the procedural history of the ASAP, including prior approvals of four SO1 agreements, and details the legal basis for requesting confidential treatment

of the attached exhibits. In the motion, LUMA argues that the draft agreement contains Critical Energy Infrastructure Information (CEII) and commercially sensitive data that, if disclosed, could compromise grid security and disrupt ongoing negotiations. The August 5th Motion cites applicable Puerto Rico and federal laws, including Act 57-2014,¹ Act 17-2019,² and Act 80-2011,³ to support its confidentiality request. LUMA respectfully asks the Energy Bureau to approve the draft SO1 Agreement with the Fifth Participant and to maintain the attached exhibits under seal.

3. LUMA hereby restates and incorporates by reference all statements, arguments, and exhibits contained in the August 5th Motion.

II. SUPPLEMENT TO THE AUGUST 5 MOTION AND REQUEST FOR CONFERENCE

4. LUMA is submitting as Exhibit 1 to this motion certain clarifications regarding the draft SO1 agreement with the Fifth Participant, which are also relevant to the overall implementation of the ASAP. These clarifications aim to enhance transparency and understanding of the evolving structure and operational considerations of the ASAP framework.

5. In light of the importance and complexity of these matters, LUMA respectfully requests the opportunity to present and discuss the above-stated clarifications in a closed technical conference with the Energy Bureau. LUMA believes that such a presentation would provide valuable feedback and guidance, and would facilitate live discussions regarding any concerns or outstanding issues that either LUMA or the Energy Bureau may have in connection with the draft agreement with the Fifth Participant or the ASAP more generally.

¹ “Puerto Rico Energy Transformation and RELIEF Act,” PR Laws Ann. Tit. 22 §§ 1051 – 1056 (2025), 22 L.P.R.A. §§ 1051 – 1056 (2025).

² “Puerto Rico Energy Public Policy Act,” PR Laws Ann. Tit. 22 §§ 1141 – 1141r (2025), 22 LPRA §§ 1141 – 1141r (2025).

³ “Puerto Rico Trade Secrets Act,” PR Laws Ann. Tit. 10 §§ 4131 – 4141 (2025) 10 L.P.R.A. §§ 4131 – 4141 (2025).

III. REQUEST FOR CONFIDENTIAL TREATMENT

6. LUMA hereby incorporates by reference all confidentiality arguments and legal authorities set forth in its August 5th Motion and respectfully submits that those arguments apply equally to Exhibit 1 submitted herein. As detailed in the prior motion, the information contained in Exhibit 1 includes CEII and commercially sensitive data that, if disclosed, could compromise the security and reliability of Puerto Rico's electric grid and adversely affect LUMA's competitive position. The legal basis for confidentiality includes Section 6.15 of Act 57-2014, Section 1.10(i) of Act 17-2019 and Act 80-2011, all of which recognize the need to safeguard trade secrets and infrastructure-critical information.

7. Factually, the information derives independent economic value from its secrecy, includes technical and operational details not available to the public, and has been subject to reasonable security measures. Accordingly, LUMA respectfully requests that the Energy Bureau designate Exhibit 1 as Valid Confidential Information and maintain it under seal.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **find** that Exhibit 1 constitutes Valid Confidential Information; **order** the Clerk of the Energy Bureau to maintain Exhibit 1 under seal of confidentiality; and **grant** LUMA's request for a closed technical conference.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on the 8th day of August 2025.

We hereby certify that this motion was filed using the electronic filing system of this Energy Bureau and we will send a courtesy copy of this motion to hriviera@jrsp.pr.gov, oramos@pmaalaw.com, and agraitfe@agraitlawpr.com.



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Exhibit 1

[Submitted under seal]