

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

IN RE: ELECTRIC SYSTEM PRIORITY STABILIZATION
PLAN

CASE NO.: NEPR-MI-2024-0005
SUBJECT: Directives regarding
PREPA's Proposed Contract Resulting
from Temporary Emergency Power
Generation.

NEPR

Received:

Aug 18, 2025

8:17 AM

**CONFIDENTIAL INFORMATIVE MOTION AND
REQUEST FOR CLARIFYING RESOLUTION**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU

COME NOW, Javelin Global Commodities US Holdings Inc. and its wholly owned subsidiary Global Power Solutions (PR) LLC (“Javelin”), through undersigned counsel, and respectfully submit this Confidential Informative Motion and Request for Clarifying Resolution:

I. Introduction and Relief Requested

In response to an acknowledged capacity shortfall and emergency conditions, the Puerto Rico Electric Power Authority (“PREPA”), acting through the Third-Party Procurement Office (“3PPO”), conducted a competitive procurement to secure up to 800 MW of temporary generation at the Aguirre and Costa Sur facilities. 3PPO disqualified five of the seven proposals on various grounds and advanced Javelin and Power Expectations (“PE”) to final negotiation stage. Several months later, after allowing PE time to modify and develop and alter its original proposal, PREPA presented the PE contract alone to the Honorable Puerto Rico Energy Bureau (the “Bureau”) for review. On July 4, 2025, the Bureau issued a Resolution and Order (the “July 4 R&O”), conditionally approving that particular proposed contract.

Following that contract-specific adjudication and without any instruction to that effect by the Bureau, the 3PPO determined that the July 4 R&O resulted in material changes to the procurement and canceled that solicitation. On July 15, 2025, the 3PPO issued its Request for Proposals 3PPO-0314-20-TPG2 and Javelin presented again a timely proposal thereunder.

On August 16, 2025, Javelin received a letter from the 3PPO (the “3PPO Letter”), which asserts [REDACTED]

[REDACTED]

[REDACTED]

However, the 3PPO Letter misinterprets [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Javelin respectfully submits this Confidential Informative Motion and Request for Clarifying Resolution to: ([REDACTED])

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Javelin further requests that confidential treatment be afforded to this motion and the attachments thereto. In accordance with Section 6.15 of Act 57-2014 and the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009 issued on August 31, 2016, as amended by the Resolution dated September 16, 2016 ("Policy on Management of Confidential Information"). Javelin hereby submits redacted and unredacted versions of this motion and its attachments. The confidential portions of this motion include communications that are the subject of ongoing negotiations and a Non-Disclosure Agreement (the "NDA"). Unauthorized disclosure of this material could adversely affect those negotiations and would contravene the terms of the NDA. Accordingly, Javelin respectfully requests that access to these materials be limited to authorized representatives who are bound by strict non-disclosure obligations, in accordance with applicable law and the Policy on the Management of Confidential Information.

Javelin respectfully informs the Honorable Energy Bureau that within the next ten (10) days, it will submit the corresponding Memorandum of Law in support of its request for confidential treatment of this motion and its attachments.

Further, Javelin respectfully requests that the Bureau direct the 3PPO and PREPA to continue evaluating the proposals presently before them in accordance with Regulation No. 8815 and Article 6.32 of Act 57-2014, to maintain a complete administrative record, and to submit to

the Bureau the most advantageous, commercially viable contract packages obtained from qualified proponents [REDACTED]

WHEREFORE, Javelin respectfully moves the Honorable Bureau to issue a clarifying Resolution and Order that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (3) grant confidential treatment to this motion and its attachments; and (4) grant Javelin ten days to submit a Memorandum of Law in support of its request for confidential treatment of the same.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on August 17, 2025.

WE HEREBY CERTIFY that this motion was filed using the Energy Bureau's electronic filing system and that electronic copies of this motion will be notified to the following via email:

arivera@gmlex.net; lrn@romannegron.com; legal@genera-pr.com;

RegulatoryPREBorders@lumapr.com; regulatory@genera-pr.com;

emmanuel.porrogonzalez@us.dlapiper.com; laura.rozas@us.dlapiper.com; and

margarita.mercado@us.dlapiper.com

McCONNELL VALDÉS LLC

Attorneys for Javelin Global Commodities US Holdings Inc.; and Global Power Solutions (PR) LLC

PO Box 364225

San Juan, Puerto Rico 00936-4225

270 Avenida Muñoz Rivera

Hato Rey, Puerto Rico 00918

Teléfono: (787) 759-9292

Telefax: (787) 759-8282

f/André J. Palerm Colón

André J. Palerm

apc@mcvpr.com

RUA 21196

ATTACHMENT 1

ATTACHMENT 2

