

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

**IN RE:** PUERTO RICO ELECTRIC POWER  
AUTHORITY RATE REVIEW

**CASE NO.:** NEPR-AP-2023-0003

**SUBJECT:** Hearing Examiner's Order on  
Confidentiality Matters

### **Hearing Examiner's Order on Confidentiality Matters**

This Order (1) informs parties about the release of confidential information from the July 3 Rate Application; (2) requires LUMA to file Confidential Exhibits 2.05 and 2.06 on the Accion Platform by 10am tomorrow; (3) clarifies the designation and handling of confidential information; and (4) schedules a Virtual Conference.

#### **Release of Confidential Information from the July 3 Rate Application**

I expect the Energy Bureau to issue a Resolution and Order shortly addressing the Bondholders' inquiry about the release of confidential information filed in the July 3 Rate Application. Immediately after the Bureau issues its Order, the Secretary, Sonia Seda, will send zip files containing the information to all parties that have properly executed the Non-Disclosure Agreement in this case.

#### **LUMA's Filing and New Confidentiality Designations on the Accion Platform**

This order requires LUMA to file Confidential Exhibits 2.05 and 2.06 today on the Accion Platform in response to NPFGC-of-LUMA-CAPEX-18.

In response to my order of August 15, 2025, Requiring Production of LUMA's Long Term Investment Plan, LUMA filed a Motion submitting the NFC Long Term Investment Plan ("LTIP") FY 2026-2035 Unconstrained (Exhibit 2.05) and Constrained (Exhibit 2.06) with the Energy Bureau. LUMA claims the documents include sensitive data related to LUMA's Information Technology ("IT"), Operational Technology ("OT"), and Cybersecurity programs and their implementation and filed them under seal of confidentiality. LUMA requested an additional 3 days to file public versions and requested 10 days to submit a memorandum of law in support of its request to file and maintain certain portions of LUMA's Exhibits 2.05 and 2.06 under seal of confidentiality.

At 5 pm today<sup>1</sup>, Accion will revise the Discovery Platform to clarify terminology regarding confidential documents consistent with the Energy Bureau's Policy Management of Confidential Information (CEPR-MI-2016-0009). When filing a confidential response on the Accion Platform users should identify the response as:

---

<sup>1</sup> The Accion Platform will be off-line briefly while the revision is made.

- **Confidential Critical Energy Infrastructure Information (“Confidential CEII”)**  
or
- **Confidential Trade Secret (“Confidential TS”).**

The Accion Platform will make information filed as Confidential CEII available to users who have a signed NDA on file.

The Accion Platform will make information filed as Confidential TS available to the Energy Bureau and its consultants.

The Accion Platform requires users to submit a redacted version at the same time as the Confidential version. I accept LUMA's request to file the public version on August 21, 2025. To enable filing the Confidential version on the Platform today, LUMA may submit a placeholder for the redacted version of the exhibits. LUMA shall file a supplemental response containing the redacted version no later than August 21, 2025.

#### **Virtual Conference Tomorrow**

If LUMA seeks Confidential TS designation, all parties are instructed to set aside availability for a Virtual Conference tomorrow, **Wednesday, August 20, 2025, at Noon AST**. LUMA must be prepared to describe its trade secret claims and explain any objections to releasing the full, unredacted documents to the other parties who have signed the Non-Disclosure Agreement (NDA). After that discussion, I will determine the deadline for the filing of the required Memorandum of Law.

Be notified and published.



---

Scott Hempling  
Hearing Examiner

## CERTIFICATION

I certify that the Hearing Examiner, Scott Hempling, has so established on August 19, 2025. I also certify that on August 19, 2025, I have proceeded with the filing of the Order , and a copy was notified by electronic mail to: mvalle@gmlex.net; arivera@gmlex.net; jmartinez@gmlex.net; jgonzalez@gmlex.net; nzayas@gmlex.net; katiuska.bolanos-lugo@us.dlapiper.com; Yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; carolyn.clarkin@us.dlapiper.com; andrea.chambers@us.dlapiper.com; sromero@sbgblaw.com; gcastroddad@sbgblaw.com; jfr@sbgblaw.com; regulatory@genera-pr.com; legal@genera-pr.com; mvazquez@vvlawpr.com; gvilanova@vvlawpr.com; ratecase@genera-pr.com; hriviera@jrsp.pr.gov; gerardo\_cosme@solartekpr.net; contratistas@jrsp.pr.gov; victorluisgonzalez@yahoo.com; Cfl@mcvpr.com; nancy@emmanuelli.law; jrinconlopez@guidhouse.com; Josh.Llamas@fticonsulting.com; Anu.Sen@fticonsulting.com; Ellen.Smith@fticonsulting.com; Intisarul.Islam@weil.com; kara.smith@weil.com; rafael.ortiz.mendoza@gmail.com; rolando@emmanuelli.law; monica@emmanuelli.law; cristian@emmanuelli.law; lgnq2021@gmail.com; jan.albinolopez@us.dlapiper.com; Rachel.Albanese@us.dlapiper.com; varoon.sachdev@whitecase.com; jdiaz@sbgblaw.com; javrua@sesapr.org; Brett.ingerman@us.dlapiper.com; agraitfe@agraitlawpr.com; jpouroman@outlook.com; epo@amgprlaw.com; loliver@amgprlaw.com; acasellas@amgprlaw.com; matt.barr@weil.com; Robert.berezin@weil.com; Gabriel.morgan@weil.com; corey.bradley@weil.com; lramos@ramoscruzlegal.com; tlauria@whitecase.com; gkurtz@whitecase.com; ccolumbres@whitecase.com; isaac.glassman@whitecase.com; tmacwright@whitecase.com; jcunningham@whitecase.com; mshepherd@whitecase.com; jgreen@whitecase.com; hburgos@cabprlaw.com; dperez@cabprlaw.com; howard.hawkins@cwt.com; mark.ellenberg@cwt.com; casey.servais@cwt.com; bill.natbony@cwt.com; zack.schrieber@cwt.com; thomas.curtin@cwt.com; escalera@reichardescalera.com; riverac@reichardescalera.com; susheelkirpalani@quinnemanuel.com; erickay@quinnemanuel.com; dmonserrate@msglawpr.com; fgierbolini@msglawpr.com; rschell@msglawpr.com; eric.brunstad@dechert.com; Stephen.zide@dechert.com; David.herman@dechert.com; Isaac.Stevens@dechert.com; James.Moser@dechert.com; Kayla.Yoon@dechert.com; Julia@londoneconomics.com; Brian@londoneconomics.com; luke@londoneconomics.com; juan@londoneconomics.com; mmc Gill@gibsondunn.com; LShelfer@gibsondunn.com; jnieves@cstlawpr.com; arrivera@nuenergypr.com; apc@mcvpr.com.

I sign this in San Juan, Puerto Rico, on August 19, 2025.



  
Sonia Seda Gaztambide