

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

NEPR

Received:

Aug 20, 2025

12:15 PM

IN RE:

**REVIEW OF LUMA'S INITIAL
BUDGET**

CASE NO.: NEPR-MI-2021-0004

SUBJECT: Motion to Submit Reports on Grid Modernization, Emergency Work-Related Federal Funding, and Maintenance and Repair Status in Compliance with Resolutions and Orders Dated June 25, 2023, and June 26, 2024.

**MOTION TO SUBMIT REPORTS ON GRID MODERNIZATION, EMERGENCY
WORK-RELATED FEDERAL FUNDING, AND MAINTENANCE AND REPAIR
STATUS IN COMPLIANCE WITH RESOLUTIONS AND ORDERS DATED
JUNE 25, 2023 AND JUNE 26, 2024**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC (“Genera”), as agent of the Puerto Rico Electric Power Authority (“PREPA”),¹ through its counsel of record, and respectfully state and request the following:

1. On June 25, 2023, the Puerto Rico Energy Bureau (“Energy Bureau” or “PREB”) issued a Resolution and Order titled *Determination on the FY24 Annual Budgets for the Electric Utility System – LUMA, Genera, and PREPA* (“June 25th Order”), through which it (1) modified the Proposed Consolidated FY2024 Budget; (2) approved the modified budgets subject to compliance with various orders included in the June 25th Order; and (3) included a series of determinations and orders addressed to Genera regarding the GenCo Budget.²

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority, Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

² See June 25th Order, pp. 16 - 21.

2. Pertinent to this Motion, the June 25th Order included reporting requirements outlined in its Attachment J, comprising but not limited to: (a) implementation of Grid Modernization Plan Report; and (b) permanent and Emergency Work-Related Federal Funding Report & Infrastructure Plan Updates.

3. On September 1, 2023, Genera filed a document titled *Motion to Submit Monthly Maintenance Report for August 2023, in Compliance with Resolution and Order dated June 25, 2023* (“September 1st Motion”). Relevant to this Motion, Genera requested modifications to the filing schedule for the following reports: (a) the Implementation of Grid Modernization Plan within twenty (20) days following the conclusion of each bi-monthly reporting period; and (b) the submission of the Permanent and Emergency Work-Related Federal Funding Report & Infrastructure Plan Updates within twenty (20) days after the end of the monthly reporting period.

4. On June 26, 2024, the Energy Bureau of the Puerto Rico Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order titled *Determination on the FY25 Annual Budgets for the electric utility* (“June 26th Resolution”), finding that the FY2025 Budgets filed by LUMA³, and modified by the June 26th Resolution, complied with Act 57-2014⁴ and the 2017 Rate Order⁵. Relevant to the instant Motion, in the June 26th Resolution, the Energy Bureau ordered Genera to:

“[s]ubmit monthly reports, beginning August 1, 2024, that show the status of the repairs and maintenance activities planned and underway. These reports shall include all maintenance/repair activities about the Aguirre, Costa Sur, San Juan, and Palo Seco power plants using the template given in **Attachment H** of the [June 26th Resolution]”

³ LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly referred to as “LUMA”).

⁴ Act No. 57 of May 27, 2014, as amended, also known as the "Puerto Rico Energy Transformation and RELIEF Act" ("Act 57-2014").

⁵ See Final Resolution and Order, *In Re: Puerto Rico Electric Power Authority Rate Review*, Case No. CEPR-AP-2015-0001, January 10, 2017 ("2017 Rate Order").

See, June 26th Resolution, p. 13.

5. Furthermore, in pertinent part to this Motion, the Energy Bureau stated that “**All existing reporting requirements remain in full force and effect.**” *See* June 26th Resolution, p. 24 (emphasis supplied).

6. On July 26, 2024, Genera filed a document titled *Motion to Clarify and Request Amendment to Cadence of Reporting Requirement under Resolution and Order Dated June 26, 2024* ("July 26th Motion"). In the July 26th Motion, Genera, among other things, requested that the Energy Bureau allow it to modify the reporting cadence of the maintenance and repair activities report for the Aguirre, Costa Sur, San Juan, and Palo Seco power plants (“Generation Maintenance and Repair Status Report”) and submit the report within the first twenty (20) days following the end of each month. This alignment would ensure that Genera maintains consistency in its reporting, avoids unnecessary duplication of effort, and facilitates a more efficient and effective compliance process.

7. In compliance with the June 25th Order and the June 26th Resolution, Genera hereby submits as ***Exhibit A*** to this Motion which consolidates and reflects in one spreadsheet both (1) the Generation Maintenance Report in alignment with *Attachment J* of the June 25th Order and (2) the Maintenance and Repair Status Report for the Aguirre, Costa Sur, San Juan, and Palo Seco Power Plants, in accordance with *Attachment H* of the June 26th Resolution. This report contains comprehensive information and updates for the period from July 1, 2023 to July 31, 2025, and meets the reporting requirements of the June 25th Order related to (a) Generation Maintenance and (b) the Permanent and Emergency Work-Related Federal Funding and Infrastructure Report.

8. Lastly, Genera hereby submits as ***Exhibit B*** to this Motion the Grid Modernization Highlights for the month ending July 31, 2025, fulfilling the reporting requirements of the Implementation of the Grid Modernization Plan as per the June 25th Order.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **DEEM** Genera in compliance with the *June 25th Order* and the *March 6th Order* concerning the reports specified in Attachment J, and with the *June 26th Resolution*, as it pertains to the report outlined in its Attachment H, both which are jointly presented in Exhibit A of the instant motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 20th day of August of 2025.

ECIJA SBGB
PO Box 363068
San Juan, Puerto Rico 00920
Tel. (787) 300.3200
Fax (787) 300.3208

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo
jfr@sbgblaw.com
TSPR 9,669

/s/ Stephen David Romero Valle
Stephen David Romero Valle
sromero@sbgblaw.com
RUA No. 21,881

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its electronic filing system and that I will send an electronic copy of this motion through counsels of record at: arivera@gmlex.net, nzayas@gmlex.net; yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; jan.albinolopez@us.dlapiper.com; julian.angladapagan@us.dlapiper.com; and hrivera@jrsp.pr.gov .

In San Juan, Puerto Rico, this 20th day of August 2025.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ Stephen David Romero Valle
Stephen David Romero Valle

Exhibit A

Generation Maintenance Report
and
Maintenance and Repair Status Report for Aguirre, Costa Sur, San Juan, and Palo Seco Power Plants
(Native file submitted via email)

Exhibit B

Grid Modernization Highlights

Accomplishments	Upcoming Actions and Activities
<ul style="list-style-type: none">▪ Generation Assets Repairs<ul style="list-style-type: none">▪ Palo Seco 4 – The unit has been out of service since August 8, 2023, due to a forced outage caused by generator failure. The rotor was received and was installed. The unit is expected to return to service in mid September 2025.▪ San Juan 7 – Currently undergoing major maintenance. The unit is expected to return to service in December 2025; extra work on turbine blades.▪ Aguirre 2 – The unit returned to service on June 19, 2025.▪ Costa Sur 5 – The unit returned to service in mid-May 2025.	<ul style="list-style-type: none">▪ San Juan TM 4 – The unit is currently undergoing scheduled major maintenance and is expected to return to service by the end of September 2025. Genera is in the process of procuring the parts.▪ San Juan TM 9 – The unit is out of service due to an output breaker failure. The return-to-service date is to be determined (TBD).
	Challenges, Shortfalls, Limitations or Constraints
High Priority Due Outs	<ul style="list-style-type: none">▪ Aguirre Combined Cycle<ul style="list-style-type: none">▪ Unit 1-3 – A major inspection and rotor installation are currently underway. The unit is expected to return to service by September 2025. This work is federally funded, and Genera has received approval for the change order to acquire the turbine casing.▪ Unit 2-3 – The inspection of the turbine has been completed. Damage to the turbine blades was identified, and repairs are recommended. Genera is currently developing the repair schedule.▪ Aguirre 1 – The unit experienced a catastrophic generator failure. Genera is in the process of removing the rotor, and inspections of both the stator and rotor are expected to be completed by the end of June 2026. Due to the long lead time for delivery of replacement parts, the unit is expected to remain out of service for approximately one additional year.
<ul style="list-style-type: none">▪ Aguirre CC Steam STAG 1- Work was performed in the HRSG, and ongoing work continues, including on the CCWP. MPT issues was performed to return the units online. The unit is expected to return to service by end of August.▪ Aguirre Combined Cycle 1-4 – Major inspection is currently underway. The unit was expected to return to service by September 1, 2025. Some turbine findings was reported and change order are needed to complete the repairs. The return-to-service date is to be determined (TBD).	

Grid Modernization Report

Legacy Generation Assets Status – July 31, 2025

UNIT	COD	USE	FUEL	NAMEPLATE CAPACITY (MW)	CURRENT CAPACITY	REPAIRS FUNDS SOURCE	EXPECTED COMPLETION DATE	NOTES
Aguirre 1	May-76	Base	Bunker C	450	0	Force Outage	Summer 2026	Generator Mayor Repair
Aguirre 2	Oct-75	Base	Bunker C	450	350	N/A	N/A	Limitations
Costa Sur 5	Sep-72	Base	LNG & Bunker C	410	390	NME	N/A	
Costa Sur 6	Sep-73	Base	LNG & Bunker C	410	360	N/A	N/A	Limitations
Palo Seco 3	Feb-70	Base	Bunker C	216	130	N/A	N/A	Limitations
Palo Seco 4	Jul-70	Base	Bunker C	216	0	NME	1-Sep	Forced Outage
San Juan 5	8-Oct	Base	LNG & Diesel	210	207	N/A	N/A	Major overhaul
San Juan 6	8-Oct	Base	LNG & Diesel	210	160	NME		Limitations STG 5
San Juan 7	May-68	Base	Bunker C	100	0	NME	1-Dec	Major overhaul
San Juan 9	Jun-88	Base	Bunker C	100	100	N/A	N/A	
ADGG GTG 1&2	Jul-77	Reserve	Diesel	592	247	N/A	N/A	Limitations
Cambalache	Apr-97	Reserve	Diesel	247	78	N/A	N/A	Limitations
Mayaguez	9-Apr	Reserve	Diesel	220	47	N/A	N/A	Limitations
Peakers Fleet	(M) 1971 & (3)/2019	Reserve	Diesel	396	172	N/A	N/A	Limitations
SJ & PS TM	24-Mar	Reserve	LNG & Diesel	340	340	N/A	N/A	S.JTM 4 MM & S.JTM 1 AM
TOTALS				4567MW	2581 MW			Available Capacity

Legend:

Unit under maintenance or repair

Unit in service with limited Capacity

Unit under normal operation