

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

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY RATE REVIEW

CASE NO.: NEPR-AP-2023-0003

SUBJECT: Conditional Acceptance of
Confidentiality Claims Filed by LUMA and
Genera.

RESOLUTION AND ORDER

I. Introduction and Procedural Background

On February 12, 2025, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order establishing the filing requirements and procedures for the rate review of PREPA ("February 12 Order").¹ The February 12 Order established procedures to balance the public's right to access information about utility rates with the legitimate need to protect certain sensitive business information.

On July 3, 2025, LUMA Energy, LLC and LUMA Energy ServCo, LLC (jointly, "LUMA") filed a document titled *Motion Submitting Rate Review Petition* in accordance with the Energy Bureau's requirements.² On that same date, LUMA filed two separate requests for
On July 10, 2025, LUMA submitted a document titled *Memorandum of Law in Support of Confidential Treatment of Portions of LUMA's Rate Review Petition*, providing the legal basis for its confidentiality claims, primarily citing the information as Critical Energy Infrastructure Information ("CEII").³

On July 11, 2025, Genera PR LLC ("Genera") filed a document titled *Informative Motion on Compliance with the Hearing Examiner's Orders Dated July 7 and July 10, 2025*, which contained a list of email addresses for Genera's witnesses.⁴ Genera stated its intent to file a memorandum of law to support keeping this information confidential.⁵ On July 21, 2025, Genera filed a document titled *Memorandum of Law in Support of Confidential Treatment*, arguing that the public disclosure of employee email addresses would expose them to cybersecurity threats and compromise their ability to protect sensitive information related to Critical Energy Infrastructure.⁵

On July 21, 2025, LUMA filed a *Memorandum of Law in Support of Confidential Treatment of LUMA's Witnesses' Email Addresses Submitted in Compliance with July 7th and 10th Orders*.⁶

II. Request for Confidential Designation

¹ See Resolution and Order, Case No. NEPR-AP-2023-0003, February 12, 2025.

² See Motion Submitting Rate Review Petition, Case No. NEPR-AP-2023-0003, July 3, 2025.

³ See Memorandum of Law in Support of Confidential Treatment of Portions of LUMA's Rate Review Petition, NEPR-AP-2023-0003, July 10, 2025.

⁴ See Informative Motion on Compliance with the Hearing Examiner's Orders Dated July 7 and July 10, 2025, NEPR-AP-2023-0003, July 11, 2025.

⁵ See Memorandum of Law in Support of Confidential Treatment of Genera's "Informative Motion in Compliance with the Hearing Examiner's Orders Dated July 7 and July 10, 2025" Filed on July 11, 2025, NEPR-AP-2023-0003, July 21, 2025.

⁶ See Memorandum of Law in Support of Confidential Treatment of LUMA's Witnesses' Email Addresses Submitted in Compliance with July 7th and 10th Orders, NEPR-AP-2023-0003, July 21, 2025.



In their requests, LUMA and Genera stated 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-2016-0009, *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").

The Energy Bureau's *Policy on Management of Confidential Information*, which the Energy Bureau established in Case No. CEPR-MI-2016-0009, sets forth the rules and procedures for handling confidentiality claims.⁷ The policy aims to balance the public's right to information with the need to protect sensitive business, security, and personal information. The Energy Bureau will analyze each of the confidentiality claims presented by LUMA and Genera under the established framework.

A. Critical Energy Infrastructure Information (CEII)

Federal regulations define CEII as "specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure" that could be useful in planning an attack and is otherwise exempt from mandatory disclosure.⁸ The Energy Bureau's policy allows parties' authorized representatives to access information validated as CEII only after executing a Non-Disclosure Agreement.⁹

LUMA seeks CEII protection for several documents, including program briefs on its OT Telecom Systems, IT/OT Cybersecurity, and Physical Security, as well as portions of testimony and responses to information requests.¹⁰ LUMA argues this information details system vulnerabilities, security protocols, and specific remediation plans which, if publicly disclosed, would expose the electric grid to heightened risks of sabotage and cyberattacks.

LUMA's arguments are consistent with the definition of CEII. Information regarding the specific vulnerabilities and security measures of the island's energy infrastructure is precisely the type of information the CEII designation is designed to protect.

Genera, however, seeks CEII protection for its witnesses' email addresses, arguing that these addresses are access points to its information systems and their disclosure could compromise the operation of Critical Energy Infrastructure.¹¹ The Energy Bureau does not find that an email address, in and of itself, constitutes CEII. While Genera's concern that email addresses can be a vector for cyberattacks is valid, the addresses themselves do not contain the specific engineering, vulnerability, or detailed design information that the CEII protection is intended to cover.

B. Trade Secret

Under Puerto Rico law, a trade secret is information that has independent economic value from not being generally known and for which reasonable security measures have been taken to maintain its confidentiality.¹² The Energy Bureau's policy dictates that information

⁷ See Resolution, *In re: Policy on Management of Confidential Information in Procedures Before the Commission*, CEPR-MI-2016-0009, August 31, 2016.

⁸ 18 C.F.R. § 388.113.

⁹ Resolution, CEPR-MI-2016-0009, at p. 4, August 31, 2016.

¹⁰ See *Memorandum of Law in Support of Confidential Treatment of Portions of LUMA's Rate Review Petition* at 17-18, NEPR-AP-2023-0003, July 10, 2025.

¹¹ See *Memorandum of Law in Support of Confidential Treatment of Genera's "Informative Motion in Compliance with the Hearing Examiner's Orders Dated July 7 and July 10, 2025"* Filed on July 11, 2025 at pp. 5-6, NEPR-AP-2023-0003, July 21, 2025.

¹² Act No. 80-2011, 10 L.P.R.A. §§ 4131-4144.



validated as a trade secret may only be accessed by the producing party and the Energy Bureau.¹³

Genera invokes trade secret protection, arguing that the public disclosure of its witnesses' email addresses could lead to cybersecurity breaches, which in turn could expose trade secrets stored in its information systems.¹⁴ While the email addresses themselves are not claimed as trade secrets, Genera posits that protecting them is a necessary security measure to prevent the unauthorized disclosure of commercially sensitive and proprietary information.

While the Energy Bureau recognizes the importance of safeguarding information systems that may contain trade secrets, an email address, in itself, does not constitute a trade secret under Act 80-2011 and, therefore, cannot be afforded protection on that basis. Genera's concerns regarding cybersecurity are valid, but are more appropriately addressed under the CEII and privacy frameworks discussed in other sections of this Order.

C. Attorney-Client Privilege

The attorney-client privilege protects confidential communications between an attorney and a client made for the purpose of obtaining legal advice.¹⁵

Genera argues that its witnesses' email addresses should be protected to prevent cybersecurity breaches that could lead to the unauthorized disclosure of privileged communications.⁶ The Energy Bureau does not find sufficient basis for this argument. While an email inbox may contain privileged communications, the email address itself does not constitute a privileged communication between an attorney and a client, and, therefore, cannot be afforded protection on that basis.

D. Personal Information and Privacy

The Constitution of the Commonwealth of Puerto Rico protects the right to privacy, which includes the right to control personal information.¹⁶ LUMA and Genera both request confidentiality for the list of their witnesses' email addresses, citing privacy concerns and security risks. LUMA argues for protection based on the fundamental right to privacy, while Genera frames the issue as a cybersecurity risk, arguing that public disclosure of emails could lead to phishing attacks and other breaches.

The Energy Bureau recognizes that certain protections may apply to personal email addresses under specific circumstances pursuant to the Constitution and the laws of Puerto Rico, although such protections are expected to be more limited when the email addresses at issue are business addresses used for professional purposes. However, in light of the protection that the Energy Bureau will afford in this proceeding to such email addresses, it is not necessary at this juncture to resolve whether a constitutional or statutory right extends to the business email addresses of the witnesses proposed by LUMA and Genera.

Public disclosure of employee email addresses could increase exposure to phishing, business email compromise, and other cybersecurity threats, which are well-documented risks in the energy sector. Therefore, given the particular circumstances of this case, the sensitivity of information associated with critical utility operations, and the fact that such information does not appear to be relevant or necessary for the parties, intervenors, or the public to properly address the matters related to this rate review proceeding, the Energy Bureau deems it appropriate to afford confidential treatment to employee email addresses in order to mitigate potential risks. This determination is not final, and the Energy Bureau may revisit the issue should a valid argument for disclosure be presented in the future

¹³ Resolution, CEPR-MI-2016-0009, at p. 4 (August 31, 2016).

¹⁴ See Memorandum of Law in Support of Confidential Treatment of Genera's "Informative Motion in Compliance with the Hearing Examiner's Orders Dated July 7 and July 10, 2025" Filed on July 11, 2025, NEPR-AP-2023-0003, July 21, 2025.

¹⁵ P.R. R. Evid. 503(b).

¹⁶ P.R. Const. art. II, §§ 8, 10.



The following tables below details the information to which LUMA requested confidential designation and treatment.

Table 1: Confidential Treatment of Portions of LUMA’s Rate Review Petition – July 3, 2025

Document Name	Confidential Portions	Legal Basis for Confidentiality	Date Filed
LUMA Exhibit 5.03 – OT Telecom Systems and Networks Program Brief (PBIT1) (FY2026)	<ul style="list-style-type: none">Fiscal Year Focus 2026-2028Program StatusActive GapsImpact of Constrained Budget	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 11.00 – Direct Testimony of Crystal Allen, IT OT Testimony	<ul style="list-style-type: none">Redacted portions	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 11.02 – IT OT Cybersecurity Program Brief (PBIT2) (FY2026)	<ul style="list-style-type: none">Fiscal Year Focus 2026-2028Program StatusActive Gaps	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 13.02 – Substation Physical Security Program Brief (PBUT18) (FY2026)	<ul style="list-style-type: none">Fiscal Year Focus 2026-2028Program StatusActive GapsImpact of Constrained Budget	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 13.03 – Regional Operations Facilities Physical Security Program Brief (PBUT19) (FY2026)	<ul style="list-style-type: none">Fiscal Year Focus 2026-2028Program StatusActive GapsImpact of Constrained Budget	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 13.04 – Response to November 8, 2024 Requests, Exhibit 1, ROI-LUMA-MI-2020-0018-20241108-PREB-005_Attachment20; and ROI- LUMA-MI-2020-0018-20241108-PREB-005_Attachment21 (Dec. 16, 2024)	<ul style="list-style-type: none">Whole document(s).	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025

Table 2: Confidential Treatment of Portions of LUMA’s Response to Requests of Information issued on March 24,2025 - July 3, 2025

Document Name	Confidential Portions	Legal Basis for Confidentiality	Date Filed
Transmission Lines Steel Poles Specifications – 115 & 230kV LUMA RFI 75 233-269	LUMA RFI 75 235-257; 259-260; 262-269	Trade Secret, Act 80-2011, 10 LPRA §§ 4131-4144	July 3 rd , 2025



Document Name	Confidential Portions	Legal Basis for Confidentiality	Date Filed
Electronic correspondence exchanged between LUMA personnel and LUMA’s external counsel LUMA RFI 75 691	Whole document	Attorney-Client Privilege, Rule 503(b) of the Rules of Evidence of Puerto Rico, 32 LPRA Ap. VI, R. 503(b).	July 3 rd , 2025
LUMA’s Response to ROI No. 75 LUMA RFI 75 1 – 46860	The names, signatures, and/or roles of individuals who are/were LUMA employees, as well as Employer Identification Numbers (EIN) and Tax Identification Numbers (TIN) of third parties, can be found all throughout LUMA’s Response to ROI No. 75.	Personal Information, Const. ELA, Art. II, Sections 8 and 10	July 3 rd , 2025
2023-L00027_Amendment_Release 10_TO CSA_Substation Esc Ind Miguel Such 1423_2023121914320509 5 LUMA RFI 75 18350 – 18369	LUMA RFI 75 18357 - 18360	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
2023-L00027_Amendment_Release 11_TO CSA_Substation Puerto Nuevo 1520_2023121914331096 1 LUMA RFI 75 18370 - 18391	LUMA RFI 75 18386 - 18389	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
2023-L00027_Amendment_Release 12_TO CSA_Substation Crematorio 1512_2023121914341672 3 LUMA RFI 75 18391 – 18411	LUMA RFI 75 18406 - 18409	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025



2023- L00027_Amendment_Release 13_TO CSA_Substation Condado 1133_2023121914351124 0 LUMA RFI 75 18412 - 18427	LUMA RFI 75 18420 - 18423	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470- 13_Task Order_Change Order- Condado 1133 (Metaclad) LUMA RFI 75 18585 - 18599	LUMA RFI 75 18592 - 18595	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-13_Task Order_Change Order- Condado 1133 (Metaclad)12.30.23 LUMA RFI 75 18600 - 18617	LUMA RFI 75 18609 - 18612	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-27_Change Order 01_Caguas STG 5 Dist Feeder 3502- 02 LUMA RFI 75 18716 - 18748	LUMA RFI 75 18723, 18731	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-27_Change Order 02_Caguas STG 5 Dist Feeder 3502- 02 LUMA RFI 75 18749 - 18770	LUMA RFI 75 18763	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-27_Task Order Caguas Short Term Group 5 LUMA RFI 75 18808 - 18814	LUMA RFI 75 18809 -18810	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-30_Task Order Substation Minor Repairs Group F LUMA RFI 75 18824 - 18832	LUMA RFI 75 18825 - 18826	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025



CSA Architects & Engineers LLP_2023- L00027_95470-31_Task Order_Substation Minor Repairs Group G LUMA RFI 75 18833 - 18842	LUMA RFI 75 18834 - 18836	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-33 Task Order TL 500 Ponce TC to Costa Sur SP 38kV LUMA RFI 75 18850 - 18858	LUMA RFI 75 18852 - 18853	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-34 Unibon 9501 Substation Revised LUMA RFI 75 18859 - 18868	LUMA RFI 75 18860 - 18862	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-35_Task Order Monterrey 9502 & 9503 LUMA RFI 75 18869 - 18878	LUMA RFI 75 18870 - 18872	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-36 Task Order San Jose Substation Relocation LUMA RFI 75 18879 - 18921	LUMA RFI 75 18880-18883, 18894-18896, 18916-18917	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-38_TL 36200 Monacillos TC to Juncos TC LUMA RFI 75 18922 - 18963	LUMA RFI 75 18923-18924, 18933-18934, 18948	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
TECH_Exhibit_G-01.05-Arecibo_Region_Meter_Locations_183353_WM LUMA RFI 75 46822	Whole Excel Document	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025



TECH_Exhibit_G-01.06- Bayamon_Region_Meter_L ocations_183353_WM LUMA RFI 75 46823	Whole Excel Document	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
TECH_Exhibit_G-01.07- Caguas_Region_Meter_Lo cations_183353_WM LUMA RFI 75 46824	Whole Excel Document	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
TECH_Exhibit_G-01.08- Mayaguez_Region_Meter_Loc ations_183353_WM LUMA RFI 75 46825	Whole Excel Document	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
CSA Architects & Engineers LLP_2023- L00027_95470-35_Task Order Monterrey 9502 & 9503 LUMA RFI 75 18869 - 18878	LUMA RFI 75 18870 - 18872	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
TECH_Exhibit_G-01.09- Ponce_Region_Meter_L ocations_183353_WM LUMA RFI 75 46826	Whole Excel Document	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025
TECH_Exhibit_G-01.10- San_Juan_Region_Meter_Loc ations_183353_WM LUMA RFI 75 46827	Whole Excel Document	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671- 674	July 3 rd , 2025

Table 3: Memorandum of Law in Support of Confidential Treatment of Portions of LUMA’s Rate Review Petition - July 10, 2025

Document Name	Confidential Portions	Legal Basis for Confidentiality	Date Filed
LUMA Exhibit 5.03 – OT Telecom Systems and Networks Program Brief (PBIT1) (FY2026)	<ul style="list-style-type: none">Fiscal Year Focus 2026-2028Program StatusActive GapsImpact of Constrained Budget	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 11.00 – Direct Testimony of Crystal Allen, IT OT Testimony	<ul style="list-style-type: none">Lines (“ll.”) 150-165; 227-248; 288-292; 295-302; 370-371; 439; 440; 453; 454; 455; 461; 463; 471; 473; 480; 482; 486; 488; 492; 494; 498; 499-504; 527; 528; 582-621; 624-629; 632-636; 645-647;	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025



Document Name	Confidential Portions	Legal Basis for Confidentiality	Date Filed
	649; 668-672; 674-675; 690-699; 707-715; 726-731; 735-739; 743-747; 750-755; 758-760; 763-766; 773-776; 781-783; 790-793; 827; 853-855; 870; 871; 875-877; 893-895; 948-949; 989-993; 1008; 1014-1016; 1050-1062; 1160; 1166; 1173-1176; 1179-1183; 1188-1191; 1196-1199; 1206-1210; 1211-1213; 1216. <ul style="list-style-type: none">• Table 1• Table 3 (except Totals)• Table 4 (except Total)• Table 5 (except Totals)• Table 6 (except Totals)		
LUMA Exhibit 11.02 – IT OT Cybersecurity Program Brief (PBIT2) (FY2026)	<ul style="list-style-type: none">• Fiscal Year Focus 2026-2028• Program Status• Active Gaps	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 13.02 – Regional Operations Facilities Physical Security Program Brief (PBUT19) (FY2026)	<ul style="list-style-type: none">• Fiscal Year Focus 2026-2028• Program Status• Active Gaps• Impact of Constrained Budget	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025
LUMA Exhibit 13.03 – Response to November 8, 2024 Requests, Exhibit 1, ROI-LUMA-MI-2020-0018-20241108-PREB-005_Attachment20; and ROI-LUMA-MI-2020-0018-20241108-PREB-005_Attachment21 (Dec. 16, 2024)	Whole Document(s).	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674	July 3 rd , 2025

The following tables below details the information to which Genera requested confidential designation and treatment.

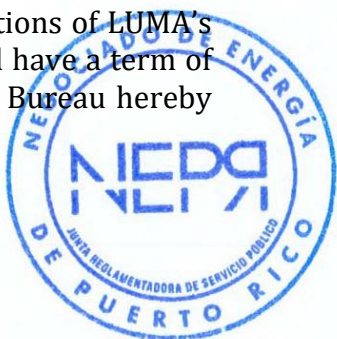


Table 4: Genera Memorandum of Law in Support of Confidential Treatment of Informative Motion filed July 11, 2025- July 21, 2025

Document Name and File Date	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidential Designation, if applicable	Summary of why each claim or designation conforms to the applicable legal basis for confidentiality
<div>one</div> <div>Jim</div> <div>7/11/25</div> <div>Shon</div> <div>"Informative Motion on Compliance with the Hearing Examiner's Orders Dated July 7 and July 10, 2025" filed by Genera on July 11, 2025.</div>	N/A	<p>Disclosure would compromise data security duties imposed to the Operator per Section 1.3 of the LGA OMA. Hence, disclosure of said officer's email addresses would compromise the Operator's information systems and email servers, posing a direct threat of divulging information that could compromise operations and physical security of Critical Energy Infrastructure.</p> <p>Disclosure would expose nonpublic information, commercially sensitive information, proprietary information, documents and emails that contain privileged attorney-client communications, trade secrets, personally identifiable information, and Facility Information, Owner Personal Information, and Owner Intellectual Property (the last three as defined in Section 1.1 of the LGA OMA).</p>	<p>Public disclosure of internal email addresses poses a direct risk of phishing, spoofing, or other cybersecurity breaches that could compromise the operations and maintenance services of Critical Energy Infrastructure, as well as expose the individuals, organization and national power grid to cybersecurity threats. Section 13.3 of the LGA OMA ("Data Security") requires Operator comply and implement reasonable safeguards regarding data security, cybersecurity and information security with regards to Facility Information and Information Systems. The need to mitigate and prevent cyberattacks directed towards the listed officers email addresses that could hack into the Operator's information systems and emails, and retrieve and disclose Facility Information, Owner Personal Information, and Owner Intellectual Property, as defined in Section 1.1 of the LGA OMA. Also, the risk of-and need to prevent-disclosure of nonpublic, critical energy infrastructure information, commercially sensitive information, proprietary information, or documents and emails that contain privileged attorney-client communications, trade secrets, and personally identifiable information.</p>

The Energy Bureau’s Policy on Management of Confidential Information requires that a party seeking confidential treatment for a document must file both a complete, unredacted version and a redacted, public version. The filing is not considered complete until both versions are submitted. In their respective filings, both LUMA and Genera have complied with this requirement on all items except for Table 2, Confidential Treatment of Portions of LUMA’s Response to Requests of Information issued on March 24,2025 - July 3, 2025.




Accordingly, the Energy Bureau **ORDERS** LUMA to file the complete, unredacted versions of all documents listed in its July 3, 2025 ROI Confidentiality Request for Portions of LUMA’s Response to Requests of Information issued on March 24,2025. LUMA shall have a term of ten (10) days from the date of notice of this Order to comply. The Energy Bureau hereby defers its ruling on these specific claims pending LUMA’s compliance.




III. Access to Confidential Information by Intervenors and Participants

In recognition that this proceeding may involve the disclosure of confidential, proprietary, and commercially sensitive information that requires protection from unauthorized disclosure, and consistent with the confidentiality procedures that the February 12 Order established and the Energy Bureau's Policy on Management of Confidential Information, CEPR-MI-2016-0009, as amended, the Energy Bureau hereby establishes that any intervenor, participant, or other party who seeks access to information that the Energy Bureau has designated as confidential must, as a prerequisite to such access, execute a Non-Disclosure Agreement ("NDA") in the form that this Energy Bureau prescribes and in accordance with the Policy on Confidential Information. The Energy Bureau shall not grant any person access to confidential information without that person first executing the required NDA and receiving approval from the Energy Bureau.

The Energy Bureau will grant access according to the type of confidential information:

- 
- **Critical Energy Infrastructure Information (CEII):** Authorized representatives who have signed the Non-Disclosure Agreement may view documents designated as CEII.¹⁷
 - **Trade Secret Information:** Information validated as a trade secret may only be accessed by the producing party and the Energy Bureau, unless otherwise determined by the Energy Bureau or a competent court.¹⁸
 - **Attorney-Client Privilege:** Information validated as protected by the attorney-client privilege will not be made available to any other party, the Energy Bureau, or the general public.¹⁹
 - **Personal Information and Privacy:** Authorized representatives who have signed the Non-Disclosure Agreement may view information validated as private under privacy provisions.
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The information pertaining to the email addresses of LUMA and Genera witnesses, having been granted confidential treatment, shall not be publicly disclosed. This information will be shared exclusively with those intervenors and participants in the case who have signed a Non-Disclosure Agreement and who shall take all necessary protective measures to safeguard it.

IV. Conditional Acceptance of Discovery Confidentiality Claims

The Energy Bureau **CONDITIONALLY ACCEPTS** any confidentiality claims that parties make during the discovery process to facilitate the timely exchange of information. However, this conditional acceptance does not relieve the claiming party of its obligation to fully comply with the requirements for petitioning for confidentiality that the Energy Bureau establishes in its *Policy on Management of Confidential Information*. The Energy Bureau will make final determinations on the merits of any and all confidentiality claims prior to issuing the Final Order in this proceeding. Until that final determination, everyone must treat items labeled confidential as if the Energy Bureau had determined that they were confidential.

Furthermore, the Energy Bureau **REMINDS** all parties that they must execute a Non-Disclosure Agreement before accessing any information that the Energy Bureau treats, conditionally or permanently, as confidential. **Each individual** who will access confidential information, not merely a single representative on behalf of an entity, must sign and file a Non-Disclosure Agreement with the Energy Bureau.

¹⁷ Resolution, CEPR-MI-2016-0009, at p. 4, August 31, 2016.

¹⁸ *Id.*

¹⁹ *Id.* at 5.



V. Conclusion

Upon review LUMA's and Genera's confidentiality requests and the justifications provided, the Energy Bureau hereby **GRANTS** the following requests for confidential treatment: (i) LUMA's request for information designated as Critical Energy Infrastructure Information (CEII), as identified in its filings of July 3 for portions of LUMA's Rate Review Petition, and July 10, 2025; and (ii) the requests from both LUMA and Genera for their respective witnesses' email addresses.

The Energy Bureau **DEFERS** ruling on all confidentiality claims made by LUMA in its *Request for Confidential Treatment of Portions of LUMA's Response to Requests of Information Issued on March 24, 2025*, pending LUMA's submission of the unredacted documents as ordered herein.

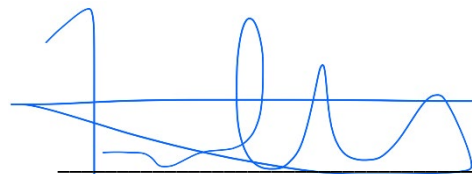
The Energy Bureau **REMINDS** LUMA and Genera that this confidential designation does not exempt the company from providing any information required by the Energy Bureau during the discharge of its regulatory duties.

The Energy Bureau **WARNS** LUMA and Genera that, in accordance Art. 6.36 of Act 57-2014:²⁰

- (i) noncompliance with this Resolution and Order, regulations and/or applicable laws may carry the imposition of fines and administrative sanctions from ten thousand dollars (\$10,000) up to one hundred twenty-five thousand dollars (\$125,000) per day; and
- (ii) for any recurrence of non-compliance or violation, the established penalty shall increase to a fine of not less than fifteen thousand dollars (\$15,000) nor greater than two hundred fifty thousand dollars (\$250,000), at the discretion of the Energy Bureau.

Be it notified and published.


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner


Sylvia Ugarte Araujo
Associate Commissioner


Antonio Torres Miranda
Associate Commissioner

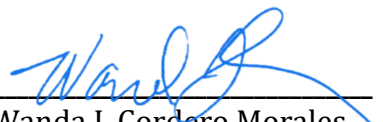
²⁰ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended ("Act 57-2014").



CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on August 22, 2025. Chairman Edison Avilés Deliz was not available. I also certify that on August 22, 2025 I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau, and a copy of this Resolution and Order 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; gcastrodad@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.brady@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; mmcgill@gibsondunn.com; LShelfer@gibsondunn.com; jnieves@cstlawpr.com; arrivera@nuenergypr.com; apc@mcvpr.com.

For the record, I sign this in San Juan, Puerto Rico, today August 22, 2025.


Wanda I. Cordero Morales
Interim Clerk

