

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

NEPR

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**IN RE:** REQUEST FOR CERTIFICATION  
OF ENEL X ARECIBO, LLC

**CASE NO:** NEPR-CT-2023-0006

**SUBJECT:** Financial Statements

**MOTION IN COMPLIANCE WITH AUGUST 20 RESOLUTION AND ORDER AND  
REQUEST FOR CONFIDENTIAL TREATMENT OF FINANCIAL STATEMENTS**

**TO THE HONORABLE ENERGY BUREAU:**

**COMES NOW**, Calibrant Arecibo LLC (formerly Enel X Arecibo, LLC), represented by the undersigned legal counsel, and respectfully submits the following:

1. On April 7, 2025, Enel X Arecibo, LLC filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled Motion to Request Confidential Treatment of Operational Report ("April 7 Motion"), wherein Enel X requested from the Energy Bureau to take notice of the following: "that it has recently undergone a change in control in which has led to the corporate entity's name to be changed from Enel X to Calibrant Arecibo, LLC ("Calibrant")."
2. On April 30, 2025, Calibrant submitted its *Motion to Request Extension of Time*, whereby Calibrant requested an extension until August 15, 2025 to submit its financial statements for fiscal year 2024 ("FY2024").
3. On June 16, 2025, the Bureau issued a Resolution and Order ("June 16 R&O") granting Calibrant's request for an extension.
4. On August 15, 2025, Calibrant submitted its *Motion in Compliance with June 16 Resolution and Order and Request for Confidential Treatment of Financial Statements*

(the “August 15 Motion”) whereby it respectfully submitted its audited financial statements for FY2024

5. On August 20, 2025, the Energy Bureau issued a Resolution and Order (the “August 20 R&O”) requesting that Calibrant include language in its submission of the compiled financial statements attesting they were signed and certified by a CPA

6. Calibrant hereby complies with the August 20 R&O by including language in the compiled financial statements attesting it was prepared by a CPA (**Attachment 1**) and including the CPA’s license (**Attachment 2**).

7. Calibrant requests that confidential treatment be afforded to this motion and its corresponding attachments. Section 6.15 of Act No. 57 of May 17, 2014, as amended, 22 L.P.R.A. § 1054n, provides:

If any person who is required to submit information to the Energy [Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the [Bureau] to treat such information as such, subject to the following:

(a) If the Energy [Bureau], after the appropriate evaluation, believes such information should be protected, it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted.

(b) To such purposes, the Energy [Bureau] shall provide access to the document or the privileged portion of the document only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.

(c) The Energy [Bureau] shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the Energy [Bureau] who needs to know such information

under nondisclosure agreements. However, the Energy [Bureau] shall direct that a non-confidential copy be furnished for public review.

(d) The Energy [Bureau] shall swiftly act on any privilege and confidentiality claim made by a person subject to its jurisdiction by means of a resolution to such purposes before any allegedly confidential information is disclosed.

8. In turn, Section 1.15 of *Amendment to Regulation No. 8618 on Certification, Annual Fees, and Operational Plans for Electric Service Companies in Puerto Rico, Regulation 8701 of the 17th of February 2016*, as amended ("Regulation 8701"), provides that when a person who is required to submit information to the Energy Bureau considers such information to be privileged or confidential, the person shall identify the information it deems privileged or confidential, request the Energy Bureau to protect such information, and present arguments supporting the privilege or confidentiality claim. The Energy Bureau shall evaluate the petition and, if it concludes the information merits protection, it shall proceed pursuant to Section 6.15 of Act No. 57.

9. Calibrant respectfully requests that all the information contained in the attachments hereto be kept confidential in accordance with Section 1.15 of Regulation 8701. In compliance with the process to designate confidential information, Calibrant hereby includes redacted and unredacted versions of the document for which confidential treatment is sought.

Document Name	Page	Date	Legal Basis	Discussion
<b>Calibrant Arecibo LLC 2024 Financial Statements (Attachment 1)</b>	Totality of Attachment 1	8/25/25	<ul style="list-style-type: none"><li>Act No. 57-2014, § 6.15</li><li>Regulation 8701, § 1.15</li></ul>	This document contains sensitive information which should not be available to the public. The disclosure of this

Document Name	Page	Date	Legal Basis	Discussion
				information would place Calibrant at a competitive disadvantage with respect to other market participants and cause it economic harm.
<b>CPA License (Attachment 2)</b>	Totality of Attachment 2	8/25/25	<ul style="list-style-type: none"> <li>• Act No. 57-2014, § 6.15</li> <li>• Regulation 8701, § 1.15</li> </ul>	This document contains sensitive personal information which should not be available to the public.

10. Calibrant respectfully requests that this Honorable Energy Bureau only grant access to said information to internal Energy Bureau personnel, counsel, and consultants subject to the execution of a confidentiality agreement.

**WHEREFORE**, Calibrant Arecibo, LLC respectfully requests that the Honorable Energy Bureau take notice of its submission, deem it in compliance with Section 4.02 of Regulation 8701 and the August 20 R&O, and afford confidential treatment to this motion and its accompanying attachments.

Respectfully submitted on August 25, 2025.

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# **ATTACHMENT 1**













# **ATTACHMENT 2**

