

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

IN RE: REVIEW OF LUMA’S MODEL BILL

CASE NO.: NEPR-MI-2021-0008

SUBJECT: Resolution and Order for Motion in Compliance with Order Entered on August 13, 2025, and Amending Model Bill Proposal.

RESOLUTION AND ORDER

I. Procedural Background

On November 16, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“November 16 Resolution”) approving LUMA¹’s Model Bill (“Model Bill”). Furthermore, the Energy Bureau ordered LUMA to submit any future proposed change to said Model Bill before the Energy Bureau for evaluation and approval before its implementation.

On July 31, 2025, the Energy Bureau issued its Resolution and Order establishing the Fiscal Year 2026 Provisional Rates and Fiscal Year 2026 Provisional Budget (“July 31 Provisional Rate Order”).² This order addressed the application for provisional rates that LUMA submitted on July 3, 2025, on behalf of itself, Genera PR LLC (“Genera”), and the Puerto Rico Electric Power Authority (“PREPA”). The July 31 Provisional Rate Order approved two provisional riders that constitute the provisional rate rider and the pension payments rider and ordered LUMA to commence collection on September 1, 2025, extending the provisional rate rider for ten months or until the Energy Bureau approves the permanent rate. The pension payment rider shall be maintained until the Energy Bureau decides otherwise.

On August 12, 2025, LUMA submitted a document titled *Amendment of Model Bill to Implement Provisional Rate Riders Approved on July 31, 2025* (“August 12 Request”)³, through which LUMA sought authorization to amend its Model Bill to include two new line items for the provisional rate rider and pension payment rider recently approved by the Energy Bureau. The revision would allow LUMA to commence collection of these riders by September 1, 2025, in accordance with the Energy Bureau’s directives.

On August 13, 2025, the Energy Bureau issued a Resolution and Order (“August 13 Order”), through which, the Energy Bureau reviewed LUMA’s proposed two line-items to the Model Bill and mandated LUMA to incorporate specific language nomenclature for the two provisional rate riders.⁴

On August 20, 2025, LUMA submitted a document titled *Motion in Compliance with Order Entered on August 13, 2025, and Amending Model Bill Proposal* (“August 20 Motion”). LUMA’s motion is accompanied by a revised version of the Model Bill, included as Exhibit 1, which allegedly incorporates the wording nomenclature ordered by the Energy Bureau in its August 13 Order.

¹ LUMA Energy LLC and LUMA Energy ServCo LLC (jointly referred as “LUMA”).

² Case No. NEPR-AP-2023-0003, Resolution and Order, July 31, 2025.

³ *Request for Approval of Revisions to LUMA Model Bill to Incorporate Provisional Riders Approved on July 31, 2025* (Aug. 12, 2025).

⁴ August 13 Order, p. 2.



On August 21, 2025, LUMA filed a document titled *Motion Submitting Revised Version of Model Bill in Compliance with August 13th Order* ("August 21 Motion"), in which LUMA once again changes the nomenclature of the Riders presented as Exhibit 1.

On August 25, 2025, the Energy Bureau issued a Resolution and Order ("August 25 Order"), through which, the Energy Bureau addressed LUMA's August 20 and August 21 Motions and determined to simplify the nomenclature for the two provisional rate riders.⁵ The Energy Bureau ordered LUMA to submit within three to five business days, a compliance filing incorporating the simplified nomenclature into the model bill and commence collection of the provisional rates for all billing cycles beginning on or after September 1, 2025.

On August 29, 2025, LUMA filed a document titled *Motion in Compliance with Order Entered on August 13, 2025, and Amending Model Bill Proposal* ("August 29 Motion"), in which, LUMA revised the Exhibit 1 submitted to align the nomenclature of the two provisional rate riders with the August 25 Order, in both English and Spanish versions of the bill. LUMA also informs the Energy Bureau that any changes moving forward will have to be implemented for the October 2025 billing cycle.

On the evening of August 29, 2025, LUMA filed a document titled *Motion to Submit Corrected Exhibit 1 to Motion in Compliance with Order Entered on August 13, 2025, and Amending Model Bill Proposal* ("August 29 Corrected Motion"). LUMA's motion explained they noticed a formatting error in the Exhibit 1 previously submitted which resulted in the inability to view some of the text in the Spanish version of the proposed model bill and requests the Energy Bureau to accept the corrected Exhibit 1 here presented.

I. Discussion and Conclusion

The Energy Bureau **TAKES NOTICE** of LUMA's August 29 Motion and August 29 Corrected Motion. Upon review, the Energy Bureau **APPROVES** the nomenclature for the two provisional rate riders presented in the amended model bill of Exhibit 1.

In the August 29 Motion, LUMA notifies in footnote 3 of Exhibit 1 that, given the limited timeframe their vendors had for the billing system configuration, by inadvertent error, the Spanish version of the "Cláusula Provisional – Ajuste Provisional" was configured to read as follows: "Cláusula Provisional – Ajuste Provisional" which capitalizes the first letter of the word "provisional". However, LUMA informs that this is consistent with the English version "Rider Provisional – Provisional Adjustment" in which this word is capitalized. LUMA then states that if the Energy Bureau understands that the capitalized letter in question should be changed, to allow LUMA to make this change for the October billing cycle.

The Energy Bureau had previously stressed the importance of having the two provisional riders that constitute the provisional rate rider and the pension payments rider be reflected in customer bills sent in billing cycles starting September 1, 2025.⁶ The Energy Bureau agrees with LUMA that the capitalized letter issue is a non-substantive matter and should not affect with issuing the bills starting on September 1, 2025.

The Energy Bureau **WARNS** LUMA that, in accordance Art. 6.36 of Act 57-2014:⁷

- (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

⁵ August 25 Order, p. 2.

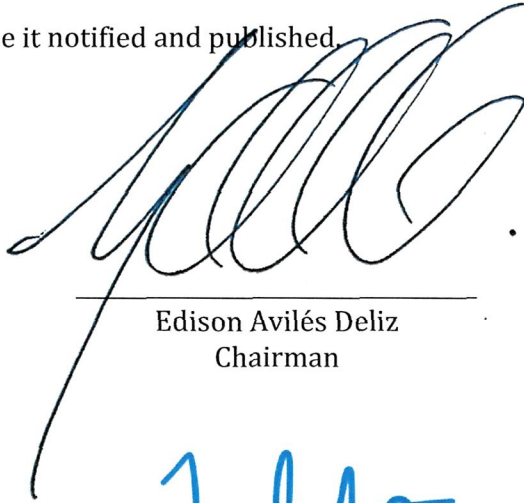
⁶ Case No. NEPR-AP-2023-0003, Resolution and Order, July 31, 2025, p. 2.

⁷ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended ("Act 57-2014").



- (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.

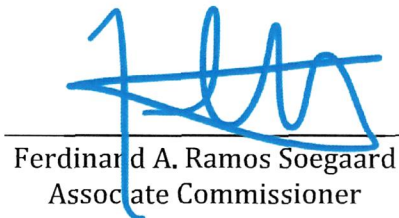
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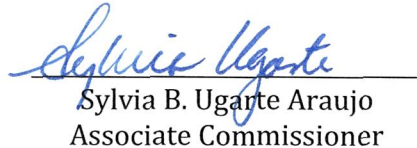
Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinard A. Ramos Soegaard
Associate Commissioner



Sylvia B. Ugarte Araujo
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on September 3, 2025. Associate Commissioner Antonio Torres Miranda did not intervene. I also certify that on September 3, 2025 I have proceeded with the filing of the Resolution and Order and a copy of this Resolution and Order was notified by electronic mail to RegulatoryPREBorders@lumapr.com; laura.rozas@us.dlapiper.com; margarita.mercado@us.dlapiper.com; katiuska.bolanos-lugo@us.dlapiper.com; hrivera@jrsp.pr.gov; mvalle@gmlex.net, arivera@gmlex.net.

For the record, I sign this in San Juan, Puerto Rico, today September 3, 2025.



Sonia Seda Gaztambide
Clerk

