

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

IN RE: REQUEST FOR CERTIFICATION
FRANKLINWH ENERGY STORAGE INC

CASE NO.: NEPR-CT-2025-0010

SUBJECT: Request for Certification as an
Electric Service Company.

RESOLUTION AND ORDER

I. Introduction

On August 20, 2025, FranklinWH Energy Storage Inc. ("FranklinWH") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a Request for Certification as an Electric Power Service Company ("Application"). The Application includes the following documents:

1. Form NEPR-B01 (Personal Information) with supporting documentation:
 - Certificate of Incorporation from the State of Delaware
 - Merchant Registration Certificate from Puerto Rico Department of Hacienda
2. Form NEPR-B02 (Continuation Sheet for Affiliate or Subsidiary Entities) with:
 - Information on FranklinWH Energy Technology Inc.
 - Certificate of Incorporation from Delaware for the affiliate entity
3. Form NEPR-B03 (Operational Report) with:
 - Company General Information
 - Operational Report General Information
 - Complementary Sheet
4. Form NEPR-B04 (Request for Certification)
 - Technical specifications
 - Human Resources Statement for Operations in Puerto Rico
 - Unaudited Financial Statements
 - List of Equipment Used for the Provision of Services
 - Amount of Installed Systems in Puerto Rico
5. Form NEPR-B05 (Gross Revenue and Financial Statements Report) with:
 - Compiled Financial Statements for fiscal year 2024

After careful evaluation of the Application, the Energy Bureau interprets that FranklinWH might be seeking certification as a Demand Response Aggregator¹ which, as per Regulation 9246, are considered Electric Power Service Companies. Nevertheless, the documents presented with the Application suggest that FranklinWH is only seeking certification as an Electric Power Service Company as per Regulation 8701², specifically as a provider of distributed photovoltaic (PV) generation with an aggregated capacity of more than one (1) MW that also provides energy storage services.

¹ See. *Regulation for Demand Response*, Regulation 9246, December 21, 2020 ("Regulation 9246"). See also. Temporary waivers for Demand Response Aggregators as per the Energy Bureau's Resolution of January 29, 2025, *In re: Energy Efficiency and Demand Response Transition Period Plan*, Case No. NEPR-MI-2022-0001.

² *Amendment to Regulation No. 8618, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, Regulation 8701, February 17, 2016 ("Regulation 8701"), as amended by *Amendment to Regulation No. 8701, on Certifications, Annual Fees and Operational Plans of Electric Service Providers in Puerto Rico*, Regulation 9182, June 24, 2020 ("Regulation 9182").



II. Applicable Law and Analysis

Act No. 57-2014³ requires all electric service companies⁴ to obtain a certification⁵ and to file certain information under the terms established by the Energy Bureau. Section 3.05 of Regulation 8701 empowers the Energy Bureau to issue a cease-and-desist order, revoke, and annul any decision, ruling or order issued in relation to the process of any Request for Certification, when an electric service company "... has failed to comply with its duty to provide or update the information required under Act 57-2014, as amended, or this Regulation."

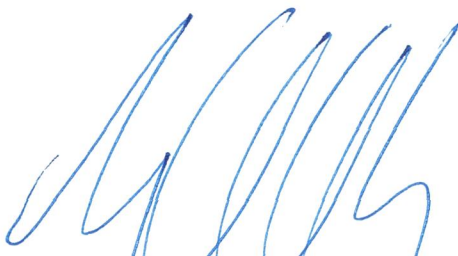
Sections 2.01 and 3.03 of Regulation 8701 describe the information that every electric service company seeking to offer services in Puerto Rico must submit with its Request for Certification. Nevertheless, depending on the type of service being offered by FranklinWH, waivers to certain requirements may apply.

As part of the Energy Bureau’s due diligence, during the evaluation of this Application, it has come to our attention that FranklinWH may not be directly engaged in the business of generating and selling electric energy through distributed PV solar systems. Based on the applicant’s submission, FranklinWH’s operations structure is unclear. The applicant must clarify whether it is in the business of (1) installing PV and/or energy storage systems, (2) selling energy and/or energy services provided by the distributed PV and storage facilities, behind the meter, and/or (3) providing Demand Response Aggregator services to LUMA. FranklinWH must provide all information required under Regulation 8701, taking into consideration any applicable waivers identified in the Energy Bureau’s Resolution of January 29, 2025, in Case No. NEPR-MI-2022-0001.

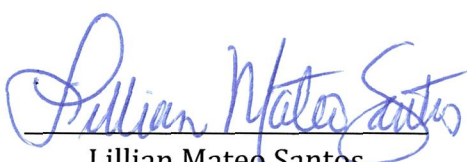
III. Conclusion

The Energy Bureau **GRANTS** FranklinWH **thirty (30) days from the notification date of this Resolution** to provide the requested clarification and any applicable required information and documentation necessary. The Energy Bureau **ADVISES** FranklinWH that failure to provide the requested information within the specified timeframe may result in the Application receiving no further consideration. Any request for extension of the thirty (30) day period must be filed at least five (5) business days before its expiration.


Be notified and published.




Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner




Ferdinand A. Ramos Soegaard
Associate Commissioner




³ Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended, ("Act 57-2014").

⁴ Section 1.3(1) of Act 57-2014 defines the term 'Electric Power Company' or 'Electric Power Service' as follows: 'Shall mean any natural or juridical person or entity, energy cooperative, engaged in the provision of generation services, transmission and distribution services, billing, wheeling, grid services, energy storage, resale of electric power as well as any other electric power service as defined by the Bureau. The Electric Power Authority or its successor as well as any Contractor under a Partnership or Sales Contract executed in relation to PREPA Transactions conducted by virtue of Act No. 120-2018 shall be deemed Electric Power Service Companies for purposes of this Act.'

⁵ See Section 6.13 of Act 57-2014. See also Section 1.3(h) of Act 57-2014 which defines the term "Certified" as follows: "Shall mean every electric power service company that has been evaluated and authorized by the Energy [Bureau]."


Sylvia B. Ugarte Araujo
Associate Commissioner

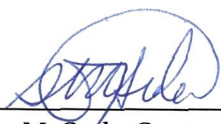

Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on September 29, 2025. I also certify that on September 29, 2025 a copy of this Resolution was notified by electronic mail to the following Ke.Bi@franklinwh.com and Usfinance@franklinwh.com. I also certify that on September 29, 2025, I proceeded with the filing of the Resolution issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, on September 29, 2025.




Sonia M. Seda Gaztambide
Clerk