

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

IN RE: ELECTRIC SYSTEM PRIORITY
STABILIZATION PLAN

CASE NO.: NEPR-MI-2024-0005

SUBJECT: Reporting Directives and Information Requirement regarding PREPA's Proposed Contract Resulting from Temporary Emergency Power Generation.

RESOLUTION

The Energy Bureau, through a Resolution and Order, directed that temporary generation be procured to address the estimated 700–850 MW shortfall.¹ Additionally, the Energy Bureau ordered the Puerto Rico Power and Electric Authority ("PREPA") to appear before the Puerto Rico Public-Private Partnerships Authority ("Authority") and initiate the process with the Independent Third-Party Procurement Office ("3PPO"), given that Genera is a restricted party as established by the Authority.² In a subsequent contract evaluation submitted by PREPA (through the 3PPO), the Energy Bureau issued a Resolution and Order on July 4, 2025, directing the 3PPO to evaluate whether a proposal related to that contract could be obtained under the commercial terms previously identified in the administrative record. That was the only action taken by the Energy Bureau regarding this matter.

On November 11, 2025, the Energy Bureau received an email from the 3PPO ("3PPO Email") transmitting two documents: (i) a letter dated November 11, 2025, sent by the 3PPO to PREPA addressing issues raised by the proponent, Javelin Global Commodities ("Javelin"), regarding certain non-negotiable terms under RFP 3PPO-0314-20-TPG2 ("Letter to PREPA"), and (ii) a document titled "JAVELIN – Request for Stakeholder Discussion," which summarizes Javelin's proposed changes to the draft contract and the commercial terms it seeks to revisit with the Government of Puerto Rico ("Proposed Modifications").

The Letter to PREPA generally states that Javelin has expressed concerns regarding several restrictions in the RFP guidelines. The 3PPO further informed PREPA that Javelin is seeking confirmation from all government stakeholders as to whether the non-negotiable terms must remain unchanged or whether adjustments could be considered to avoid the premature disqualification of a fully mobilizable proposal. The Proposed Modifications outlines, at a high level, the proposed commercial terms Javelin seeks to discuss with the Government of Puerto Rico. In the 3PPO Email, the 3PPO asked the Energy Bureau to indicate its availability for a meeting to discuss Javelin's position.

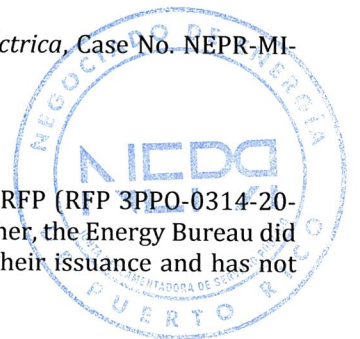
The Energy Bureau notes that the 3PPO is conducting an active request-for-proposals ("RFP") formal process. At this stage, where a final adjudication of the RFP has not yet occurred, it is neither appropriate nor permissible for the Energy Bureau to intervene or participate in discussions regarding specific commercial terms proposed by an individual proponent, as doing so could compromise the neutrality, integrity, and legality of the ongoing procurement process. Any such intervention could also be reasonably perceived as influencing or interfering with the procurement evaluation, thereby putting the process at risk.³

The Energy Bureau will not intervene in the ongoing procurement process or engage in discussions regarding the commercial terms proposed by Javelin. However, if a proposed

¹ See, Resolución y Orden, *In Re: Plan Prioritario para la Estabilización de la Red Eléctrica*, Case No. NEPR-MI-2024-0005, March 19, 2025.

² *Id.*

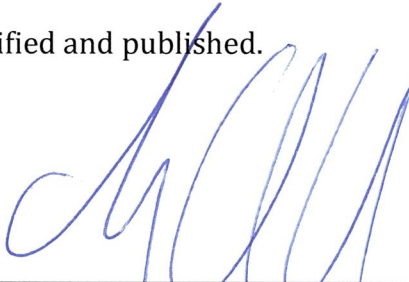
³ The Energy Bureau clarifies that it has not participated in the development of the RFP (RFP 3PPO-0314-20-TPG2), nor has it been involved in the negotiations conducted by 3PPO or PREPA. Further, the Energy Bureau did not have access to the RFP documents, draft contract, or related materials prior to their issuance and has not participated in any stage of the procurement process conducted by the 3PPO.



contract is formally submitted to the Energy Bureau for evaluation pursuant to the applicable statutory and regulatory framework, the Energy Bureau will it review with the diligence and impartiality required by law.

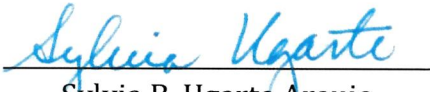
Since the 3PPO’s RFP evaluation process remains ongoing, the documents submitted on November 12, 2025, will remain confidential.

Be it notified and published.


Edison Avilés Deliz
Chairman


Lillian Mateo Santos
Associate Commissioner


Ferdinand A. Ramos Soegaard
Associate Commissioner

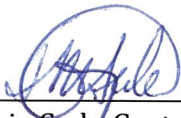

Sylvia B. Ugarte Araujo
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on November 13, 2025. Associate Commissioner Antonio Torres Miranda did not intervene. I also certify that on November 13, 2025 I proceeded with filing the Resolution and a copy was notified by electronic mail to alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; lrn@roman-negron.com; legal@genera-pr.com; regulatory@genera-pr.com; Emmanuel.porrogonzalez@us.dlapiper.com; RegulatoryPREBorders@lumapr.com; margarita.mercado@us.dlapiper.com; laura.rozas@us.dlapiper.com;

I sign this in San Juan, Puerto Rico, on November 13, 2025.




Sonia Seda Gaztambide
Clerk