

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

NEPR

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IN RE:

THE PERFORMANCE OF THE PUERTO
RICO ELECTRIC POWER AUTHORITY

CASE NO.: NEPR-MI-2019-0007

SUBJECT: Motion to Submit Revised
Quarterly Report and to Reiterate Genera's
Request for Meeting with PREB's Consultants

**MOTION TO SUBMIT REVISED QUARTERLY REPORT AND TO REITERATE
GENERA'S REQUEST FOR MEETING WITH PREB'S CONSULTANTS**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC ("Genera"), as agent of the Puerto Rico Electric Power Authority ("PREPA"),¹ through its counsels of record, and respectfully submits and prays as follows:

1. On May 14, 2019, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order titled *PREPA Performance Reporting Requirements* ("May 14th Resolution") through which it determined that it would be in the public interest to begin as soon as possible PREPA's data gathering process to help the Energy Bureau and the stakeholders in developing measures, metrics, and targets, and to provide useful information for developing incentive and penalty mechanisms. The May 14th Resolution required PREPA to provide quarterly reports of key performance metrics/indicators, beginning September 15, 2019.

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("LGA OMA"), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority ("P3 Authority"), Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

2. On May 21, 2021, the Energy Bureau issued a Resolution and Order ("May 21 Resolution") establishing baselines and benchmarks for certain performance metrics and requiring PREPA, and LUMA Energy, LLC as Management Co., and LUMA Energy ServCo, LLC (collectively, "LUMA") to submit quarterly reports using the Excel template ("data template") included therein. The Energy Bureau has since updated the data template on multiple occasions.

3. On January 17, 2025, the Energy Bureau issued a Resolution and Order ("January 17 Resolution") in which it included the latest data template for LUMA and Genera to use beginning with the submission for the third quarter of FY2025.

4. On October 7, 2025, the Energy Bureau issued a Resolution and Order ("October 7 Resolution") whereby, among others, it identified certain deficiencies in Genera's prior submissions. In short, the Energy Bureau found that Genera's reporting practices were inconsistent with the most recent reporting template issued in the January 17 Resolution; that it had failed to report pollutant data separately, and that its submissions have contained errors and gaps making it difficult for the Energy Bureau to review Genera's performance. As such, the Energy Bureau ordered Genera to correct these issues beginning with the next quarterly filing due on October 20, 2025.

5. Moreover, on October 20, 2025, Genera submitted its *Motion to Submit Quarterly Report and to Comply with Resolution and Order issued on October 7, 2025*. In that filing, Genera submitted the required Quarterly Report for the First Quarter of Fiscal Year 2026, using the latest data template included in the January 17 Resolution, as Exhibit A. Genera also requested a brief extension of time, until November 19, 2025, to submit the remaining information required by the Energy Bureau under the October 7 Resolution regarding Hydro-related metrics.

6. Furthermore, on November 3, 2025, Genera filed a *Motion to Request Technical Meeting with the Energy Bureau's Consultants for Clarification regarding Quarterly Reporting Requirements* ("Motion to Request Meeting") in order to discuss and obtain clarification on certain issues raised there regarding the data template and reporting requirements.

7. Genera hereby informs that it has completed the updates required under the October 7 Resolution for the performance metric related to Cost of Generation, as detailed in the revised data template submitted with this filing. Specifically, Genera updated the System-level metrics—Cost of Generation (system total), excluding PPOA's generation, and Cost of Generation (system: fuel)—with revised information covering from July 2023 through September 2025. For Cost of Generation (system: O&M), excluding PPOA's generation, Genera incorporated the corresponding values beginning on July 2023. With respect to the Cost of Generation by Plant-Type metrics—*Steam–Fuel*, *Gas–Fuel*, *Steam–O&M*, *Gas–O&M*, *Steam–Total*, and *Gas–Total*—Genera included the costs beginning in July 2023 and, where applicable, updated them through September 2025.

8. Additionally, with respect to the metric category "Planning and Environmental", which includes historical data for *Total Emissions (System)* and *Emission Rates (System)*, Genera had previously submitted the data corresponding to the current natural year, from January 2025 up to September 2025. Through the instant motion, Genera informs it has revised and added the corresponding values to include all relevant emissions data since July 2023.

9. Notwithstanding, and in compliance with the reporting requirements as set forth in the October 7 Resolution and without the benefit of obtaining input from the Bureau's consultants, Genera hereby submits its Quarterly Report for the First Quarter of Fiscal Year 2026 in the latest data template as **Exhibit A** to this Motion.

10. Genera further emphasizes that it provided the information included herein without the benefit of the technical discussion with Bureau's consultants to comply with the order, but the data collection and calculation was based on its best understanding over what Genera understands this Bureau wants to evaluate.

11. Genera reiterates its request to this Honorable Energy Bureau for a meeting with its consultants to obtain clarification and fully comply with the Energy Bureau's directives regarding certain reporting requirements outlined in the October 7 Resolution, as stated in Genera's Motion to Request Meeting. Genera reiterates its commitment to transparency and accuracy in its submissions before the Energy Bureau to ensure that all reporting requirements are clearly understood and properly reported.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes and **accept** Genera's revised quarterly report, submitted as Exhibit A herein and **deem** Genera to be in compliance with its reporting requirements, as well as the October 7 Resolution. Additionally, Genera respectfully requests that this Energy Bureau schedule a meeting between Genera and its consultants as soon as possible in order to promptly address and clarify issues referenced in Genera's Motion to Request Meeting filed on November 3, 2025.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 20th day of November of 2025.

[Signature page follows]

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CERTIFICATE OF SERVICE

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com; mvalle@gmlex.net; alexis.rivera@prepa.pr.gov; hrivera@jrsp.pr.gov; nzayas@gmlex.net; rcruzfranqui@gmlex.net; katiuska.bolanos-lugo@us.dlapiper.com; legal@genera-pr.com ; regulatory@genera-pr.com.

In San Juan, Puerto Rico, this 20th day of November 2025.

/s/José Javier Díaz Alonso
José Javier Díaz Alonso

/s/Stephen D. Romero Valle
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Exhibit A

(Native file submitted via email)