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

IN RE: REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY'S 10-YEAR INFRASTRUCTURE PLAN-DECEMBER 2020	**CASE NO. NEPR-MI-2021-0002** **SUBJECT: Motion Requesting Extension of Time to Comply with Resolution and Order of November 7, 2025**

MOTION REQUESTING EXTENSION OF TIME TO COMPLY WITH RESOLUTION AND ORDER OF NOVEMBER 7, 2025

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and **LUMA Energy ServCo, LLC**, (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submit the following:

1. On August 14, 2025, the Energy Bureau issued a Resolution and Order instructing LUMA to submit a detailed report, in both PDF and Excel formats, using the Excel template included as Attachment A, that includes information for all projects associated with the specific indicated pending reimbursements. Furthermore, the Energy Bureau instructed the Puerto Rico Electric Power Authority ("PREPA"), LUMA, and Genera PR, LLC ("Genera") to submit updated information regarding their use of the Energy Grid Rehabilitation and Reconstruction Cost Share Program ("ER1 Program") funds, which are administered by the Puerto Rico Department of Housing ("PRDOH"), in Attachment B.

2. In addition, the Energy Bureau ordered a description of any challenges currently impacting the disbursement of the non-federal cost share or the timely execution of the ER1 Program, particularly those related to Global Project Worksheets, including Architecture & Engineering ("A&E") work and Long-Lead Materials & Equipment and identify any other delays

or issues with PRDOH that may be affecting the ability to advance program implementation ("August 14th Order").

3. On September 12, 2025, LUMA filed a *Motion in Compliance with Resolution and Order of August 14, 2025*. Therein, LUMA presented information on all projects associated with pending reimbursements and on its updated use of ER1 Program funds. In addition, LUMA also submitted the description of any challenges currently impacting the disbursement of the non-federal cost share or the timely execution of the ER1 Program, particularly those related to Global Project Worksheets, including A&E work and Long-Lead Materials & Equipment, and identified any other delays or issues with PRDOH that may be affecting the ability to advance program implementation.

4. On October 3, 2025, the Energy Bureau entered a Resolution and Order directing LUMA to resubmit the information required in Attachment A of the August 14th Order, using the required Excel template, and all the information required in Attachment B of the August 14th Order, using the required Excel template, within the next ten (10) calendar days ("October 3rd Order"). Moreover, it ordered LUMA, Genera, and PREPA to file, separately, a Comprehensive Consolidated List in the provided Excel format.

5. On October 14, 2025, LUMA filed a *Motion in Compliance with Resolution and Order of October 3, 2025* ("October 14th Motion"), wherein it submitted Attachments A and B in the Excel format template with all the information required by the Energy Bureau as Exhibit 1 to the October 14th Motion. LUMA also included, as Exhibit 2 to the October 14th Motion, the Comprehensive Consolidated List in the provided Excel format.[1]

[1] On October 15, 2025, LUMA filed a *Motion Resubmitting Corrected Exhibit 2 of the October 14, 2025, Motion in Compliance with Resolution and Order of October 3, 2025* ("October 15th Motion"), wherein it submitted a corrected version of the Comprehensive Consolidated List and requested the Energy Bureau to substitute the Exhibit 2 of the October 14th Motion with the Corrected Exhibit 2 attached to the October 15th Motion.

6. On October 24, 2025, LUMA personnel met informally with a consultant for the Energy Bureau to discuss the Exhibits submitted with the October 14th Motion. LUMA personnel and the Energy Bureau's consultant agreed that LUMA should resubmit its Comprehensive Consolidated List, including the costs incurred for each obligated project, by Monday, October 27, 2025.

7. On October 27, 2025, LUMA filed a *Motion Submitting Consolidated Projects List*. Pursuant to the mutual understanding between LUMA personnel and the Energy Bureau's consultant, LUMA submitted its updated Comprehensive Consolidated List, which now includes additional columns on the "LUMA Consolidated List" tab detailing A&E, E&M, Construction, and Total Estimate costs incurred.

8. On November 7, 2025, the Energy Bureau issued a Resolution and Order directing PREPA, Genera, and LUMA to provide, on or before November 27, 2025, the actions that will be taken to address the costs of projects excluded from the Consolidated List or that are otherwise not covered by federal funds ("November 7th Order"). Specifically, the entities shall:

a. Explain the rationale for excluding projects with previously identified damages or incurred costs, including whether those exclusions were based on FEMA determinations, duplication of scope, or strategic prioritization decisions made during consolidation.

b. Identify how the costs incurred, associated with the 289 inactive projects, will be funded, whether through reallocation of federal funds or other Commonwealth funding mechanisms.

c. Assess potential impacts on project execution and ratepayer exposure, particularly if incurred expenses are determined to be non-reimbursable under current FEMA programs.

9. Moreover, the Energy Bureau directed PREPA, LUMA, and Genera to provide detailed asset-level validation of the damages included and excluded in the Consolidated List. Specifically, the Energy Bureau seeks confirmation of coverage for the damages identified in the FEMA Allocation. PREPA, LUMA, and Genera should provide the specific damages that will be repaired under the Consolidated List, and the damages that will not be repaired or addressed under the Consolidated List, as identified in the FEMA Allocation.

10. For those damages identified as unrepaired, the entities shall provide:

a. A comprehensive strategy to address the unrepaired damages, or other viable funding mechanisms;

b. The identification and reconciliation of costs associated with Section 406 mitigation projects and duplicative costs within global project worksheets (PWs), to ensure that all overlapping or unused allocations are properly accounted for and that available funds can be effectively reprogrammed toward eligible recovery activities; and

c. A list of projects included in the Consolidated List that do not correspond to any of the damages identified in the FEMA Allocation, such as Advanced Metering Infrastructure (AMI), new substations, Battery Energy Storage Systems (BESS), peaking generation units, black-start units, automation programs, and Emergency Management Systems, among others.

11. LUMA is currently gathering the necessary information to complete the report as the November 7th Order instructed. However, LUMA faces several constraints that make it impossible to complete the task by the due date of November 27, 2025. The extensive validation of project-level data, much of which must be reviewed and reconciled manually. In addition, the ongoing demands of Case No. NEPR-AP-2023-0003 continue to require significant internal resources. Further, the upcoming holiday period has impacts on team availability and coordination. Given the complexity and the number of personnel required to prepare, write, and review these reports, LUMA is unable to complete them by the due date. In view of the above and the need to allow for proper execution of the required request, LUMA respectfully reiterates that it will require additional time to complete the aforementioned.

12. In view of the above, LUMA respectfully requests the Energy Bureau to concede an extension until December 12, 2025, to file the report required in the November 7th Order.

13. This extension and alignment request is in good faith and is not intended to cause unnecessary delay. LUMA remains committed to complying with the orders issued by the Energy Bureau.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned, and **grant** an extension until December 12, 2025, to comply with the November 7th Order.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this Motion to PREPA via Alexis Rivera, alexis.rivera@prepa.pr.gov, and through its counsel of record, Natalia Zayas Godoy, nzayas@gmlex.net, Richard Cruz Franqui, rcruzfranqui@gmlex.net, and Mirelis Valle Cancel, mvalle@gmlex.net, to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfr@sbgblaw.com, José J. Díaz Alonso, jdiaz@sbgblaw.com, and Francisco Santos, francisco-santos@genera-pr.com.

In San Juan, Puerto Rico, on the 20th of November 2025.

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