

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

NEPR

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**IN RE: PUERTO RICO ELECTRIC
POWER AUTHORITY RATE REVIEW**

CASE NO.: NEPR-AP-2023-0003

**SUBJECT: Motion Submitting LUMA's
Objections to Documents Marked as
Exhibits by Energy Bureau Consultants**

**MOTION SUBMITTING LUMA'S OBJECTIONS TO DOCUMENTS MARKED AS
EXHIBITS BY ENERGY BUREAU CONSULTANTS**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU, AND ITS HEARING
EXAMINER, SCOTT HEMPLING:**

COME NOW LUMA Energy, LLC ("ManagementCo"), and **LUMA Energy ServCo, LLC** ("ServCo") (jointly, "LUMA"), and respectfully state and request the following:

1. LUMA hereby files its objections to various documents marked by the Puerto Rico Energy Bureau ("Energy Bureau") consultants as exhibits in the Accion Discovery Platform. *See* Exhibit 1 to this Motion.

WHEREFORE, LUMA respectfully requests that the Energy Bureau and its Hearing Examiner **take notice** of the aforementioned and **reject** the objected evidence for the reasons outlined in Exhibit 1 below.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 22nd day of November, 2025.

WE HEREBY CERTIFY that this Motion was filed using was filed using the electronic filing system of this Energy Bureau and that electronic copies of this Notice will be notified to Hearing Examiner, Scott Hempling, shempling@scotthemplinglaw.com; and to the attorneys of the parties of record. To wit, to the ***Puerto Rico Electric Power Authority***, through: Mirelis Valle-Cancel, mvalle@gmlex.net; Juan González, jgonzalez@gmlex.net; Alexis G. Rivera Medina, arivera@gmlex.net; Juan Martínez, jmartinez@gmlex.net; and Natalia Zayas Godoy, nzayas@gmlex.net; and to ***Genera PR, LLC***, through: Jorge Fernández-Reboredo, jfr@sbgblaw.com; Giuliano Vilanova-Feliberti, gvilanova@vvlawpr.com; Maraliz Vázquez-Marrero, mvazquez@vvlawpr.com; ratecase@genera-pr.com; regulatory@genera-pr.com; and legal@genera-pr.com; ***Co-counsel for Oficina Independiente de Protección al Consumidor***,

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/s/ Margarita Mercado Echegaray
Margarita Mercado Echegaray
RUA 16,266

Exhibit 1

**OBJECTIONS TO DOCUMENTS MARKED AS EXHIBITS BY THE ENERGY
BUREAU CONSULTANTS**

1. PC Exhibit No. 583 (partial objection)

- a. Description: LUMA's response to SESA-of-LUMA-DST-12.

LUMA's Objection:

LUMA objects to that portion of PC Exhibit No. 583 that includes a legal pleading whereby LUMA raised objections to several of SESA's requests for information. Those objections were resolved by the parties. LUMA's legal objections to a discovery request are not relevant and, thus, inadmissible. LUMA requests that the objections included with PC Exhibit No. 583 be stricken from the record.

2. PC Exhibit No. 586 (partial objection)

- a. Description: LUMA's response to SESA-of-LUMA-DST-13.

LUMA's Objection:

LUMA objects to that portion of PC Exhibit No. 586 that includes a legal pleading whereby LUMA raised objections to several of SESA's requests for information. Those objections were resolved by the parties. LUMA's legal objections to a discovery request are not relevant and, thus, inadmissible. LUMA requests that the objections included with PC Exhibit No. 586 be stricken from the record.

3. PC Exhibit No. 592 (partial objection)

- a. Description: LUMA's response to SESA-of-LUMA-DST-14

LUMA's Objection:

LUMA objects to that portion of PC Exhibit No. 592 that includes a legal pleading whereby LUMA raised objections to several of SESA's requests for information. Those objections were resolved by the parties. LUMA's legal objections to a discovery request are not relevant and, thus, inadmissible. LUMA requests that the objections included with PC Exhibit No. 592 be stricken from the record.

4. PC Exhibit No. 768 (partial objection)

- a. Description: LUMA-of-PREPA-FIN-29

LUMA's Objection:

LUMA objects to that portion of the Puerto Rico Electric Power Authority's response to LUMA-of-PREPA-FIN-29, whereby PREPA states in conclusory and inflammatory fashion that "PREPA has incurred unnecessary and unbudgeted expenses because its consultants have had to correct material errors and deficiencies in the unaudited financial statements prepared by LUMA." PREPA's response lacks any foundation or evidence to establish the occurrence of, and amount of past costs allegedly incurred.

LUMA denies PREPA's conclusory accusation. In any event, any claims by PREPA regarding alleged errors by LUMA in connection with financial shared services should be addressed between the parties and are not material to this proceeding. This rate case does not involve an audit or review of shared services between LUMA and PREPA. PREPA's allegations are not material to establishing any fact at issue in this proceeding and thus, are irrelevant and inadmissible per Puerto Rico Rule of Evidence 402.

Secondly, PREPA's claim of alleged actions or omissions by LUMA is conclusory and is not supported by any admissible evidence or fact. PREPA's conclusory claim in LUMA-of-PREPA-FIN-29 lacks probative value and should be excluded applying the balancing test set forth in Puerto Rico Rule of Evidence 403, due to a material risk of undue prejudice if a conclusory allegation lacking factual support is admitted into evidence.