

**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: Request for Confidential
Treatment of Portions of LUMA's
Responses to Requests of Information PC-
of-LUMA-FIN-88, PC-of-LUMA-FIN-89,
PC-of-LUMA-FEMA-26 and NPFGC-of-
LUMA-NONPHYS_OPS-134**

**REQUEST FOR CONFIDENTIAL TREATMENT OF PORTIONS OF RESPONSES TO
REQUESTS OF INFORMATION PC-OF-LUMA-FIN-88, PC-OF-LUMA-FIN-89, PC-OF-
LUMA-FEMA-26 AND NPFGC-OF-LUMA-NONPHYS_OPS-134**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC and LUMA Energy ServCo, LLC, (jointly referred to as "LUMA"), and respectfully state and request the following:

I. Introduction

LUMA respectfully submits this Motion requesting that the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") determine that certain portions of LUMA's responses to discovery requests PC-of-LUMA-FIN-88, PC-of-LUMA-FIN-89, PC-of-LUMA-FEMA-26 and NPFGC-of-LUMA-NONPHYS_OPS-134 contain personal identifiers like names, employee emails and signatures, third-party names and emails; confidential financial information like bank account numbers and sensitive financial data related to LUMA's cybersecurity programs, all of which must be protected from public disclosure. As set forth below, applicable legal authority compels the relief requested herein.

II. Procedural Background

On June 30, 2024, this Energy Bureau issued a Resolution and Order “to initiate [this] adjudicative process to review PREPA’s rates” (the “June 30th Order”) and opened this instant proceeding. *See* June 30th Order, p. 2. Following a series of informal procedural events – including various technical conferences and requests for information – aimed at receiving participants’ respective insights and concerns with regard to the upcoming rate review petition, on February 12, 2025, this Energy Bureau issued a Resolution and Order (“February 12th Order”), whereby it established “the filing requirements and procedures for the rate review of the Puerto Rico Electric Power Authority (‘PREPA’).” *See* February 12th Order, p. 1.¹

In what is pertinent to the present request, the February 12th Order established confidentiality “procedures to balance the public’s right to access information about utility rates with the legitimate need to protect certain sensitive business information.” *See* February 12th Order, p. 10. These mandate that, if in compliance with the February 12th Order, “a person has the duty to disclose to the Energy Bureau information that the person considers privileged under the Rules of Evidence, the person shall identify the information, request the Energy Bureau to protect the information, and provide written arguments to support its claim for protection”², all as required by the Energy Bureau’s Policy on Management of Confidential Information, CEPR-MI-2016-0009, issued on August 31, 2016, as amended on September 21, 2016 (“Policy on Confidential Information”).

¹ Although not relevant to the present request, LUMA notes that the filing requirements issued by this Energy Bureau through its February 12th Order were later modified by way of orders issued on February 27, 2025, March 24, 2025, April 21, 2025, April 25, 2025, May 29, 2025 and, most recently, on June 11, 2025.

² *See* February 12th Order, p. 10.

Furthermore, the February 12th Order states that the Energy Bureau will decide each confidentiality claim expeditiously and will proceed, in accordance with Article 6.15 of Act No. 57-2014³, 22 LPRA § 1054n (2025), if it deems that the protected material merits protection. *See* February 12th Order, p. 10. In its decision, “the Energy Bureau will state (i) which information and documents are confidential or privileged; and (ii) the rules that shall be observed to duly safeguard the information.” *Id.* On the other hand, the February 12th Order provides the following:

If the Energy Bureau denies a confidentiality claim, the Energy Bureau will also state the period after which the document or information will be available to the public. Such period will give the submitter sufficient time to seek reconsideration or any other legal recourse to prevent disclosure if PREPA disagrees with the Energy Bureau’s decision.⁴

Id.

More recently, on August 19, 2025, the Hearing Examiner, Mr. Scott Hempling, issued an *Order on Confidentiality Matters* (“August 19th Order”), with the aim of clarifying the terminology and treatment of confidential documents filed during discovery, in a manner consistent with the Energy Bureau’s Policy on Confidential Information. Specifically, per the August 19th Order, information filed as Critical Energy Infrastructure Information (“CEII”) will be available to participants who have a signed Non-Disclosure Agreement. On the other hand, information filed as a confidential trade secret will only be available to the Energy Bureau and its consultants.

In what is pertinent here, on November 12, 2025, LUMA submitted a response to a request for information (“ROI”) identified as PC-OF-LUMA-FIN-88. The supporting files to the response, identified as *PC-OF-LUMA-FIN-88-Attachment_1*, *PC-OF-LUMA-FIN-88-Attachment_2*, and *PC-OF-LUMA-FIN-88-Attachment_3* encompass LUMA’s notices to the Puerto Rico Public-

³ Known as the “Puerto Rico Energy Transformation and RELIEF Act” (hereinafter, “Act 57-2014”).

⁴ Lastly, the February 12th Order states that the “Energy Bureau’s staff having access to Confidential Information will follow the *Puerto Rico Energy Bureau's Internal Guidelines for the Treatment of Confidential Information*.” *See* February 12th Order, p. 10.

Private Partnerships Authority (“P3A”) related to the Contingency Reserve Account withdrawals and an Excel spreadsheet detailing the supplier payment history for both withdrawals. Portion of these attachments contain LUMA employee names, signatures and emails; third-party emails and payment history details pertaining to LUMA employees and subscribers.

Furthermore, on November 13, 2025, LUMA submitted a response to a ROI identified as PC-of-LUMA-FIN-89. The response to PC-of-LUMA-FIN-89 included four redacted attachments: *PC-of-LUMA-FIN-89 _Attachment 1*, *PC-of-LUMA-FIN-89 _Attachment 2*, *PC-of-LUMA-FIN-89 _Attachment 3*, and *PC-of-LUMA-FIN-89 _Attachment 4*.⁵ The first two attachments, *PC-of-LUMA-FIN-89 _Attachment 1*, *PC-of-LUMA-FIN-89 _Attachment 2*, are LUMA’s monthly notices to the PREPA, sent on the 6th business day of each month, to replenish Service Accounts according to the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement (“T&D OMA”) requirements, and its supporting evidence. On the other hand, *PC-of-LUMA-FIN-89 _Attachment 3*, and *PC-of-LUMA-FIN-89 _Attachment 4* are LUMA’s monthly notices to PREPA, sent typically on the 11th business day of each month, for non-compliance in fully replenishing the Service Accounts according to the T&D OMA. Portions of these four attachments contain LUMA employee names, signatures, and emails; third-party employee names and emails; and bank account numbers.

On November 17, 2025, LUMA submitted a response to a ROI identified as PC-of-LUMA-FEMA-26. The response to PC-of-LUMA-FEMA-26 contained one redacted attachment: *PC-of-LUMA-FEMA-26 _Attachment 2*, which encompasses the Initial Scope of Work of the Island-Wide Vegetation Clearing Project, which details high-level scope and cost estimate for the program. The

⁵ To note, while the response to *PC-of-LUMA-FIN-89* was submitted on November 13, 2025, *PC-of-LUMA-FIN-89 _Attachment 2*, *PC-of-LUMA-FIN-89 _Attachment 3*, and *PC-of-LUMA-FIN-89 _Attachment 4* were submitted on November 14, 2025. *PC-of-LUMA-FIN-89 _Attachment 1* was filed on November 20, 2025, due to problems with the Accion platform.

first page of this attachment contains the names and signatures of the LUMA employees who approve the initial scope of work.

On that same day, LUMA submitted a response to a ROI identified as NPFGC-of-LUMA-NONPHYS_OPS-134. The response to NPFGC-of-LUMA-NONPHYS_OPS-134 contained one redacted attachment: *NPFGC-of-LUMA-NONPHYS_OPS-134_Attachment 2*, which consists of an Excel spreadsheet that provides supporting documentation for multiple questions listed in the ROI. A portion of this Excel spreadsheet (Tab “Q.96”) contains sensitive financial data related to LUMA’s cybersecurity programs.

In accordance with the Energy Bureau’s Policy on Confidential Information, LUMA submitted both an unredacted" (confidential) version and a "redacted" (public) version of the attachments mentioned above. These actions have been taken to protect the information considered confidential.

LUMA is submitting this memorandum of law that outlines and explains the legal basis for the confidential treatment of the attachments to the responses to ROIs PC-of-LUMA-FIN-88, PC-of-LUMA-FIN-89, PC-of-LUMA-FEMA-26 and NPFGC-of-LUMA-NONPHYS_OPS-134.

III. Applicable Laws and Regulations for submitting information confidentially before the Energy Bureau

Section 6.15 of Act 57-2014 regulates the management of confidential information filed before this Energy Bureau. It provides, in pertinent part, that: “[i]f any person who is required to submit information to the Energy [Bureau] believes that the information to be submitted has any confidentiality privilege, such person may request the Commission to treat such information as such ” 22 LPRA § 1054n (2025). If the Energy Bureau determines, after appropriate evaluation, that the information should be protected, “it shall grant such protection in a manner that least affects the public interest, transparency, and the rights of the parties involved in the

administrative procedure in which the allegedly confidential document is submitted.” *Id.*, Section 6.15(a).

In connection with the duties of electric power service companies, Section 1.10(i) of Act 17-2019⁶ further provides that electric power service companies shall submit information requested by customers, except for: (i) confidential information in accordance with the Rules of Evidence of Puerto Rico. 22 LPRA § 1141i (2025).

Access to the confidential information shall be provided “only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.” Section 6.15(b) of Act 57-2014, 22 LPRA § 1054n (2025). Finally, Act 57-2014 provides that this Energy Bureau “shall keep the documents submitted for its consideration out of public reach only in exceptional cases. In these cases, the information shall be duly safeguarded and delivered exclusively to the personnel of the [Energy Bureau] who need to know such information under nondisclosure agreements. However, the [Energy Bureau] shall direct that a non-confidential copy be furnished for public review.” *Id.*, Section 6.15(c).

Moreover, the Energy Bureau’s Policy on Confidential Information details the procedures that a party should follow to request that a document or portion thereof be afforded confidential treatment. In essence, the Energy Bureau’s Policy on Confidential Information requires identification of the confidential information and the filing of a memorandum of law, “no later than ten (10) days after filing of the Confidential Information,” explaining the legal basis and support for a request to file information confidentially. *See* Policy on Confidential Information, Section A, as amended by the Resolution of September 16, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary

⁶ Known as the “Puerto Rico Energy Public Policy Act” (hereinafter, “Act 17-2019”).

of the legal basis for the confidential designation and a summary of the reasons why each claim or designation conforms to the applicable legal basis of confidentiality. *Id.*, paragraph 3. The party who seeks confidential treatment of information filed with the Energy Bureau must also file both “redacted” or “public version” and an “unredacted” or “confidential” version of the document that contains confidential information. *Id.*, paragraph 6.

The Energy Bureau’s Policy on Confidential Information also states the following with regards to access CEII once determined Validated Confidential Information:

2. Critical Energy Infrastructure Information (“CEII”)

The information designated by the [Energy Bureau] as Validated Confidential Information on the ground of being CEII may be accessed by the parties’ authorized representatives only after they have executed and delivered the Non-Disclosure Agreement.

Those authorized representatives who have signed the Non-Disclosure Agreement may only review the documents validated as CEII at the [Energy Bureau] or the Producing Party’s offices. During the review, the authorized representatives may not copy or disseminate the reviewed information and may bring no recording device to the viewing room.

Id., Section D (on Access to Validated Confidential Information).

Relatedly, Energy Bureau Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, includes a provision for filing confidential information in adjudicatory proceedings before this honorable Energy Bureau. To wit, Section 1.15 provides that, “a person has the duty to disclose information to the [Energy Bureau] considered to be privileged pursuant to the Rules of Evidence, said person shall identify the allegedly privileged information, request the [Energy Bureau] the protection of said information, and provide supportive arguments, in writing, for a claim of information of privileged nature. The [Energy Bureau] shall evaluate the petition and, if it understands [that] the material merits protection, proceed accordingly to . . . Article 6.15 of Act No. 57-2015, as amended.”

IV. Legal Basis and Arguments in Support of Confidentiality

1. CEII

Act No. 40-2024, better known as the *Commonwealth of Puerto Rico Cybersecurity Act*, defines “Critical Infrastructure” as those “services, systems, resources, and essential assets, whether physical or virtual, the incapacity or destruction of which would have a debilitating impact on Puerto Rico’s cybersecurity, health, economy, or any combination thereof.” PR Laws Ann. Tit. 3 § 10124(p) (2024), 3 LPRA § 10124(p) (2025).⁷ Generally, CEII or critical infrastructure information is exempted from public disclosure because it involves assets and information, which poses public security, economic, health, and safety risks. Federal Regulations on CEII, particularly, 18 C.F.R. § 388.113 (2025), states that:

Critical energy infrastructure information means specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that:

- (i) Relates details about the production, generation, transportation, transmission, or distribution of energy;
- (ii) Could be useful to a person in planning an attack on critical infrastructure;
- (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and
- (iv) Does not simply give the general location of the critical infrastructure.

Id.

Additionally, “[c]ritical electric infrastructure means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect

⁷ With regards to Act 40-2024’s applicability to LUMA, as Operator of the T&D System, said statute provides the following:

The provisions of this chapter shall apply to the Executive Branch including all departments, boards, instrumentalities, commissions, bureaus, offices, agencies, administrations or bodies, political subdivisions, public corporations, and municipalities. **It shall likewise apply to every natural or juridical person doing business or having contracts with the Government including, but not limited to, private persons performing public services and duties**, but only with respect to the public services and duties being performed; any public or private administration exercise in which public resources or funds were committed or invested (directly or indirectly), or in which any public servant exercised his authority with regards to the data collected as a result of such activities.

Section 2 of Act 40-2024, PR Laws Ann. Tit. 3 § 10122, 3 LPRA § 10122 (2025) (emphasis ours).

national security, economic security, public health or safety, or any combination of such matters.”

Id. Finally, “[c]ritical infrastructure means existing and proposed systems and assets, whether physical or virtual, the incapacity or destruction of which would negatively affect security, economic security, public health or safety, or any combination of those matters.” *Id.*

The Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671-674 (2025), part of the Homeland Security Act of 2002, protects critical infrastructure information (“CII”).⁸ CII is defined as “information not customarily in the public domain and related to the security of critical infrastructure or protected systems” 6 U.S.C. § 650 (4) (2025); 6 U.S.C. § 671 (3).⁹

⁸ Regarding protection of voluntary disclosures of critical infrastructure information, 6 U.S.C. § 673, provides in pertinent part, that CII:

- (A) shall be exempt from disclosure under the Freedom of Information Act;
- (B) shall not be subject to any agency rules or judicial doctrine regarding ex parte communications with a decision making official;
- (C) shall not, without the written consent of the person or entity submitting such information, be used directly by such agency, any other Federal, State, or local authority, or any third party, in any civil action arising under Federal or State law if such information is submitted in good faith;
- (D) shall not, without the written consent of the person or entity submitting such information, be used or disclosed by any officer or employee of the United States for purposes other than the purposes of this part, except—
 - (i) in furtherance of an investigation or the prosecution of a criminal act; or
 - (ii) when disclosure of the information would be—
 - (I) to either House of Congress, or to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee thereof or subcommittee of any such joint committee; or
 - (II) to the Comptroller General, or any authorized representative of the Comptroller General, in the course of the performance of the duties of the Government Accountability Office;
- (E) shall not, be provided to a State or local government or government agency; of information or records;
 - (i) be made available pursuant to any State or local law requiring disclosure of information or records;
 - (ii) otherwise be disclosed or distributed to any party by said State or local government or government agency without the written consent of the person or entity submitting such information; or
 - (iii) be used other than for the purpose of protecting critical Infrastructure or protected systems, or in furtherance of an investigation or the prosecution of a criminal act.
- (F) does not constitute a waiver of any applicable privilege or protection provided under law, such as trade secret protection.

⁹ CII includes the following types of information:

- (A) actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications

As explained with particularity below, portions of *NPFGC-of-LUMA-NONPHYS_OPS-134-Attachment_2*, as identified in Section V of this Memorandum, regarding costs allocated to the Cybersecurity Department, are CEII and CII, are not common knowledge nor have been made publicly available. If that information is disclosed to the public, it will reveal key projects of critical assets. Those assets, in turn, would then be exposed to vulnerabilities or attacks by people seeking to cause harm to Puerto Rico's electric system. Therefore, it is in the public interest to keep the information confidential. For the reasons outlined below, confidential designation is a reasonable and necessary measure to protect critical infrastructure from attacks and to enable LUMA to leverage information without external threats, *see e.g.*, 6 U.S.C §§ 671-674; 18 C.F.R. §388.113, and the Energy Bureau's Policy on Confidential Information.

Granting confidential treatment to the identified portions of *NPFGC-of-LUMA-NONPHYS_OPS-134-Attachment_2* is not only consistent with hallmark legal standards concerning CEII but is also fully consistent with, and in fact advances, Puerto Rico's public policy objectives as established by Act 40-2024. Section 3 of Act 40-2024¹⁰ expressly mandates the

and data transmission systems) that violates Federal, State, or local law, harms interstate commerce of the United States, or threatens public health or safety;
(B) the ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or past assessment, projection, or estimate of the vulnerability of critical infrastructure or a protected system, including security testing, risk evaluation thereto, risk management planning, or risk audit; or
(C) any planned or past operational problem or solution regarding critical infrastructure or protected systems, including repair, recovery, construction, insurance, or continuity, to the extent it is related to such interference, compromise, or incapacitation.

6 U.S.C. § 650 (4).

¹⁰ Section 3 of Act 40-2024 reads as follows:

It is hereby established as the public policy of Puerto Rico:

- (1) To establish minimum cybersecurity standards and principles based on the "zero trust architecture" concept in order to enable the Government to incorporate cybernetic and electronic technologies into Government operations so as to transform and streamline intragovernmental relations, and government relations with the general public, as well as with local and foreign businesses, thus making the Government more accessible, effective, and transparent, in a secure and reliable manner.

protection and maintenance of the confidentiality, integrity, and availability of government data and related infrastructure assets, including those pertaining to critical infrastructure such as Puerto Rico's electric transmission and distribution system. Public disclosure of funding needs for the Cybersecurity and related programs, based on needs which in turn reflect vulnerabilities, would directly undermine these statutory objectives. Act 40-2024 emphasizes the need to implement minimum cybersecurity standards, coordinate security efforts, and ensure a stable and secure IT environment – goals that are only achievable if sensitive information is shielded from public exposure. Granting confidential treatment to this information is not only prudent but is also a legal

(2) To establish as policy that all covered agencies, or natural or juridical persons, as well as their agents, insurers, or guarantors are prohibited from making any ransom payments in response to a ransomware attack and that they shall collaborate with the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, as provided in the State and Local Government Cybersecurity Act of 2021. As an exception, and on a case-by-case basis, a Ransom Payment may be considered in the case of:

- (a) Critical infrastructure; or
- (b) Imminent risk of death;

If a ransom payment is made due to any of the aforementioned reasons, upon consultation with the Office, it shall not be deemed a violation of this section.

(3) To protect and maintain the confidentiality, integrity, and availability of the data stored and/or maintained by the Government's Information Resources and the related infrastructure assets, whether the data is at rest (stored), in-transit (being sent or received), or being created or transformed (processed).

(4) To increase efforts to coordinate and improve the security of government networks and critical infrastructure as well as protect the data contained therein.

(5) To enhance the capabilities and efforts to block, detect, prevent, protect from, and respond to threats against information resources and Government data.

(6) To ensure a stable and secure Information Technology (IT) environment through the implementation of measures as are appropriate to mitigate cybersecurity risks by preventing, reducing, and limiting data loss or the degradation of the Government's information resources, and by implementing corrective measures and protocols that ensure that any imminent attack shall be addressed and resolved swiftly.

(7) To protect the right to privacy of citizens without limiting their right to peaceful coexistence online.

(8) To stop and punish persons misusing any type of information technology to commit criminal acts.

(9) To comply with the basic cybersecurity guidelines established by the President of the United States, the Hon. Joe Biden, through the Executive Order issued on May 12, 2021, and with any subsequent orders related to cybersecurity.

imperative that aligns with the legislative intent to safeguard critical infrastructure, protect public safety, and comply with both local and federal cybersecurity requirements.

Disclosure to the public would expose the electric grid to heightened risks of sabotage, cyberattacks, and other malicious acts, as it could be used by bad actors to plan and execute attacks on the system. Moreover, public disclosure of this information would undermine LUMA's ability to protect its assets, employees, and the public, and would contravene prudent utility practice as well as regulatory and contractual obligations under the T&D OMA.

The portions of *NPFGC-of-LUMA-NONPHYS_OPS-134-Attachment_2* identified in Section V contain sensitive information directly related to the Cybersecurity programs. These include investment allocation, which in turn reveals strategies and remediation tactics for critical infrastructure and PREPA system components. Public disclosure of these details could compromise system integrity and security and, therefore, warrants confidential treatment.

If the information falls into the hands of people who may want to harm the T&D System, it will certainly provide sufficient details to expose the system to risks and harm. It is important to stress that information on cybersecurity systems, per the aforementioned laws and regulations, should be shielded from public disclosure indefinitely to ensure the systems' integrity and functioning. While the confidential information in *NPFGC-of-LUMA-NONPHYS_OPS-134-Attachment_2* is limited to specific dollar amounts associated with individual projects and programs, it is necessary to also redact the corresponding totals and summations. These aggregate figures are derived directly from the redacted inputs and would allow third parties to infer or reverse-engineer the confidential data through simple arithmetic. For example, if individual line items are redacted but the *total* or summations columns remain visible, a party could subtract known values to deduce the redacted amounts. This risk is particularly acute in structured financial

tables where the number of redactions is limited and the relationships between line items are formulaic and predictable.

Therefore, to preserve the confidentiality of the redacted data and prevent indirect disclosure through aggregation, LUMA has redacted not only the individual entries but also the totals, subtotals, and other summations that would compromise the integrity of the redaction.

The requested confidential treatment is justified to prevent the exposure of critical infrastructure to unnecessary risks and to comply with both federal and Puerto Rico law, as well as established regulatory policy, and should, thus, be granted accordingly.

2. Right to Privacy

Portions of *PC-of-LUMA-FIN-88-Attachment_1*, *PC-of-LUMA-FIN-88-Attachment_2*, *PC-of-LUMA-FIN-88-Attachment_3*, *PC-of-LUMA-FIN-89-Attachment_1*, *PC-of-LUMA-FIN-89-Attachment_2*, *PC-of-LUMA-FIN-89-Attachment_3*, *PC-of-LUMA-FIN-89-Attachment_4* and *PC-of-LUMA-FEMA-26-Attachment_2*, as identified in Section V of this Motion, include personal identifiers like LUMA employees' names, emails and signatures, third-party employee names and emails, and sensitive financial information like bank account numbers. LUMA respectfully requests that the names, emails and electronic signatures of these individuals be maintained confidentially. Disclosure raises the risk of names, emails and signatures being misused. The signatures, when combined with the employees' information, constitute personal information that must be protected. LUMA also requests that the bank account numbers found in these attachments be maintained confidentially, as they constitute sensitive financial information. The confidential treatment of this personal and sensitive information is in the public interest and aligned with Puerto Rico's legal framework on privacy which protects from the disclosure of personal information. *See e.g.*, Const. ELA, Art. II, Sections 8 and 10, which protect the right to

control personal information and distinctive traits, which applies *ex proprio vigore* and against private parties. *See also e.g. Vigoreaux v. Quiznos*, 173 DPR 254, 262 (2008); *Bonilla Medina v. P.N.P.*, 140 DPR 294, 310-11 (1996), *Pueblo v. Torres Albertorio*, 115 DPR 128, 133-34 (1984). *See also*, Article 4(vi) of the “Puerto Rico Open Government Data Act,” Act No. 122-2019, 3 LPRA § 9894 (2025) (listing as an exception to the rule on public disclosure, “[i]nformation that, if disclosed, could constitute an invasion of privacy of a third party, or impair the fundamental rights of said third party”).

On balance, the public interest in protecting privacy weighs in favor of providing confidential treatment. It is respectfully concluded that the redaction of the aforementioned information does not affect the public’s or the Energy Bureau’s review of LUMA’s responses to PC-of-LUMA-FIN-88, PC-of-LUMA-FIN-89, PC-of-LUMA-FEMA-26 and NPFGC-of-LUMA-NONPHYS_OPS-134, nor interfere with processes before this Energy Bureau. Therefore, on balance, the public interest in protecting privacy weighs in favor of protecting the relevant portions. Accordingly, LUMA requests that such treatment be granted.

V. Identification of Confidential Information within LUMA’s Rate Review Petition

In compliance with the Energy Bureau’s Policy on Confidential Information, CEPR-MI-2016-0009, a table summarizing the hallmarks of this request for confidential treatment is hereby included.

Document	Confidential Portions	Legal Basis for Confidentiality	Date Filed
<i>PC-of-LUMA-FIN-88-Attachment_1</i>	<p>LUMA employee signatures Pages 2, 4</p> <p>LUMA, PREPA, P3A and FOMB employee emails Pages 2, 4</p>	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 12, 2025

Document	Confidential Portions	Legal Basis for Confidentiality	Date Filed
<i>PC-of-LUMA-FIN-88-Attachment_2</i>	Payment history details related to LUMA subscribers or employees Tab “SuppPayment – Contingency2024” Rows 6, 11, 28, 68, 89, 129, 150, 151, 177, 196, 197, 201, 210, 211, 217, 218, 219, 220, 222, 223, 267, 277, 278, 303, 306, 309, 322, 323, 354, 355, 356, 359, 371, 378, 381, 382, 395, 398, 399, 403, 405, 406, 408-413, 416, 420, 423, 459, 516, 518, 561, 579, 581, 646, 663-667, 669, 670, 675, 678, 716, 825, 831, 834, 839, 848-851, 1080	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 12, 2025
<i>PC-of-LUMA-FIN-88-Attachment_3</i>	LUMA employee signatures Page 2 LUMA, P3A, and FOMB employee emails Page 2	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 12, 2025
<i>PC-of-LUMA-FIN-89-Attachment_1</i>	LUMA employee names Pages 3-9, 10-11, 13, 14-15, 17-21, 23-29, 31, 33-40, 42, 45, 46-52, 54-56, 60-64, 67-76, 77-78, 83-87, 90-98, 100-106, 108-114, 116, 118-125, 127, 129 PREPA employee names Pages 10, 12, 30, 41, 44, 53, 66, 75, 97, 107, 117, 128 LUMA employee signatures Pages 10, 12, 30, 41, 44, 53, 66, 75, 97, 107, 117, 128 LUMA employee emails	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 20, 2025

Document	Confidential Portions	Legal Basis for Confidentiality	Date Filed
	<p>Pages 11, 13, 31, 42, 45, 54, 67, 76, 98, 108, 118, 129</p> <p>Bank account numbers Pages 3-9, 14-15, 17-21, 23-29, 33-40, 46-52, 55-56, 60-64, 68-74, 77-78, 83-87, 90-96, 100-106, 109-114, 116, 119-125, 127</p>		
<i>PC-of-LUMA-FIN-89-Attachment_2</i>	<p>LUMA employee names Pages 2-3, 5-9, 11-14, 16-19, 21-22, 24-30, 32-36, 38-41, 43-45, 47-50, 52-56, 58, 60-61, 63-67, 69-70, 72-76, 78-79, 81-83, 85-86, 88-92, 94-97, 99</p> <p>PREPA employee names Pages 1, 10, 20, 28, 42, 44, 57, 59, 68, 77, 84, 94, 98</p> <p>LUMA employee signatures Pages 2, 11, 20, 28, 42, 44, 57, 60, 68, 77, 85, 98</p> <p>LUMA employee emails Pages 2, 11, 21, 29, 43, 44, 58, 60, 69, 78, 85, 99</p> <p>Bank account numbers Pages 3, 5-9, 12-14, 16-19, 22, 24-27, 30, 32-36, 38-41, 45, 47-50, 52-56, 61, 63-67, 70, 72-76, 79, 81-83, 86, 88-92, 94-97</p>	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 14, 2025
<i>PC-of-LUMA-FIN-89-Attachment_3</i>	<p>LUMA employee names Pages 5, 6, 7, 13, 18, 20, 28, 33, 39, 42, 44, 53, 55</p> <p>PREPA, GENERA, P3A, FOMB, and PREB employee names and emails Pages 3, 5, 7, 12, 13, 16, 18-19, 26, 28, 31, 33-34, 37, 39, 41-42, 43-44, 51, 53-55</p>	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 14, 2025

Document	Confidential Portions	Legal Basis for Confidentiality	Date Filed
	<p>LUMA employee signatures Pages 6, 13, 18, 20, 28, 33, 39, 42, 44, 53, 55</p> <p>LUMA employee emails Pages 5, 7, 13, 20, 28, 34, 39, 42, 44, 53, 55</p>		
<i>PC-of-LUMA-FIN-89-Attachment_4</i>	<p>LUMA employee names Pages 2, 5, 8, 11, 15, 18, 21, 27, 31, 33-34, 36-37</p> <p>PREPA, GENERA, P3A, FOMB, and PREB employee names and emails Pages 1-2, 4-5, 7-8, 10-11, 14-15, 17-18, 20-21, 23-24, 26-27, 30-31, 33-34, 36-37,</p> <p>LUMA employee signatures Pages 2, 5, 8, 11, 15, 18, 21, 27, 31, 33, 36</p> <p>LUMA employee emails Pages 2, 5, 8, 11, 15, 18, 21, 27, 31, 34, 37</p>	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 14, 2025
<i>PC-of-LUMA-FEMA-26-Attachment_2</i>	<p>LUMA employee names Page 1</p> <p>LUMA employee signatures Page 1</p>	Right to privacy (<i>see e.g.</i> , Const. ELA, Art. II, Sections 8 and 10)	November 17, 2025
<i>NPFGC-of-LUMA-NONPHYS_OPS-134-Attachment_2</i>	<p>Budget for projects related to cybersecurity programs Tab “Q. 96”</p> <p>Columns E through N, Rows 2-6, 37, 43</p>	Critical Energy Infrastructure Information 18 C.F.R. § 388.113; 6 U.S.C. §§ 650 (4) (2025); 6 U.S.C. § 671 (3) ¹¹	November 17, 2025

¹¹ These requests are consistent to those made requesting confidential treatment to portions of the Rate Review Petition submitted, mainly those related to IT, OT and Cybersecurity programs (*see Request for Confidential Treatment of Portion of LUMA’s Rate Review Petition* (July 3, 2025) and the memorandum of law in support of such request (*see Memorandum of Law in Support of Confidential Treatment of Portions of LUMA’s Rate Review Petition* (July 10, 2025))).

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; and **grant** LUMA's request to keep the above-identified portions of LUMA's responses to PC-of-LUMA-FIN-88, PC-of-LUMA-FIN-89, PC-of-LUMA-FEMA-26 and NPFGC-of-LUMA-NONPHYS_OPS-134 under seal of confidentiality.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 25th day of November 2025.

WE HEREBY CERTIFY that this Motion was filed using the electronic filing system of this Energy Bureau and that electronic copies of this Motion 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**, hrivera@jrsp.pr.gov; contratistas@jrsp.pr.gov; pvazquez.oipc@avlawpr.com; **Co-counsel for Instituto de Competitividad y Sustentabilidad Económica**, jpouroman@outlook.com; agraitfe@agraitlawpr.com; **Co-counsel for National Public Finance Guarantee Corporation**, epo@amgprlaw.com; loliver@amgprlaw.com; acasellas@amgprlaw.com; matt.barr@weil.com; robert.berezin@weil.com; Gabriel.morgan@weil.com; Corey.Brady@weil.com; alexis.ramsey@weil.com; **Co-counsel for GoldenTree Asset Management LP**, lramos@ramoscruzlegal.com; tlauria@whitecase.com; gkurtz@whitecase.com; ccolumbres@whitecase.com; iglassman@whitecase.com; tmacwright@whitecase.com; jcunningham@whitecase.com; mshepherd@whitecase.com; jgreen@whitecase.com; **Co-counsel for Assured Guaranty, Inc.**, hburgos@cabprlaw.com; dperez@cabprlaw.com; mmcgill@gibsondunn.com; lshelfer@gibsondunn.com; howard.hawkins@cwt.com; mark.ellenberg@cwt.com; casey.servais@cwt.com; bill.natbony@cwt.com; thomas.curtin@cwt.com; **Co-counsel for Syncora Guarantee, Inc.**, escalera@reichardescalera.com; arizmendis@reichardescalera.com; riverac@reichardescalera.com; susheelkirpalani@quinnemanuel.com; erickay@quinnemanuel.com; **Co-counsel for the PREPA Ad Hoc Group**, dmonserrate@msglawpr.com; fgierbolini@msglawpr.com; rschell@msglawpr.com; eric.brunstad@dechert.com; Stephen.zide@dechert.com; david.herman@dechert.com; michael.doluisio@dechert.com; stuart.steinberg@dechert.com; **Sistema de Retiro de los Empleados de la Autoridad de Energía Eléctrica**, nancy@emmanuelli.law; rafael.ortiz.mendoza@gmail.com; rolando@emmanuelli.law; monica@emmanuelli.law; cristian@emmanuelli.law; lgnq2021@gmail.com; **Official Committee of Unsecured Creditors of PREPA**, jcasillas@cstlawpr.com; jnieves@cstlawpr.com; **Solar and Energy Storage Association of Puerto Rico**, Cfl@mcvpr.com; apc@mcvpr.com; javrua@sesapr.org; mrios@arroyorioslaw.com; ccordero@arroyorioslaw.com; **Wal-Mart Puerto Rico, Inc.**, Cfl@mcvpr.com; apc@mcvpr.com; **Solar United Neighbors**, ramonluisnieves@rlnlegal.com; **Mr. Victor González**, victorluisgonzalez@yahoo.com; and **the Energy Bureau's Consultants**, Josh.Llamas@fticonsulting.com; Anu.Sen@fticonsulting.com; Ellen.Smith@fticonsulting.com; Intisarul.Islam@weil.com; jorge@maxetaenergy.com; rafael@maxetaenergy.com; RSmithLA@aol.com; msdady@gmail.com; mcranston29@gmail.com; dawn.bisdorf@gmail.com; ahopkins@synapse-energy.com; clane@synapse-energy.com; guy@maxetaenergy.com; Julia@londoneconomics.com; Brian@londoneconomics.com; luke@londoneconomics.com; kbailey@acciongroup.com; hjudd@acciongroup.com;

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