

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

IN RE: PUERTO RICO ELECTRIC POWER
AUTHORITY RATE REVIEW

CASE NO.: NEPR-AP-2023-0003

SUBJECT: Resolution and Order pertaining to *PREPA's Urgent Motion for Reconsideration of the Hearing Examiner's Order on Miscellaneous Procedural Matters*, filed by the Puerto Rico Electric Power Authority.

RESOLUTION AND ORDER

On November 17, 2025, the Energy Bureau of the Puerto Rico Public Service Regulatory Board's ("Energy Bureau") Hearing Examiner denied the Puerto Rico Electric Power Authority's ("PREPA") request to designate a representative of the Central Office for Recovery, Reconstruction, and Resiliency ("COR3") as a panelist in the Federal Funds evidentiary panel, on the grounds that the deadline for prefiled testimony had expired weeks earlier and that the proposed testimony would constitute untimely new evidence ("November 17 Resolution").

On December 8, 2025, PREPA filed a document titled *PREPA's Urgent Motion for Reconsideration of the Hearing Examiner's Order on Miscellaneous Procedural Matters* ("December 8 Motion"). In its December 8 Motion, PREPA requested that the Energy Bureau reverse the Hearing Examiner's ruling and allow COR3 to testify and place on the record information regarding LUMA's¹ alleged deficiencies in the pursuit of federal funds.

The Energy Bureau **DETERMINES** that the Hearing Examiner correctly applied fundamental principles of procedural fairness and procedural orderliness in denying PREPA's late attempt to introduce new testimony. The deadlines for prefiled testimony in this rate case expired months ago. Allowing new witnesses and new evidentiary submissions at this late stage would disrupt the orderly structure of the proceeding, create prejudice to other parties, and undermine the certainty and reliability of the evidentiary record. Moreover, PREPA does not dispute that the request was made after the prefiled testimony deadlines.

The Energy Bureau further **DETERMINES** that the availability of federal funds relates to the determination of just and reasonable rates. However, the purpose of this rate case is not to adjudicate management performance, but to make forward-looking, reasonable predictions regarding what federal funds are likely to be received, in what amounts, and on what time frame. That inquiry is being developed through the existing evidentiary record and the scheduled Federal Funds Panel on December 18 and 19, 2025, which will allow a thorough examination of current funding efforts and expected outcomes.

Additionally, the Energy Bureau reiterates, as previously stated, that resolving any disputes that may exist among the operators of the electric system, including PREPA, Genera, and LUMA, falls outside the scope of this case.

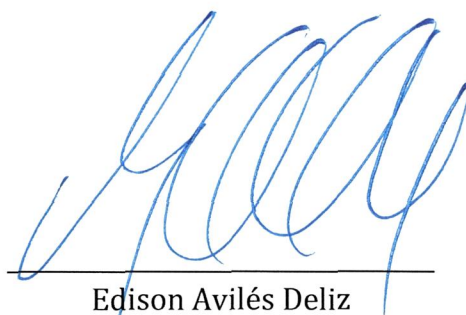
The Energy Bureau **DETERMINES** that PREPA has demonstrated no procedural error or violation of due process that would justify reopening the evidentiary record months after the close of prefiled testimony. The Hearing Examiner's ruling was **correct, reasonable, and consistent with orderly administrative adjudication**.

The Energy Bureau **DENIES** PREPA's December 8 Motion. The Hearing Examiner's November 17 Resolution remains in full force and effect. The December 18-19 Federal Funds Panel shall proceed as scheduled within the evidentiary scope of this proceeding.

¹ LUMA Energy, LLC and LUMA Energy ServCo, LLC (referred to jointly as "LUMA").



Be it notified and published.



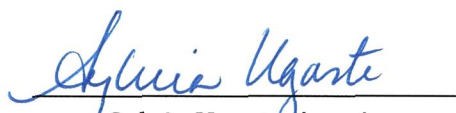
Edison Avilés Deliz
Chairman



Lillian Mateo Santos
Associate Commissioner



Ferdinand A. Ramos Soegaard
Associate Commissioner



Sylvia Ugarte Araujo
Associate Commissioner



Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on December 9, 2025. I also certify that on December 9, 2025 I have proceeded with the filing of the Resolution and Order, and a copy of was notified by electronic mail to

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I sign this in San Juan, Puerto Rico, today December 9, 2025.





Sonia Seda Gaztambide
Clerk