

**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: LUMA's Objections to
Documents Marked for Identification in
the Accion Discovery Platform**

**LUMA'S OBJECTIONS TO DOCUMENTS MARKED FOR IDENTIFICATION IN THE
ACCION DISCOVERY PLATFORM**

**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. On September 29, 2025, the Hearing Examiner, Scott Hempling, issued an Order that established an Accion Discovery Platform-based process for numbering, uploading, and admitting exhibits, prior to and during the approaching evidentiary hearing.¹

2. On December 2, 2025, the Hearing Examiner issued a *Hearing Examiner's Order on Exhibits, FTI Report, and on Miscellaneous Procedural Matters* ("December 2nd Order"). Therein, the Hearing Examiner ordered the parties to file any objections to documents marked Ex. 874 to 925 in the Accion Discovery Platform by December 12, 2025.

3. Further, the Order states that the Hearing Examiner has not required cross-examining counsel to seek admission of the materials used during cross-examination for documents marked Ex. 1-925. If none of those documents are objected to by December 12, 2025, the Hearing Examiner will deem them admitted.

¹ See Appendix A of *Hearing Examiner's Order Establishing (a) Agenda for the September 29 Conference, and (b) Certain Procedures for the Evidentiary Hearing*. Available at <https://energia.pr.gov/wp-content/uploads/sites/7/2025/09/20250929-AP20230003-HE-Order-on-Agenda-and-Procedures.pdf>.

4. Moreover, the Hearing Examiner indicated that for materials that are not referenced in or attached to pre-filed testimony and not introduced during cross-examination, he will not admit them into evidence.²

5. In compliance with the Hearing Examiner's December 2nd Order, LUMA hereby files its objections to two documents marked for identification through the Accion Discovery Platform. Those documents are Ex. BH 917, which is an Electric Distribution Company Act 129 Reporting and Ex. BH 919, which is the Petition for Approval of Initial Budgets and Related Terms of Services. Those documents are not part of the discovery exchanged between the parties and were not used or introduced as evidence during cross-examination.

WHEREFORE, LUMA respectfully requests that the Energy Bureau and its Hearing Examiner **take notice** of the aforementioned; **deem** LUMA in compliance with the December 2nd Order; **reject** the objected evidence for the reasons outlined herein; and **grant** such other and further relief as deemed just and proper.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 12th day of December, 2025.

WE HEREBY CERTIFY that this Motion 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**, 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;

² Per statements by the Hearing Examiner during the December 12th Evidentiary Hearing, LUMA understands that Kate Bailey will reach out to the parties to remove all materials that are not referenced in or attached to pre-filed testimony and were not introduced during cross-examination. LUMA reserves the right to request that the Hearing Examiner strike any materials not referenced in or attached to pre-filed testimony and not introduced during cross-examination that may remain in the Accion Platform at the close of the evidentiary hearing.

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