

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

NEPR Received: Jan 27, 2026 9:04 PM
--

CASE NO.: NEPR-MI-2019-0007

IN RE: THE PERFORMANCE OF THE
PUERTO RICO ELECTRIC POWER
AUTHORITY

SUBJECT: LUMA’s Motion Submitting
the Quarterly Report on System Data for
October through December 2025, in
Compliance with December 19, 2025,
Resolution and Order, and Request for
Confidential Treatment

**MOTION SUBMITTING THE QUARTERLY REPORT ON SYSTEM DATA FOR
OCTOBER THROUGH DECEMBER 2025, IN COMPLIANCE WITH DECEMBER 19,
2025, RESOLUTION AND ORDER, AND REQUEST FOR CONFIDENTIAL
TREATMENT**

TO THE PUERTO RICO ENERGY BUREAU:

COMES NOW, LUMA ENERGY SERVCO, LLC (“LUMA”), through the undersigned legal counsel and respectfully states and requests the following:

I. Introduction

The requirement to submit quarterly reports on specified system data of the Puerto Rico Electric Power Authority (“PREPA”) arises under the Resolution and Order issued by the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) on May 14, 2019, in this proceeding. Pursuant to Section 5.6 of the Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement (“T&D OMA”), LUMA, as an agent of PREPA, submits system data regarding the transmission and distribution system (“T&D System”).

On December 19, 2025, the Energy Bureau issued a Resolution and Order addressing various matters related to performance metrics reporting and directing the parties to comply with additional requirements as part of the metrics reporting (“December 19th Order”). Specifically, the Energy Bureau ordered LUMA and Genera PR LLC (“Genera”) to submit the underlying data and

supporting workpapers for the metrics listed in Attachment A for fiscal year 2025 (FY2025) and to continue reporting such data and workpapers at the frequency (annually or quarterly) specified therein. The Energy Bureau further directed LUMA to submit the FY2025 underlying data and supporting workpapers within thirty (30) days of the December 19th Order, that is, by January 19, 2026.

On December 29, 2025, LUMA filed a motion wherein it respectfully requested the Energy Bureau to: (1) consolidate the December 19th Order’s FY2025 data and supporting workpapers submission with the Quarterly Report on System Data for October through December 2025, and (2) extend the deadline for this consolidated submission to January 27, 2026.¹

On January 9, 2026, the Energy Bureau issued a Resolution and Order (“January 9th Order”) granting LUMA’s request for an extension of time until January 27, 2026, to submit its Quarterly Report on System Data as well as its response to the December 19th Order.²

LUMA respectfully submits this motion to provide the Quarterly Report on System Data for October through December 2025, alongside the underlying data and supporting workpapers for the metrics listed in Attachment A of the December 19th Order for FY2025.

II. Background on Filing the Quarterly Report on System Data

On June 22, 2021, LUMA submitted its first Quarterly Report on System Data for March, April, and May 2021, with performance data before Interim Service Commencement, which occurred on June 1, 2021. Since then, LUMA has submitted Quarterly Reports on System Data and updates, as requested by this Energy Bureau.

III. Submission of System Data for October through December 2025

¹ See Motion Requesting Extension of Time to Comply with the December 19 Order and Submit Quarterly Report on System Data for October through December 2025 (“December 29th Motion”).

² The January 9th Order also extended the deadline for Genera to file its Quarterly Report and additional supporting data and workpapers for the metrics included in Attachment A of the December 19th Order.

With this Motion, LUMA is submitting System Data for October through December 2025. This submission includes an Excel spreadsheet entitled “Resumen Métricas Master_January2026.xlsx”. See **Exhibit 1**.

The Quarterly Report on System Data for October through December 2025 is based on the revised data template issued by this Energy Bureau with a Resolution and Order dated January 17, 2025. This filing also complies with the requirements of the December 19th Order to the extent that it includes the supporting workpapers for the metrics outlined in Attachment A of the aforementioned order.

LUMA notes that, based on the Energy Bureau’s acknowledgment of Genera’s prior submission in the December 19th Order, LUMA has removed Genera’s tabs from the Quarterly Report on System Data submission.³ Moreover, on January 20, 2026, Genera filed its *Motion in Compliance with Resolution and Order issued December 19, 2025* (“Genera’s January 20th Motion”). Therein, Genera submitted, as Exhibit 1, its revised Quarterly Report data template with the metrics evaluated in the instant docket. Exhibit 1 of Genera’s January 20th Motion contains a separate tab, titled Genera Incentive Metrics, with the corresponding and requested metrics data, per Table 1 of the December 19th Order. Furthermore, Genera requested until January 27, 2026, to provide the underlying data and supporting workpapers requested by the December 19th Order. Given Genera’s independent submittal of its performance metrics, we urge the Energy Bureau to issue directives addressing this procedural matter for future filings in the present docket.

IV. LUMA’s Notes and Requests regarding the Submittal of System Data for October through December 2025 (Q2 FY2026)

³ LUMA reiterates that, as expressed in its *Motion Submitting Quarterly Report on System Data for July through September 2025*, filed on October 20, 2025, Genera informed LUMA by written correspondence that it would be submitting its performance metrics independently through its legal counsel. LUMA respectfully requests that, should the Energy Bureau determine that Genera’s separate filing does not comply with the procedural requirements or orders governing this case, LUMA not be held responsible for the resulting omission.

A. Submission of the September Values for Deferred Metrics

On October 20, 2025,⁴ LUMA requested a temporary deferral of certain metrics due to system modifications. On December 19, 2025,⁵ the Energy Bureau granted LUMA’s request for this deferral. This submission includes the deferred September 2025 values for all deferred metrics: Monthly system sales by customer class; Monthly sales by Municipality; Average revenue per kilowatt-hour sold; Technical losses as % of net generation; and Generation from RPS-eligible PPOAs (percent of sales).

B. Submission of the First Call Resolution (FYTD) Metric

In compliance with the October 18, 2024, Order, and pursuant to LUMA’s November 20, 2024, Motion,⁶ in this submission, LUMA has begun to report the First Call Resolution (FYTD) metric. Because this metric required building the systems’ infrastructure for tracking and reporting, it cannot be reported prior to July 2025.

C. Restated Previously Reported Data

In furtherance of its continued efforts to improve its processes, LUMA continually reviews and adjusts System Data to incorporate improved and accurate data.

In this submission, LUMA includes restated values for the Distribution Lines Inspections (FYTD) metric from July 2021 through June 2025. After a quality review of the raw data, it was identified that in some cases, the date used in the metric calculation was the reporting date (when data was received) and not the field inspection date. Additionally, some inspections were received after the end of the reporting period, and these were inadvertently excluded. This submission

⁴ See Motion to Submit Quarterly Report on System Data for July through September 2025.

⁵ See December 19th Order.

⁶ See Motion Submitting Quarterly Report on System Data for July through September 2024.

contains corrections to accurately reflect the amount reported by period and the total amount of inspections.

Also, in alignment with the Energy Bureau's request in its December 19th Order to submit a corrected Resumen Métricas Master file and supporting workpapers if any reported error for FY2025 is uncovered in the process of complying with this Order, LUMA has made corrections in this submission to reflect final FY2025 amounts for the budget metrics in the Resumen Métricas Master_January2026.slsx file and FY2026-Q2_Budget metrics_Overtime.xlsx workpaper. These corrections were limited to the Operational Expenses vs. budget (FYTD), Capital expenses vs. budget (FYTD)-Federally Funded and Capital expenses vs. budget (FYTD) Non-Federally Funded metrics.

D. Request to modify the reporting template to include new sub-group for the Renewable Portfolio Standard (RPS)-eligible metrics

On December 2025, Ciro One Salinas, LLC, a new solar generation facility, was interconnected to the grid. LUMA requests the Energy Bureau to revise the existing data reporting template to include Ciro One subgroup into the following metrics: Number of curtailed hours from RPS-eligible capacity, Average capacity factor of RPS-eligible capacity and Generation from RPS-eligible PPOA's (by unit), to ensure their timely and accurate reporting.

E. New Survey Methodology for the J.D. Power Customer Satisfaction Survey (FYTD) – Business Customers Metric

LUMA hereby informs the Energy Bureau that as mentioned in its Motion dated April 21, 2025,⁷ J.D. Power introduced a new methodology for its survey as part of their 2025 Utility Research Modernization. This change was implemented by J.D. Power for the business customer survey with results in November 2025 and will be applicable from FY2026 onwards. Like the J.D.

⁷ See Motion Submitting Quarterly Report on System Data for January through March 2025.

Power Customer Satisfaction Survey (FYTD)-Residential Customers, surveys scores before FY2026 are not comparable to the new methodology scores.

F. Submittal of the annual Inspections Metrics Data Files for FY2025 & Request for Confidential Treatment

In compliance with the December 19th Order, LUMA is submitting the complete dataset and supporting workpapers covering the full FY2025 for Distribution line inspections (FYTD)-System, Transmission line inspections (FYTD)-System and T&D substation inspections (FYTD)-System metrics.

In addition, LUMA respectfully submits that portions of **Exhibit 1** related to the Distribution line inspections (FYTD)-System, Transmission line inspections (FYTD)-System and T&D substation inspections (FYTD)-System metrics contain confidential information, including line identification makers, assets (*i.e.*, Feeder) numbers and substation site names that should be protected as Critical Energy Infrastructure (“CEII”) that garners protection from public disclosure pursuant to federal statutes and regulations, *see, e.g.*, 6 U.S.C. §§ 671-674; 18 C.F.R. § 388.113 (2020), and 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 Management of Confidential Information”). Therefore, LUMA submits that this information must be protected from disclosure.

In compliance with the Policy on Management of Confidential Information, LUMA includes below the corresponding Memorandum of Law stating the legal basis for which certain portions of **Exhibit 1** should remain under seal of confidentiality.

V. Memorandum of Law in Support of Request for Confidentiality

A. Applicable Laws and Regulation to Submit Information Confidentially before the Energy Bureau

The bedrock provision on the management of confidential information filed before this Energy Bureau is Section 6.15 of Act 57-2014, known as the “Puerto Rico Energy Transformation and Relief Act.” 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 [Energy Bureau] to treat such information as such [...]” 22 LPRA § 1054n. 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.* § 1054n(a).

Access to confidential information shall be provided “only to the lawyers and external consultants involved in the administrative process after the execution of a confidentiality agreement.” *Id.* § 1054n(b). 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.* § 1054n(c).

Relatedly, in connection with the duties of electric power service companies, Section 1.10 (i) of Act 17-2019 provides that electric power service companies shall provide the information requested by customers, except for confidential information in accordance with the Rules of Evidence of Puerto Rico.

Moreover, the Energy Bureau’s Policy on Management of Confidential Information details the procedures a party should follow to request that a document or portion thereof be afforded

confidential treatment. In essence, the referenced Policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* CEPR-MI-2016-0009, Section A, as amended by the Resolution of September 20, 2016, CEPR-MI-2016-0009. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and why each claim or designation conforms to the applicable legal basis of confidentiality. *Id.* at ¶ 3. The party who seeks confidential treatment of information filed with the Energy Bureau must also file both a “redacted” or “public version” and an “unredacted” or “confidential” version of the document that contains confidential information. *Id.* at ¶ 6.

The Energy Bureau’s Policy on Management of Confidential Information states the following with regard to access to validated CEII:

Critical Energy Infrastructure Information (“CEII”)

The information designated by the [Energy Bureau] as Validated Confidential Information on the grounds of being CEII may be accessed by the parties’ authorized representatives only after they have executed and delivered the Nondisclosure 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. at § D (on Access to Validated Confidential Information).

Regulation No. 8543, *Regulation on Adjudicative, Notice of Noncompliance, Rate Review, and Investigation Proceedings*, also includes a provision for filing confidential information in proceedings before this 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 according to [...] Article 6.15 of Act No. 57-2015, as amended.” *See also* Energy Bureau Regulation No. 9137 on *Performance Incentive Mechanisms*, § 1.13 (addressing disclosure before the Energy Bureau of Confidential Information and directing compliance with Resolution CEPR-MI-2016-0009).

B. Request for Confidentiality

Certain workpapers in **Exhibit 1** contain portions of CEII that, under relevant federal law and regulations, are protected from public disclosure. LUMA stresses that the Inspection metrics supporting workpapers containing line identification markers, asset (*i.e.*, feeder) numbers and the names of the T&D substations deserve confidential treatment to protect critical infrastructure from threats that could undermine the system and negatively affect electric power services to the detriment of the interests of the public, customers, and citizens of Puerto Rico.

Generally, CEII or critical infrastructure information is exempted from public disclosure because it involves assets and information that pose public security, economic, health, and safety risks. Federal Regulations on CEII, particularly, 18 C.F.R. § 388.113, state 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

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 (2020), part of the Homeland Security Act of 2002, protects critical infrastructure information (“CII”). 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. § 671 (3).

Portions of **Exhibit 1** qualify as CEII because these spreadsheets contain a list of line identification markers, asset (*i.e.*, feeder) numbers and the names of the T&D substations (18 C.F.R. § 388.113(ii)), information that could potentially be helpful to a person planning an attack on the energy facilities listed as part of this response. The information identified as confidential in this paragraph is not common knowledge and is not made publicly available. Therefore, it is respectfully submitted that, on balance, the public interest in protecting CEII weighs in favor of protecting the relevant portions of this response with CEII in **Exhibit 1** from disclosure, given the nature and scope of the details included in those portions of the Exhibit.

Based on the above, LUMA respectfully submits that portions of **Exhibit 1** should be designated as CEII given the importance of ensuring the safe and efficient operation of the T&D System assets. LUMA respectfully submits that these materials constitute CEII that should be maintained confidentially to safeguard their integrity and protect them from external threats.

C. Identification of Confidential Information

In compliance with the Energy Bureau’s Policy on Management of Confidential Information (CEPR-MI-2016-0009) below, find a table summarizing the portions of **Exhibit 1** for which we present this request for confidential treatment.

Document	Name	Pages in which Confidential Information is Found, if applicable	Summary of Legal Basis for Confidentiality Protection, if applicable	Date Filed
Exhibit 1	FY2026-Q2_Transmission line inspections_Confidential.xlsx	Inspections and Assets Database Tabs, Column LineID	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	January 27, 2026
Exhibit 1	FY2026-Q2_Distribution line inspections_Confidential.xlsx	Inspections and Assets Database Tabs, Column Asset (Feeder)	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	January 27, 2026
Exhibit 1	FY2026-Q2_T&D substation inspections_Confidential.xlsx	Inspections and Assets Database Tabs, Column Site	Critical Energy Infrastructure Information, 18 C.F.R. § 388.113; 6 U.S.C. §§ 671-674.	January 27, 2026

LUMA submits as *Exhibit A*, herein, redacted versions of Excel spreadsheets identified above and found in **Exhibit 1**, in which the information identified above is redacted. LUMA respectfully requests the Energy Bureau to accept *Exhibit A* herein as the public version of **Exhibit 1**. *Exhibit A* contains the following titled spreadsheets, in their redacted format: FY2026-Q2_Transmission line inspections.xlsx, FY2026-Q2_Distribution line inspections.xlsx, and FY2026-Q2_T&D substation inspections.xlsx.

WHEREFORE, LUMA respectfully requests that this Honorable Bureau **take notice** of the aforementioned; **accept** the Quarterly Performance Metrics Report for the months of October through December 2025; **grant** LUMA's request to modify the reporting template to include a new sub-group for the RPS-eligible metrics; **grant** confidential treatment to certain portions of **Exhibit 1**; **accept** *Exhibit A* as the public version of **Exhibit 1**; and **deem** LUMA in compliance with the December 19th Order and its other reporting requirements.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 27th day of January 2026.



DLA PIPER (PUERTO RICO) LLC

Calle de la Tanca #500, Suite 401

San Juan, PR 00901-1969

Tel. 787-945-9139

Fax 939-697-6169

/s/ Katuska Bolaños-Lugo

Katuska Bolaños-Lugo

TSPR no. 18,888

Katuska.Bolanos-Lugo@us.dlapiper.com

CERTIFICATE OF SERVICE

I hereby certify that I filed this motion with the Clerk of the Energy Bureau using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this motion to PREPA, through its addresses of record rcruzfranqui@gmlex.net, nzayaz@gmlex.net, arivera@gmlex.net and mvalle@gmlex.net, and Genera PR LLC, through its addresses of record jfr@sbgblaw.com, sromero@sbgblaw.com, jdiaz@sbgblaw.com, legal@genera-pr.com, regulatory@genera-pr.com and the Independent Consumer Protection Office, Hannia Rivera Diaz, hrivera@jrsp.pr.gov.

In San Juan, Puerto Rico, this 27th day of January 2026.

/s Katuska Bolaños-Lugo
Katuska Bolaños-Lugo

Exhibit 1

System Data for October through December 2025

[Files to be submitted via email in Excel format]

Exhibit A

Redacted versions of certain workpapers found in Exhibit 1

[Files to be submitted via email in Excel format]