

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

NEPR Received: Jan 27, 2026 6:38 PM
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IN RE:

THE PERFORMANCE OF THE PUERTO RICO ELECTRIC POWER AUTHORITY

CASE NO.: NEPR-MI-2019-0007

SUBJECT: Motion in Compliance with Resolutions and Orders dated December 19, 2025 and January 9, 2026.

**MOTION IN COMPLIANCE WITH RESOLUTIONS AND ORDERS DATED
DECEMBER 19, 2025 AND JANUARY 9, 2026**

TO THE HONORABLE PUERTO RICO ENERGY BUREAU:

COMES NOW GENERA PR LLC ("Genera"), as agent of the Puerto Rico Electric Power Authority ("PREPA"),¹ through its counsel of record, and respectfully submits and prays as follows:

1. On December 19, 2025, the Energy Bureau issued a Resolution and Order titled *Genera and LUMA's October 20th, November 3rd, and November 20th Motions; Requirement to Submit Supporting Workpapers and Data* (the "December 19 Order").

2. In essence, through the December 19 Order the Energy Bureau directed Genera to file additional supporting data and workpapers for the performance metrics specified in said Order, as well as for additional performance metrics for which Genera is able to earn incentives per the LGA OMA.

3. On December 29, 2025, LUMA Energy Servco, LLC ("LUMA") filed a motion titled *Motion Requesting Extension of Time to Comply with the December 19 Order and Submit*

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* ("LGA OMA"), dated January 24, 2023, executed by and among PREPA, Genera, and the Puerto Rico Public-Private Partnerships Authority ("P3 Authority"), Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) and the sole entity authorized to represent PREPA before the Energy Bureau with respect to any matter related to the performance of any of the O&M Services provided by Genera under the LGA OMA.

Quarterly Report on System Data for October through December 2025, requesting an extension of time to submit the supporting data and workpapers for the specified metrics in Attachment A of the December 19 Order, as well as its Quarterly Report on System Data for October through December 2025.

4. On January 9, 2026, the Energy Bureau issued a Resolution and Order in which it granted LUMA's request and extended the deadline for both LUMA and Genera to submit their respective Quarterly Reports and the additional supporting data and workpapers required under the December 19, 2025 Order until January 27, 2026, while leaving all other deadlines unchanged.

5. On January 20, 2026, Genera filed a motion titled *Motion in Compliance with Resolution and Order issued December 19, 2025*, through which Genera complied with the Energy Bureau's directives concerning the performance incentive metrics identified in Table 1 of the December 19 Order, resolved the reporting issues identified in the Energy Bureau's October 7 Resolution and reiterated in Part III, Section C of the December 19 Order. Further, Genera requested an extension of time to submit the underlying data and supporting workpapers, in light of the overlapping and voluminous documentation required for both the Table 1 metrics and the metrics included in Attachment A, Table 3.

6. Pursuant to the extension granted by the Energy Bureau in the January 9 Order, Genera hereby submits the underlying data and supporting workpapers required under Table 3 of Attachment A and Table 1 of Part III of the December 19 Order. Genera further notes that its Quarterly Report for Q2 of FY2026 covering the same period was previously filed as Exhibit 1 of its January 20, 2026 *Motion in Compliance with Resolution and Order issued December 19, 2025*.

7. In compliance with the aforementioned Orders, Genera hereby submits several exhibits consisting of the underlying data and supporting workpapers required. For ease of

reference, Genera briefly describes below the underlying data that each of the below exhibits encompasses:

- a.* **Exhibit 1** – OSHA-related supporting workpapers
- b.* **Exhibit 2A**- underlying data related to Operation Cost Efficiency Metric, including Operational Expenses vs. budget (FYTD system); Operational Expenses vs. budget (FYTD Labor); Operational Expenses vs Budget (FYTD Non-Labor; Capital Expenses vs budget (FYTD) NME; Capital expenses vs budget (FYTD) Non-federally funded, and Capital expenses vs budget (FYTD) federally funded for Fiscal Year 2024.
- c.* **Exhibit 2B**- underlying data related to Operation Cost Efficiency Metric, including Operational Expenses vs. budget (FYTD system); Operational Expenses vs. budget (FYTD Labor); Operational Expenses vs Budget (FYTD Non-Labor; Capital Expenses vs budget (FYTD) NME; Capital expenses vs budget (FYTD) Non-federally funded and Capital expenses vs budget (FYTD) federally funded for Fiscal Year 2025.
- d.* **Exhibit 2C**- underlying data related to Operation Cost Efficiency Metric, including Operational Expenses vs. budget (FYTD system); Operational Expenses vs. budget (FYTD Labor); Operational Expenses vs Budget (FYTD Non-Labor; Capital Expenses vs budget (FYTD) NME; Capital expenses vs budget (FYTD) Non-federally funded and Capital expenses vs budget (FYTD) federally funded for and up to the Second Quarter (Q2) of Fiscal Year 2026.
- e.* **Exhibit 3**- underlying data for average heat rate (system) and average heat rate (by plant) for Q2 of FY2026.

f. **Exhibit 4-** underlying data for Plant availability (by plant); Forced outages (system) and Forced Outages (by plant).

8. Moreover, in an effort to facilitate the Energy Bureau’s review and to promote clarity, Genera hereby submits **Exhibit 5**, which provides additional detail regarding the **Cost of Generation** for the relevant period.

9. Lastly, Genera informs that the exhibits submitted through the instant motion are being submitted as confidential, and respectfully requests the Energy Bureau to designate and keep as such pursuant to its *Policy on Management of Confidential Information*, CEPR-MI-2016-0009 (“PREB’s Policy on Confidential Information”), as amended. Pursuant to the reference Policy on Confidential Information, Genera respectfully informs that it will submit, within the next ten (10) days, the corresponding Memorandum of Law supporting its request for confidentiality of the exhibits submitted herein.

WHEREFORE, Genera respectfully requests that the Energy Bureau take notice of the foregoing, **accept** for all purposes **Exhibits 1-5**, containing the relevant underlying data and supporting workpapers required for Table 3 of Attachment A and Table 1 of Part III of the December 19 Order, and **deem** Genera in compliance with the Resolutions and Orders issued on December 19, 2025 and January 9, 2026.

RESPECTFULLY SUBMITTED.

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

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(Signatures page follows.)

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CERTIFICATE OF SERVICE

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com; mvalle@gmlex.net; alexis.rivera@prepa.pr.gov; hrivera@jrsp.pr.gov; nzayas@gmlex.net; rcruzfranqui@gmlex.net; katiuska.bolanos-lugo@us.dlapiper.com; legal@genera-pr.com ; regulatory@genera-pr.com.

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

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ Stephen David Romero Valle
Stephen David Romero Valle

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso

Exhibit 1
OSHA Related Supporting Workpapers
(Submitted as confidential.)

Exhibit 2A

Operational Expenses v. Budget - FY2024
(Native file submitted via email as confidential.)

Exhibit 2B

Operational Expenses v Budget – FY2025
(Native file submitted via email as confidential.)

Exhibit 2C
Operational Expenses v Budget – FY2026
(Native file submitted via email as confidential.)

Exhibit 3
Heat Rates Q2
(Native file submitted via email as confidential.)

Exhibit 4
Plant Availability
(Native file submitted via email as confidential.)

Exhibit 5
Cost of Generation
(Native file submitted via email as confidential.)