

NEPR

Received:

Jan 10, 2026

9:00 AM

**GOVERNMENT OF 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: Memorandum of Law in Support of Confidential Treatment of Portions of Genera's Responses to ROIs PC-of-GENERA-GEN-28 and PC-of-GENERA-GEN-29

**MEMORANDUM OF LAW IN SUPPORT OF CONFIDENTIAL TREATMENT OF
PORTIONS OF GENERA'S RESPONSES TO REQUESTS FOR INFORMATION
PC-OF-GENERA-GEN-28 AND PC-OF-GENERA-GEN-29**

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 undersigned counsel, and respectfully states and requests the following:

I. Introduction

1. On September 30, 2025, the Puerto Rico Energy Bureau ("Energy Bureau") Consultants ("PREB Consultants") issued two Requests for Information ("ROIs") to Genera under the Generation category. The ROI IDs assigned by the Accion Platform are PC-of-GENERA-GEN-28 ("GEN-28") and PC-of-GENERA-GEN-29 ("GEN-29").
2. The ROIs requested detailed information regarding Genera's professional and technical outsourced services and legal services, including contract documentation, cost information, renewal status, and the operational justification for such services. In particular, the PREB

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, 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.

Consultants requested the following:

GEN-28:

Refer to Ex. 30 at 4/7, Professional and technical Outsourced Services.

- a. Provide copies of all Professional and Technical Outsourced Services contracts for which Genera proposes funding for FY 2026, FY 2027 and FY 2028.
- b. Provide the proposed cost for each Professional and Technical Outsourced Services contract for FY 2026, FY 2027 and FY 2028.
- c. Explain which contracts are continuations or renewals of current Professional and Technical Outsourced Services contracts and provide the cost of each for FY 2025.
- d. Explain in detail Genera's need for each Professional and Technical Outsourced Services contract to fulfill its responsibilities and how each contract contributes to safe and reliable electric service for Puerto Rico.

GEN-29:

Refer to Ex. 30 at 6/3, Legal Services.

- a. Provide copies of all Legal Services contracts for which Genera proposes funding for FY 2026, FY 2027 and FY 2028.
- b. Provide the proposed cost for each Legal Services contract for FY 2026, FY 2027 and FY 2028.
- c. Explain which contracts are continuations or renewals of current Legal Services contracts and provide the cost of each for FY 2025.
- d. Explain in detail Genera's need for each Legal Services contract to fulfill its responsibilities and how each Legal Services contract contributes to safe and reliable electric service for Puerto Rico.

3. On December 31, 2025, Genera submitted its responses to ROIs GEN-28 and GEN-29.

Consistent with the Energy Bureau's *Policy on Management of Confidential Information* (Case No. CEPR-MI-2016-0009), as amended (the "Policy on Confidential Information"), Genera filed both a confidential, unredacted version and a public, redacted version of its responses, thereby ensuring full regulatory access while safeguarding limited personal information from public disclosure.

4. As pertinent here, the confidential portions of Genera's responses to ROIs GEN-28 and GEN-29 consist solely of personally identifiable information ("PII") and sensitive personal data contained in certain contracts and supporting materials, including but not limited to

bank account numbers, DocuSign envelope identifiers and authentication data, handwritten signatures and initials, notary seals, personal email addresses, phone numbers and direct extensions, marital status information, and employee resumes or curricula vitae.

5. Genera designated these limited portions as confidential because the information, by its nature, constitutes personal and sensitive information protected from public disclosure under applicable Puerto Rico law, constitutional privacy protections, and the Policy on Confidential Information.
6. Accordingly, Genera submits this Memorandum of Law to respectfully request that the Energy Bureau maintain under confidential seal only those portions of Genera's responses to ROIs GEN-28 and GEN-29 that were redacted from the public filings.

II. Basis for Confidential Treatment and Applicable Law

7. The redacted portions of Genera's responses to ROIs GEN-28 and GEN-29 consist exclusively of personally identifiable information and sensitive personal data, disclosure of which would constitute an unwarranted invasion of privacy and expose individuals to risks of identity theft, fraud, impersonation, and misuse.
8. Specifically, the redacted information includes, among other things: (a) bank account numbers and financial identifiers; (b) DocuSign envelope IDs and related authentication data; (c) handwritten signatures and initials; (d) notary seals and notarial credentials; (e) personal email addresses, phone numbers, direct lines, and extensions; (f) personal demographic information, including marital status; and (g) employee resumes or curricula vitae containing education, employment history, and other personal details.
9. Genera respectfully seeks confidential treatment pursuant to the Policy on Confidential Information; Section 6.15 of Act 57-2014, the Puerto Rico Energy Transformation and

RELIEF Act; and the constitutional right to privacy protected under Article II, Section 8 of the Constitution of the Commonwealth of Puerto Rico.

10. Puerto Rico courts have consistently recognized that personal identifiers, signatures, contact information, and sensitive personal records fall within the scope of constitutionally protected privacy interests and must be shielded from unnecessary public disclosure.
11. Public disclosure of the information at issue would not advance regulatory transparency or enhance the public's understanding of Genera's rate-related operations. Rather, it would materially increase the risk of misuse of personal data and invasion of individual privacy.
12. Maintaining confidentiality is therefore consistent with Section 6.15 of Act 57-2014, which directs the Energy Bureau to grant protection in a manner that least affects the public interest and transparency while safeguarding protected information.
13. Confidential treatment will not impede the Energy Bureau's review, as the Bureau and its consultants retain full access to the unredacted information, and only limited personal identifiers are withheld from public disclosure.

III. Identification of Confidential Information

14. In compliance with the Policy on Confidential Information, the following table identifies the confidential information and summarizes the basis for this request:

Document Name and Filing Date	Confidential Portions	Legal Basis for Confidentiality	Summary for Justification
-------------------------------	-----------------------	---------------------------------	---------------------------

Response to ROI PC-of-GENERA- GEN-28. Filed on December 31, 2025.	Limited portions containing bank account numbers, DocuSign identifiers, handwritten signatures and initials, notary seals, personal email addresses, phone numbers and extensions, marital status information, and employee resumes or curricula vitae.	Policy on Confidential Information; Act 57-2014 § 6.15; Const. ELA Art. II § 8.	Contains personally identifiable and sensitive personal information, the public disclosure of which would constitute an unwarranted invasion of individual privacy and expose affected individuals to risks of misuse, fraud, or identity theft, without advancing regulatory transparency.
Response to ROI PC-of-GENERA- GEN-29. Filed on December 31, 2025.	Limited portions containing bank account numbers, DocuSign identifiers, handwritten signatures and initials, notary seals, personal email addresses, phone numbers and extensions, marital status information, and employee resumes or curricula vitae.	Policy on Confidential Information; Act 57-2014 § 6.15; Const. ELA Art. II § 8.	Contains personally identifiable and sensitive personal information, the public disclosure of which would constitute an unwarranted invasion of individual privacy and expose affected individuals to risks of misuse, fraud, or identity theft, without advancing regulatory transparency.

WHEREFORE, Genera respectfully requests that the Puerto Rico Energy Bureau: (a) take notice of the foregoing; (b) accept this Memorandum of Law in support of the confidential treatment of portions of Genera's responses to ROIs PC-of-GENERA-GEN-28 and PC-of-GENERA-GEN-29; (c) grant Genera's request to maintain the identified portions under confidential seal, consistent with the Policy on Confidential Information, Act 57-2014, and the Constitution of the Commonwealth of Puerto Rico, and (d) grant such other and further relief as the Energy Bureau deems appropriate.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 9th day of January 2026.

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 the Hearing

Examiner, Scott Hempling, shempling@scotthemplinglaw.com; and to the attorneys of the parties of record.

A courtesy copy of the present Motion will also be notified to the following:

mvalle@gmlex.net; arivera@gmlex.net; jmartinez@gmlex.net; jgonzalez@gmlex.net; nzayas@gmlex.net; Gerard.Gil@ankura.com; Jorge.SanMiguel@ankura.com; Lucas.Porter@ankura.com; mdiconza@omm.com; golivera@omm.com; pfriedman@omm.com; msyassin@omm.com; msyassin@omm.com; katiuska.bolanos-lugo@us.dlapiper.com; Yahaira.delarosa@us.dlapiper.com; margarita.mercado@us.dlapiper.com; carolyn.clarkin@us.dlapiper.com; andrea.chambers@us.dlapiper.com; regulatory@genera-pr.com; legal@genera-pr.com; mvazquez@vvlawpr.com; gvilanova@vvlawpr.com; dbilloch@vvlawpr.com; ratecase@genera-pr.com; jfr@sbgbaw.com; hriviera@jrsp.pr.gov; gerardo_cosme@solartekpr.net; contratistas@jrsp.pr.gov; victorluisgonzalez@yahoo.com; Cfl@mcvpr.com; nancy@emmanuelli.law; jrinconlopez@guidehouse.com; Josh.Llamas@fticonsulting.com; Anu.Sen@fticonsulting.com; Ellen.Smith@fticonsulting.com; Intisarul.Islam@weil.com; alexis.ramsey@weil.com; kara.smith@weil.com; rafael.ortiz.mendoza@gmail.com; rolando@emmanuelli.law; monica@emmanuelli.law; cristian@emmanuelli.law; luis@emmanuelli.law; jan.albinolopez@us.dlapiper.com; Rachel.Albanese@us.dlapiper.com; varoon.sachdev@whitecase.com; javrua@sesapr.org; Brett.ingerman@us.dlapiper.com; brett.solberg@us.dlapiper.com; agraitfe@agraitlawpr.com; jpouroman@outlook.com; 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; lramos@ramoscruzlegal.com; tlauria@whitecase.com; gkurtz@whitecase.com; ccolumbres@whitecase.com; isaac.glassman@whitecase.com; tmacwright@whitecase.com; jcunningham@whitecase.com; mshepherd@whitecase.com; jgreen@whitecase.com; hburgos@cabprlaw.com; dperez@cabprlaw.com; howard.hawkins@cwt.com; mark.ellenberg@cwt.com; casey.servais@cwt.com; bill.natbony@cwt.com; zack.schrieber@cwt.com; thomas.curtin@cwt.com; escalera@reichardescalera.com; riverac@reichardescalera.com; susheelkirpalani@quinnmanuel.com; erickay@quinnmanuel.com; dmonserrate@msglawpr.com; fgierbolini@msglawpr.com; rschell@msglawpr.com;

eric.brunstad@dechert.com; Stephen.zide@dechert.com; David.herman@dechert.com;
Isaac.Stevens@dechert.com; James.Moser@dechert.com; michael.doluisio@dechert.com;
Kayla.Yoon@dechert.com; Julia@londoneconomics.com; Brian@londoneconomics.com;
luke@londoneconomics.com; juan@londoneconomics.com; mmcgill@gibsondunn.com;
LShelfer@gibsondunn.com; jcasillas@cstlawpr.com; jnieves@cstlawpr.com;
pedrojimenez@paulhastings.com; ericstolze@paulhastings.com; arrivera@nuenergypr.com;
apc@mcvpr.com; ramonluisnieves@rlnlegal.com

PREB Consultants:

shempling@scotthemplinglaw.com; kbailey@acciongroup.com.

Counsels for GENERA PR LLC.



**VÁZQUEZ & VILANOVA LAW FIRM
LLC**
563 Calle C. H Alverio Unit 2
San Juan, PR 00918
Tel.: (787) 519-7063
Fax. (260) 234-3410

/s/ Maralíz Vázquez-Marrero
Maralíz Vázquez-Marrero
mvazquez@vvlawpr.com
RUA NÚM. 16,187

/s/ Giuliano Vilanova Feliberti
Giuliano Vilanova-Feliberti
gvilanova@vvlawpr.com
RUA NÚM. 22,718

/s/ Damaris Billoch-Colón
Damaris Billoch Colón
dbilloch@vvlawpr.com
RUA NÚM. 19,151

