

**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:** Genera's Motion for Reconsideration of  
January 8, 2026 Order Regarding Certain Documents  
Marked for Identification as Exhibits 926 and above

**GENERA'S MOTION FOR RECONSIDERATION OF JANUARY 8, 2026 ORDER  
REGARDING CERTAIN DOCUMENTS MARKED FOR IDENTIFICATION AS  
EXHIBITS 926 AND ABOVE**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

**COMES NOW**, Genera PR LLC ("Genera"), as agent of the Puerto Rico Electric Power Authority ("PREPA")<sup>1</sup>, through its undersigned counsel, and respectfully states and requests the following:

**I. Introduction**

1. On December 22, 2025, the Hearing Examiner issued the *Hearing Examiner's Order on Exhibits, Miscellaneous Post-Hearing Matters, and Legal Issues* (the "December 22 Order").
2. In the December 22 Order, the Hearing Examiner admitted into evidence Exhibits 874 through 925, noting that no objections had been filed to those materials.
3. The December 22 Order further provided that documents numbered 926 and above are admitted only if used during cross-examination.

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<sup>1</sup> 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.

4. At the same time, the Hearing Examiner expressly imposed limits on the post-hearing evidentiary record, directing that, unless an explicit exception is made, materials uploaded and marked for identification after December 18, 2025, must be removed from the Accion platform, other than responses to pending questions identified as Late-Filed Exhibits (“LFEs”).
5. Consistent with the December 22 Order, documents marked for identification as Exhibits 926 and above may remain in the evidentiary record only if they were (i) used during cross-examination or (ii) properly submitted as LFEs responding to pending questions identified by the Hearing Examiner.
6. On January 8, 2026, the Hearing Examiner issued the *Hearing Examiner’s Order on Miscellaneous Procedural and Evidentiary Matters* (the “January 8 Order”), which addressed, among other things, the evidentiary status of certain exhibits. Genera respectfully submits that reconsideration is warranted to the extent that certain exhibits were treated as admitted in the January 8 Order despite not satisfying the criteria set forth in the December 22 Order, namely, that they were used during cross-examination or otherwise not properly admitted.
7. As set forth below, certain documents uploaded and marked for identification as Exhibits 926 and above do not satisfy the requirements established in the December 22 Order and therefore warrant reconsideration to the extent they were treated as admitted in the January 8 Order. Accordingly, Genera respectfully requests reconsideration solely with respect the January 8, 2026 Order as it relates to the admission into evidence of certain exhibits that were, where applicable, properly objected to during the hearings, were not used during cross-examination, or were not submitted as properly designated

LFEs in response to pending questions identified by the Hearing Examiner, as reflected in the hearing record and summarized below:

| <b>Documentary Evidence #</b> | <b>Description</b>  | <b>Objection</b>  |
|-------------------------------|---|---|
| <b>BH Ex. 948</b>             | NFE Q2 2023 Presentation                                    | Objected to during the December 8, 2025 hearing on the grounds that the document was not uploaded or made available in advance on the Accion Platform in accordance with the <i>Hearing Examiner's Order on Cross-Examination, November 25 Plan, Counsel Panel, and Miscellaneous Items</i> dated November 24, 2025, including the requirement that such materials be submitted by 8:00 pm. Likewise, the witness stated for the record that they had never seen the document before and that it was the first time it was being presented. |
| <b>BH Ex. 951</b>             | NFE May 2024 Presentation                                   | Objected to during the December 8, 2025 hearing on the grounds that the document was not uploaded or made available in advance on the Accion Platform in accordance with the <i>Hearing Examiner's Order on Cross-Examination, November 25 Plan, Counsel Panel, and Miscellaneous Items</i> dated November 24, 2025, including the requirement that such materials be submitted by 8:00 pm. Likewise, the witness stated for the record that they had never seen the document before and that it was the first time it was being presented. |
| <b>PC Ex. 962</b>             | NFE Q1 2024 Investor Presentation_vF                        | Was not used during cross-examination.  |
| <b>PC Ex. 964</b>             | Why New Fortress Energy Stock Plummeted 7.4% Today Nov 2025 | Was not used during cross-examination.  |

8. Under the December 22 Order, documents marked for identification as Exhibits 926 and above may remain in the evidentiary record only if they were used during cross-examination or properly submitted as LFEs responding to pending questions identified by the Hearing Examiner. None of the documents listed above satisfy either condition,

or, where applicable, were properly objected to during the hearing.

9. Accordingly, to the extent these materials were treated as admitted in the January 8 Order, their continued inclusion would contravene the express limits imposed by the Hearing Examiner and improperly expand the post-hearing evidentiary record.

**WHEREFORE**, Genera respectfully requests that the Puerto Rico Energy Bureau: (a) take notice of the foregoing; (b) reconsider the January 8, 2026 Order solely with respect to the evidentiary status of the exhibits identified above and direct Accion, pursuant to and in compliance with the December 22 Order, to conform the platform accordingly; and (c) grant such other and further relief as the Hearing Examiner deems just and proper.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 13<sup>th</sup> 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](mailto: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:

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