

**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: REQUEST FOR
ADDITIONAL PUBLIC HEARINGS**

REQUEST FOR ADDITIONAL PUBLIC HEARINGS

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc., Frente Unido Pro Defensa del Valle de Lajas, Inc., CAMBIO PR, Inc., and Comité Yabucoño Pro-Calidad de Vida, Inc., and respectfully state and request that additional in-person public hearings be scheduled in the following regions and municipalities of Puerto Rico: (1) northwest; (2) southwest; (3) southeast; (4) center; (5) Vieques and; (6) Culebra.

On November 21, 2025, the subscribing organizations filed a *Request for Public Participation Measures* before the Puerto Rico Energy Bureau (“PREB”) in the above captioned Puerto Rico Electric Power Authority Rate Review proceeding, asking that “meaningful public participation be ensured in the development of the Puerto Rico Electric Power Authority Rate Review”, consistent with the principles and mandates set forth in the Puerto Rico Energy Public Policy Act and the Puerto Rico Energy Transformation and Relief Act.¹ Among the various measures requested, the

¹ Puerto Rico Electric Power Authority Rate Review, Case No. NEPR-AP-2023-0003, Request for Public Participation Measures, (November 21, 2025), <https://energia.pr.gov/wp-content/uploads/sites/7/2025/11/20251121-AP20230003-Request-for-Public-Participation-Measures.pdf>.

organizations specifically asked that public hearings be held in person throughout the archipelago, including Vieques and Culebra. The organizations emphasized that, during the previous rate case proceeding, PREB conducted hearings in the North, South, East, and West regions of the archipelago.²

On December 22, 2025, PREB issued a *Resolution and Order* establishing the calendar for public hearings and the public commenting period in this proceeding.³ In the Order, PREB scheduled public hearings for Vega Alta, Cidra, Fajardo, San Juan (hybrid), and Yauco. The northwest, southwest, southeast, and central regions, as well as the island municipalities of Culebra and Vieques were excluded from the schedule.

As highlighted in the initial *Request for Public Participation Measures*, the Puerto Rico Energy Transformation and Relief Act unequivocally recognizes that citizen participation is essential to ensure that the Puerto Rico Electric Power Authority's ("PREPA") customers "have a forum to express their concerns, make suggestions, and to be included in the decision-making process."⁴ The act further identifies public hearings as a critical mechanism for PREB to "gather any pertinent or necessary information to properly carry out its powers and duties."⁵

The geographic distribution selected by PREB excludes a significant portion of the population who cannot attend virtually and do not live near, nor can they reasonably commute to the selected municipalities. Consumers and ratepayers in the central, southeastern and western regions, as well as Culebra and Vieques, are often excluded

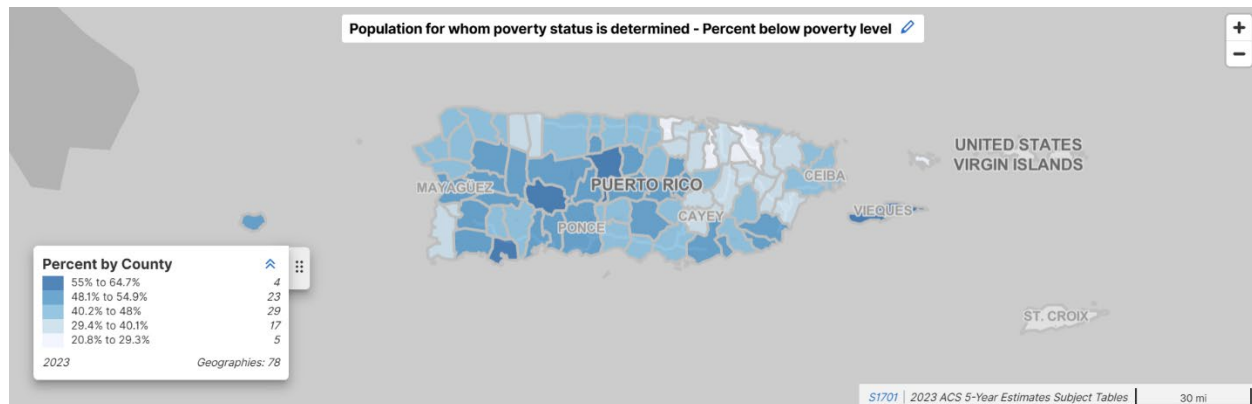
² *Id.* at 7.

³ Puerto Rico Electric Power Authority Rate Review, Case No. NEPR-AP-2023-0003, (December 22, 2025), <https://energia.pr.gov/wp-content/uploads/sites/7/2025/12/20251222-AP20230003-Resolution-and-Order.pdf>.

⁴ Puerto Rico Energy Transformation and Relief Act, Act 57-2014, as amended, 22 L.P.R.A § 1051a.

⁵ *Id.* § 1054b.

from critical decision-making processes that directly affect their livelihoods and household budgets. Notably, municipalities far from the selected locations have been reported to have lower median household incomes, while municipalities in the northern and metropolitan areas have higher household incomes. This means that the populations most vulnerable to potential rate increases will not have a nearby forum to voice their concerns.

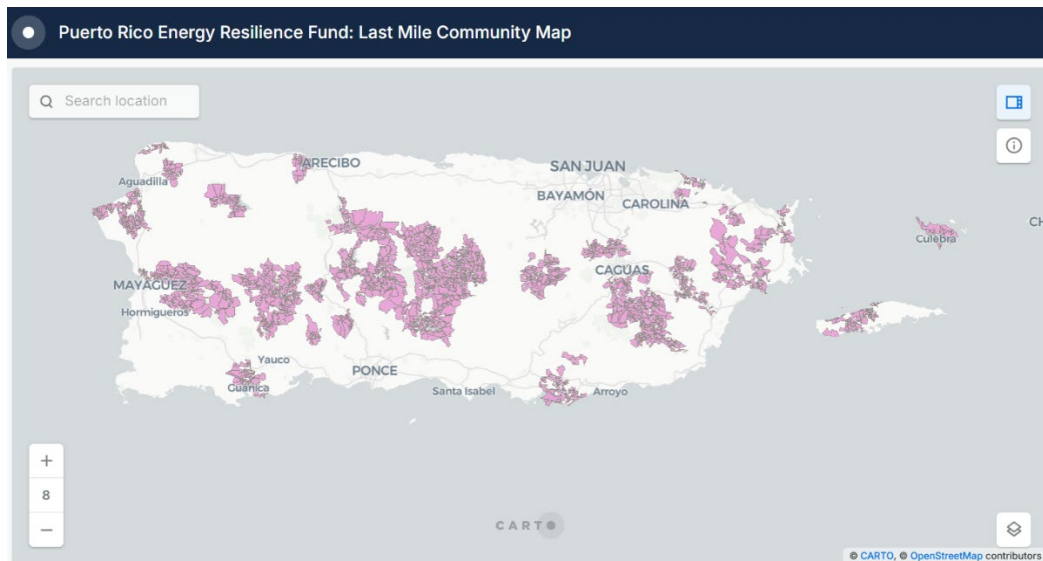


Map from the U.S. Census Bureau illustrating poverty levels across Puerto Rico⁶

Additionally, as shown in the map below, a significant portion in the western, southeastern, and central regions of the archipelago, as well as the island municipalities of Culebra and Vieques, are classified by the U.S. Department of Energy (“DOE”) as “Last Mile Communities”. The DOE defines these communities as areas in which residents experience frequent and prolonged power outages.⁷ This classification places these communities in a position of heightened vulnerability and energy injustice, underscoring the need for public hearings within their respective regions to promote meaningful public participation by affected consumers.

⁶ U.S. Census Bureau, *American Community Survey, 5-Year Data (2023): Income and Poverty Status in the Past 12 Months (Table S1701)*, Puerto Rico, <https://data.census.gov> (last visited Jan. 15, 2026).

⁷ U.S. Dep’t of Energy, Last Mile Communities in Puerto Rico (map), <https://clausa.app.carto.com/map/9d2a8e25-2f54-4f88-b95b-7151739bd3c7> (last visited Jan. 20, 2026).



Map depicting Last Mile Communities⁸

Moreover, it is important to note that with the exception of a single hybrid hearing, all other hearings are scheduled between 10:00 a.m. and 4:00 p.m., hours during which most residents are working and therefore face significant barriers to participation. For many consumers and ratepayers, commuting to the selected locations would require time off from work and incurring in additional expenses. These burdens are further amplified by Puerto Rico's limited public transportation infrastructure, which restricts access for individuals who cannot easily drive long distances and for those facing challenges using technology to participate in the hybrid hearing.

It is important to note that hybrid hearings are not accessible to a large portion of the population, as many Puerto Ricans face significant barriers when connecting to online hearings due to unreliable and unaffordable internet services, lack of digital devices, non-resilient infrastructure vulnerable to weather-related outages, and limited digital literacy and technical support. In fact, the Benton Institute for Broadband & Society, has noted that Puerto Rico remains behind the rest of the United States in access to and adoption of

⁸ *Id.*

affordable broadband and internet-enabled devices, with nearly 30 percent of residents reporting no home internet access compared to approximately 10 percent nationwide.⁹ Additionally, they highlight that with adoption rates closely mirroring income disparities across the archipelago, much of the San Juan metropolitan area far outpaces rural and central municipalities where home internet adoption is as low as 18 percent; these challenges are further compounded by persistent poverty, lower educational attainment, as well as the island's mountainous geography which limits internet access.¹⁰ These documented inequities demonstrate that reliance on virtual proceedings disproportionately burdens consumers and further underscores the necessity of providing in person hearing options across the archipelago to foster conditions for meaningful and equitable public participation.

As set forth above, PREB's current selection of hearing locations and methodology undermines this statutory guarantee by excluding thousands of ratepayers who cannot reasonably attend. This exclusion directly contradicts the law's intent to promote transparency and informed decision making. In that direction, limiting access to these hearings deprives PREB of valuable input from ratepayers most affected by rate changes. And in this case, the stakes could not be higher. The outcome of this rate case will profoundly impact millions of ratepayers who already bear the burden of exorbitant electricity costs for substandard service. Excluding these voices from the process is fundamentally inconsistent with the purpose of public participation requirements enshrined in Puerto Rico's energy laws.

⁹ Benton Institute for Broadband & Society, *Puerto Rico Releases Initial Draft Digital Equity Plan* (Mar. 14, 2023), <https://www.benton.org/blog/puerto-rico-releases-initial-draft-digital-equity-plan-en>.

¹⁰ *Id.*

In light of the foregoing arguments, we respectfully urge PREB to expand the hearing schedule to include additional regions, particularly the northwest, southwest, southeast and central regions, as well as Vieques and Culebra, and to communicate widely with the public about these hearings. Expanding the hearing locations and undertaking robust, island-wide public outreach efforts are essential to facilitate a fair and reasonable opportunity for affected communities to participate in this proceeding.

Respectfully submitted. In San Juan Puerto Rico, January 23, 2026.

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CERTIFICATE OF SERVICE

I certify that on January 23, 2026, I have proceeded with the filing of this document and a copy was notified by electronic mail to the Hearing Examiner, Scott Hempling, shempling@scotthemplinglaw.com, and to the attorneys of the parties of record:

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