

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

NEPR

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**IN RE:**

ENERGY EFFICIENCY AND DEMAND  
RESPONSE TRANSITION PERIOD PLAN

**CASE NO.:** NEPR-MI-2022-0001

**SUBJECT:** Informative Motion Regarding  
Compliance with Resolution and Order of  
January 23, 2026

**INFORMATIVE MOTION REGARDING COMPLIANCE WITH RESOLUTION AND  
ORDER OF JANUARY 23, 2026**

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

**COME** now **LUMA Energy, LLC** (“ManagementCo”), and **LUMA Energy ServCo, LLC** (“ServCo”), (jointly referred to as “LUMA”), and respectfully state and request the following:

1. On November 14, 2025, LUMA filed its Consolidated TPP and DR Administrative Costs Quarterly Report<sup>1</sup> for the first quarter of (“Q1”) Fiscal Year (“FY”) 2026 (“Q1 FY26 Report”).<sup>2</sup> In it, LUMA informed about the pause of certain EE programs due to severe underfunding challenges.<sup>3</sup>

2. On December 11, 2025, the Energy Bureau issued a Resolution and Order (“December 11<sup>th</sup> Resolution and Order”) in which it noted the information in the Q1 FY26 Report

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<sup>1</sup> This is a quarterly report filed in connection with the Amended Transition Period Plan (“TPP”) filed by LUMA on July 22, 2025, and approved by the Energy Bureau by Resolution and Order issued on August 19, 2025. The quarterly reporting requirement arises from Resolutions and Order of the Energy Bureau issued on February 16, 2023, August 29, 2023, and March 21, 2024.

<sup>2</sup> See Motion to Submit FY26 Q1 Consolidated Transition Period Plan and Demand Response Administrative Cost Quarterly Report.

<sup>3</sup> See *id.*, Exhibit 1, p. 8.

regarding the financial constraints and pause of certain EE programs and directed LUMA, and PREPA, to respond to requirements of information included in the December 11<sup>th</sup> Resolution and Order (“December 11<sup>th</sup> ROIs”).<sup>4</sup> The Energy Bureau also issued directives to PREPA regarding the prompt transfer of collected EE Rider funds to LUMA for use in EE program implementation, and to LUMA regarding the allocation of collected EE Rider funds, reopening of paused EE programs, and future reporting of cash constraints impacting the EE programs.<sup>5</sup>

3. In compliance with the December 11<sup>th</sup> Resolution and Order, on December 18, 2025, LUMA submitted to the Energy Bureau responses to the December 11<sup>th</sup> ROIs.<sup>6</sup>

4. On December 18, 2025, PREPA submitted a motion in which it included a document with its responses to the December 11<sup>th</sup> ROIs.<sup>7</sup>

5. On January 23, 2026, the Energy Bureau issued a Resolution and Order (“January 23<sup>rd</sup> Order”) issuing certain directives in light of the motions filed by LUMA and PREPA on December 18, 2025. Among others, the Energy Bureau ordered PREPA to transfer to LUMA the FY 2026 Q2-Q4 EE Rider funds, by first transferring to LUMA the amount corresponding to the EE Rider collections for October through December 2025 (FY 2026 Q2) of \$4,551,445 within five (5) calendar days of the January 23<sup>rd</sup> Order (that is by January 28, 2026), followed by the transfer of the amounts corresponding to the expected EE rider funds FY 2026 Q3 and Q4, totaling \$6,481,068, to LUMA in regular monthly payments on or before the 15<sup>th</sup> of each month, commencing on February 15, 2025 according to a schedule set forth in the January 23<sup>rd</sup> Order.<sup>8</sup> In turn, the Energy Bureau ordered LUMA to establish a separate account for all EE rider funds

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<sup>4</sup> See December 11<sup>th</sup> Resolution and Order, pp. 2-4.

<sup>5</sup> See *id.*, p. 3.

<sup>6</sup> See *Motion to Submit LUMA’s Responses to Requirements of Information in Compliance with Resolution and Order of December 11, 2025*, and its Exhibit 1.

<sup>7</sup> See *PREPA’s Motion in Compliance with December 11, 2025, Resolution and Order*.

<sup>8</sup> See January 23<sup>rd</sup> Order, p. 4.

transferred from PREPA with the sole purpose of funding EE Programs, to open this account immediately, seed it with the \$4,551,445 amount transferred by PREPA, and use the funds to immediately fund and re-open EE programs.<sup>9</sup>

6. The Energy Bureau also directed both LUMA and PREPA to submit letters to the Energy Bureau confirming the success of the transfer of the mentioned funds; and directed LUMA to report in certain quarterly reports information on EE rider amounts billed, funds transferred from PREPA, status of EE programs with the details/information specified in the January 23<sup>rd</sup> Order as well as to report recurrences of cash constraints impacting EE programs.<sup>10</sup>

7. Finally, the Energy Bureau directed both PREPA and LUMA to respond to Requirements of Information included in Attachment A of the Resolution and Order within ten (10) business days of the notification of this Resolution and Order.<sup>11</sup>

## **II. Compliance with January 23<sup>rd</sup> Order**

8. LUMA informs that, in compliance with the January 23<sup>rd</sup> Order, on January 28, 2026, LUMA informed via letter to the Energy Bureau that a dedicated bank account had been established for all EE rider funds to be transferred by PREPA and that it had received the transfer of the \$4,551,445 (corresponding to the EE funds for FY 2026 Q2) from PREPA. Copy of this letter is included as *Exhibit 1*.

9. LUMA also respectfully informs that while it is taking steps to restart the EE programs that were paused due to the financial constraints, these programs cannot be reopened immediately without completion of required administrative and operational steps. While LUMA has maintained program readiness in preparation for a potential restart, program activation requires

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<sup>9</sup> See *id.*, p. 5.

<sup>10</sup> See *id.*

<sup>11</sup> See *id.*, p. 4.

a gradual approach to its restart to ensure operational integrity. Updates regarding program reopening and related considerations will be provided in the quarterly report for FY2026 Q2, with a more comprehensive and detailed outlook expected in FY2026 Q3 report.

10. LUMA has already engaged implementation partners and will have a more formalized relaunch plan in the coming weeks. However, a realistic ramp-up period would still be required prior to relaunch (initial estimates falling in the 3-to-6-week range). LUMA emphasizes that this ramp-up period is necessary to confirm arrangements with implementation partners, reestablish payment and control mechanisms, and ensure an organized and coordinated reopening of programs that leads to positive customer experience and program success.

**WHEREFORE**, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned and accept *Exhibit 1* herein in compliance with the directive to LUMA in the January 23<sup>rd</sup> Motion to submit a letter to the Energy Bureau confirming the success of the transfer of the EE funds for FY 2026 Q2 from PREPA.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 30<sup>th</sup> day of January 2026.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau and that we will send an electronic copy of this Motion hrivera@jrsp.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net; javrua@sesapr.org; mrios@arroyorioslaw.com; jordgraham@tesla.com; forest@cleanenergy.org; customerservice@sunnova.com; pjcleanenergy@gmail.com; agraitfe@agraitlawpr.com; info@sesapr.org; cfl@mcvpr.com; mqs@mcvpr.com.



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Exhibit 1

Copy of LUMA's Letter to Energy Bureau dated January 28, 2026

January 28, 2026

**To: Puerto Rico Energy Bureau (“PREB”)**

Attention: Edison Avilés-Deliz

Title: Chairman

World Plaza Building

268 Munoz Rivera Ave,  
San Juan, PR 00918

**RE: Energy Efficiency (“EE”) Funding Notification**

Dear Chairman, Avilés-Deliz

LUMA Energy, LLC and LUMA Energy ServCo, LLC, in our role as Operator of the Puerto Rico Transmission and Distribution System under the Transmission and Distribution Operation and Maintenance Agreement (“T&D OMA”),<sup>1</sup> and in compliance with the Puerto Rico Energy Bureau (“PREB”) Resolution and Order (“R&O”) dated January 23, 2026, hereby provide the following confirmations:

- Establishment of a dedicated bank account for all Energy Efficiency (EE) rider funds transferred from the Puerto Rico Electric Power Authority (“PREPA”).
- Receipt of funds transfer in the amount of \$4,551,445 from PREPA, in accordance with the PREB Resolution and Order.

We appreciate the Energy Bureau’s attention to this matter and remain committed to working collaboratively to ensure the continued stability and reliability of Puerto Rico’s energy system.

Sincerely,

*Francisco Prego*

Francisco Prego (Jan 28, 2026 17:26:23 AST)

**Francisco Prego**

Vice President, T&D OMA Contract Management

C: Alejandro J. Figueroa Ramírez, Chief Regulatory Officer, LUMA; [alejandro.figueroara@lumapr.com](mailto:alejandro.figueroara@lumapr.com)  
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<sup>1</sup> The Puerto Rico Transmission and Distribution System Operation and Maintenance Agreement executed on June 22, 2020, by and amongst the Puerto Rico Electric Power Authority (“PREPA”), the Puerto Rico Public-Private Partnerships Authority (“P3A”) and LUMA Energy, LLC and LUMA Energy ServCo, LLC (collectively, “LUMA”).

