

**GOVERNMENT OF PUERTO RICO  
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:** Fine Imposition and Order  
Directed to all Parties to Submit Comments.

**RESOLUTION AND ORDER**

On February 9, 2026, the Puerto Rico Electric Power Authority ("PREPA") filed before the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") a document titled *Motion for Extension of Time to File Reply on Revenue Requirement and Rate Design Briefs* ("February 9 Motion"), in which PREPA alleged that following the conclusion of the evidentiary hearings, it had identified areas of concern regarding aspects of the case and the reasoning reflected in specific decisions issued during the course of the proceeding. PREPA stated that these concerns arise at a threshold level and may affect further merits briefing on revenue requirements or rate design by any party. PREPA further indicated it would file a separate brief articulating such legal concerns. PREPA requested an extension to all parties to file the Reply Briefs on Revenue Requirement and the Initial Brief on Rate Design to February 16, 2026. PREPA filed its extension request on the day of the deadline for the reply brief on the Revenue Requirement and on the day before the deadline for the initial briefs on Rate Design. According to PREPA, such extension would afford the Energy Bureau an opportunity to assess PREPA's briefing on its legal concerns.

On February 9, 2026, the Energy Bureau granted the requested extension and ordered PREPA to file its legal concerns ("PREPA's Concerns Brief") no later than Wednesday, February 11, 2026, by 4:00 p.m. ("February 9 Order").

On February 11, 2026, 3:38 p.m., PREPA filed a document titled *Motion for Extension of Time to Comply with Resolution and Order of February 9, 2026* ("February 11 Motion"), whereby it requested until February 12, 2026 to submit the PREPA's Concerns Brief.

**PREPA failed to comply with the February 9 Order by not filing the PREPA's Concerns Brief by February 12, 2026, and, as of this date, has neither submitted the required filing nor otherwise appeared before the Energy Bureau in the above-captioned proceeding.**

Notwithstanding the Energy Bureau's concessions and extensions granted, PREPA has persistently failed to appear and comply with the February 9 Order, demonstrating not only a lack of diligence but also a disregard for the orderly conduct of these proceedings and a lack of due respect for the procedural framework established by the Energy Bureau and the participation of the other parties in this case.

The Hearing Examiner, during the entire process, has made clear to all parties that time is of the essence for the Energy Bureau to issue its determination within its statutory period to ensure that all parties and the public have had an opportunity to be heard. PREPA was aware of the time constraint that all the parties and the Energy Bureau have been dealing with. PREPA's February 9 Motion expressed legal procedural concerns that PREPA allege would require additional merit briefs. PREPA requested that the Energy Bureau extend the deadlines of certain briefs to allow PREPA to present such alleged concerns. The Energy Bureau was moved to grant PREPA's request. Nevertheless, PREPA did not comply with the original deadline nor with the extension requested through the February 11 Motion.<sup>1</sup> PREPA requested a twenty-four (24) hour extension to submit the PREPA's Concerns Brief. Seven

<sup>1</sup> Any extension request that has not been expressly granted by the Energy Bureau within such extension period is deemed as not granted.



(7) days after the original deadline, PREPA's Concerns Brief has not been submitted. This demonstrates total disrespect to the Energy Bureau and its orders. Henceforth, the Energy Bureau **IMPOSES** a fine of **\$25,000** in accordance with Art. 6.36 of Act 57-2014.<sup>2</sup> Also, the Energy Bureau **WARNS** PREPA that any submission related to PREPA's February 9 Motion shall be deemed as not filed.

This Resolution and Order **does not constitute a final determination on the merits of the above-captioned case**, which shall continue in the ordinary course until its final resolution and the issuance of a final determination on the merits. However, it constitutes a final determination **solely with respect to the imposition of a fine upon PREPA pursuant to Section 6.36 of Act 57-2014**. Accordingly, and exclusively for purposes of the finality of this Resolution and Order as it relates to the imposition of such fine, any party adversely affected by this Resolution and Order may file a request for reconsideration before the Puerto Rico Energy Bureau pursuant to the provisions of Regulation No. 8543 and the applicable provisions of Act 38-2017, known as the Government of Puerto Rico's Uniform Administrative Procedure Act. The request for reconsideration must be filed within twenty (20) days from the filing of a notice of this Resolution and Order. The request for reconsideration may be filed (i) in person at the Puerto Rico Energy Bureau's Clerk's Office, located at the World Plaza Building, 268 Muñoz Rivera Avenue, Plaza Level, Suite 202, San Juan, PR 00918; (ii) electronically through the Energy Bureau's electronic filing system under the docket number of the above-captioned case; or (iii) through the Energy Bureau's electronic filing portal available at <https://radicacion.energia.pr.gov>. A copy of the request for reconsideration must be served on all parties notified in this Resolution and Order, either by First Class U.S. Mail or by electronic mail to the email addresses of the parties registered in the above-captioned case, within the same term afforded for the filing of the request for reconsideration.

The Energy Bureau should consider the request for reconsideration within fifteen (15) days from its filing. If the Energy Bureau expressly denies the request or if no action is taken regarding such request within fifteen (15) days, the thirty (30) days term for requesting judicial review of this Resolution and Order will begin from the date the reconsideration request is denied or upon the expiration of the fifteen-day (15) period, as the case may be. If the Energy Bureau entertains the request for reconsideration, the thirty (30) days term to request review will begin from the date the request for reconsideration is definitely resolved.

The Energy Bureau's decision on the request for reconsideration should be issued and notified within ninety (90) days from the filing of the request for reconsideration. If the Energy Bureau entertains the request for reconsideration but fails to act within such ninety (90)-day period, it shall lose jurisdiction over the matter, unless, for just cause and within said period, the Energy Bureau extends the term for no more than thirty (30) additional days. Upon the expiration of the ninety (90)-day period, or the ninety (90) days as validly extended, without the issuance and notification of a determination on reconsideration, the thirty (30)-day term to seek judicial review shall commence.

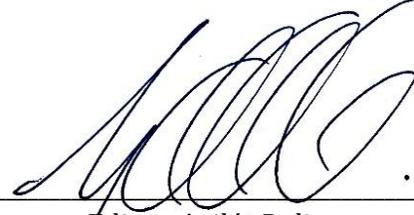
The adversely affected party that does not file a request for reconsideration as provided above may seek judicial review if this Resolution and Order before the Puerto Rico Court of Appeals within thirty (30) days from the filing and notice of this Resolution and Order, pursuant to Regulation 8543 and the applicable provisions of Act 38-2017.



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<sup>2</sup> Known as *Transformation and Energetic RELIEF Act of Puerto Rico*, as amended ("Act 57-2014").

Be it notified and published.



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Edison Avilés Deliz  
Chairman



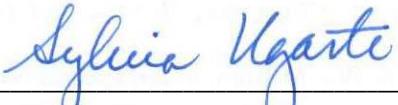
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Lillian Mateo Santos  
Associate Commissioner



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Ferdinand A. Ramos Soegaard  
Associate Commissioner



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Sylvia B. Ugarte Araujo  
Associate Commissioner



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Antonio Torres Miranda  
Associate Commissioner

## CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on February 18, 2026. I also certify that on February 18, 2026 I have proceeded with the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau and a copy was notified by electronic mail to the following mvalle@gmlex.net; alexis.rivera@prepa.pr.gov; 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; katuska.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@sbgblaw.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; lindsay.greenbaum@analysisgroup.com; harrison.holtz@analysisgroup.com; charles.wu@analysisgroup.com; Brian.Gorin@analysisgroup.com; Bhumika.Sharma@analysisgroup.com; Rachel.Anderson@analysisgroup.com; lramos@ramoscruzlegal.com; tauria@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;



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kbailey@acciongroup.com;

I sign this in San Juan, Puerto Rico, today February 18, 2026.



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Sonia Seda Gaztambide  
Clerk