

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

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| NEPR |
| Received: |
| Feb 19, 2026 |
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IN RE:

REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY 10
YEARS INFRASTRUCTURE PLAN-
DECEMBER 2020

CASE NO.: NEPR-MI-2021-0002

SUBJECT: Memorandum of Law in Support of
Confidential Treatment of Genera's February 9,
2026 Motion

**MEMORANDUM OF LAW IN SUPPORT OF CONFIDENTIAL TREATMENT OF
GENERA'S FEBRUARY 9, 2026 MOTION**

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 counsel of record, and respectfully submits and prays as follows:

I. INTRODUCTION

1. On February 9, 2026, Genera filed a *Motion Updating Request for Approval to Submit to COR3 and FEMA the SOW to Convert Palo Seco Units 3 & 4 to Operate with Natural Gas as Primary Fuel and Request for Confidential Treatment* (hereinafter "February 9th Motion"). Through said motion, Genera updated its request for leave to submit the SOW to the agencies referenced therein regarding the conversion for Palo Seco units 3 and 4 to operate with natural gas as primary fuel.

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 ("P3 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.

2. Additionally, and pertinent to the instant memorandum of law, Genera requested that said February 9th Motion, including its Attachment A and B, be treated as confidential and informed it will be filing the corresponding memorandum in support of confidential designation, pursuant to the Energy Bureau’s *Policy on Management of Confidential Information*, CEPR-MI-2016-0009, as amended (“Energy Bureau’s Policy on Confidential Information”).

3. As anticipated in Genera’s February 9th Motion, Genera hereby submits a Memorandum of Law in support of confidential treatment of the aforementioned motion, including its Attachments A and B, and respectfully requests it be designated as confidential and for the sole view of the Energy Bureau’s evaluation of the request made therein.

II. IDENTIFICATION OF CONFIDENTIAL INFORMATION

4. Confidential Information table:

| Document Name and File Date | Pages in which Confidential Information is Found, if applicable | Summary of Legal Basis for Confidential Designation, if applicable | Summary of why each claim or designation conforms to the applicable legal basis for confidentiality |
|--|--|--|--|
| <p><i>Motion Updating Request for Approval to Submit to COR3 and FEMA the SOW to Convert Palo Seco Units 3 & 4 to Operate with Natural Gas as Primary Fuel and Request for Confidential Treatment, including Attachment A, filed on February 9, 2026</i></p> | <p>Entire motion, including Attachment A</p> | <p>Pre-evaluation information, SOW and working document for future evaluation and approval of COR3 and FEMA; CII and CEII</p> | <p>Pre-evaluation information, working documents and SOW prepared for future review and evaluation by COR3 and FEMA upon authorization by this Energy Bureau for submission to said agencies. Non-public engineering, design, and operational details related to critical generation facilities considered CEII and CII, and because public disclosure of this information could undermine the reliability and security of the electric</p> |

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| | | | system, and confidential designation necessary to protect critical energy infrastructure, public interest and national security. |
| <i>Motion Updating Request for Approval to Submit to COR3 and FEMA the SOW to Convert Palo Seco Units 3 & 4 to Operate with Natural Gas as Primary Fuel and Request for Confidential Treatment, including Attachment B, filed on February 9, 2026</i> | Entire motion, including Attachment B | Pre-evaluation information, working documents and SOW prepared for future review and evaluation by COR3 and FEMA upon authorization by this Energy Bureau for submission to said agencies.; LGA OMA Confidentiality provisions; Trade secret | Pre-evaluation information, working documents and SOW prepared for future review and evaluation by COR3 and FEMA upon authorization by this Energy Bureau for submission to said agencies. Confidential Information pursuant to the LGA OMA. Non-public financial information, internal cost data and protected trade secret to be used for sole purpose of Energy Bureau's evaluation of Genera's request to submit SOW and additional pre-decisional, pre-review information for COR3 and FEMA's respective evaluations and approvals. |

III. APPLICABLE LAW

A. Puerto Rico Energy Transformation and RELIEF Act and the Energy Bureau's Policy on Management of Confidential Information

The governing statute for the management of classified information submitted to the Energy Bureau is Section 6.15 of Act No. 57-2014, also known as the *Puerto Rico Energy Transformation and RELIEF Act*. This section stipulates that "[i]f any person who is required to submit information to the Energy [Bureau] believes that the information to be

submitted carries a confidentiality privilege, such person may request the [Bureau] to treat such information as confidential..." 22 L.P.R.A. § 1054n. If, after conducting a meticulous evaluation, the Energy Bureau determines that the information warrants protection, it is required to "grant such protection in a manner that minimally affects the public interest, transparency, and the rights of the parties involved in the administrative procedure in which the allegedly confidential document is submitted." *Id.* at Section 6.15(a).

Consequently, such information must be withheld from the public domain by the Energy Bureau and "must be duly safeguarded and provided exclusively to the personnel of the Energy [Bureau] who need to know such information under nondisclosure agreements." *Id.* at Section 6.15(c). Therefore, "[t]he Energy [Bureau] must swiftly act on any privilege and confidentiality claim made by a person under its jurisdiction through a resolution for such purposes before any potentially confidential information is disclosed." *Id.* at Section 6.15(d).

Additionally, the Energy Bureau's *Policy on Management of Confidential Information* ("PREB's Policy on Confidential Information") details the procedures a party should follow to request confidential treatment for a document or a portion of it. Said policy requires identifying confidential information and filing a memorandum of law explaining the legal basis and support for a request to file information confidentially. *See* Section A of the PREB's Policy on Confidential Information. The memorandum should also include a table that identifies the confidential information, a summary of the legal basis for the confidential designation, and an explanation of why each claim or designation conforms to the applicable legal basis for confidentiality. *Id.* The party seeking confidential treatment of information filed with the Energy Bureau must also file both a "redacted" (or "public") version and an "unredacted" (or "confidential") version of the document that contains the confidential information. *Id.*

B. Critical Infrastructure Information and Critical Energy Infrastructure Information

Critical Energy Infrastructure Information (“CEII”) is defined by the Federal Energy Regulatory Commission (“FERC”) as:

[S]pecific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (i) relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) could be useful to a person in planning an attack on critical infrastructure; (iii) is exempt from mandatory disclosure under the Freedom of Information Act (“FOIA”), 5 U.S.C. 552; and (iv) does not simply reveal the general location of the critical infrastructure.”

See 18 CFR 388.113(c)(2).

Moreover, “critical electric infrastructure” is defined as “a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of those matters.” *Id.* §388.11(c)(4). As indicated, CEII is exempt from FOIA disclosure and must not be “made available by any Federal, State, political subdivision, or tribal authority under any Federal, State, political subdivision, or tribal law mandating public disclosure of information or records.” *Id.* §388.113(c)(1).

On the other hand, the Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 131-134 (“CII Act”), a component of the Homeland Security Act of 2002, provides additional protection to critical infrastructure information (“CII”), which is defined by statute as “information not customarily in the public domain and related to the security of critical infrastructure or protected systems.” *See*, 6 U.S.C. § 133. With regards to the disclosure of such information, the Act specifies: “Notwithstanding any other provision of law, critical infrastructure information (including the identity of the submitting person or entity) voluntarily submitted to a covered federal agency for its use regarding the security of critical infrastructure and protected systems [...] (A)

shall be exempt from disclosure under ... the Freedom of Information Act[]” and “(E) shall not, if provided to a state or local government or government agency, ... [] ... be made available pursuant to any state or local law requiring disclosure of information or records[.]” *Id.*, § 133(a)(1)(A) & (E).

Also, under the *Federal Power Act*, the US Congress has expanded the protections around the data pertaining to the functionality, design and organization of the electric power infrastructure. Specifically, under said federal statute, the Congress moved to preempt any disclosure of Critical Electric Infrastructure Information as follows:

SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

Critical electric infrastructure information—

(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code and

(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

16 USC § 824o-1 (d)(1)(B). (Emphasis added).

Regarding CEII, the Energy Bureau’s *Policy on Management of Confidential Information* stipulates that information designated by the Energy Bureau as validated Confidential Information on the grounds of being CEII may only be accessed by the parties' authorized representatives after they have executed and delivered a Non-Disclosure Agreement. *See* Section D(2) of the Energy Bureau’s *Policy on Management of Confidential Information*.

C. Confidential Information pursuant to the Legacy Generation Assets Operation and Maintenance Agreement (“LGA OMA”)

Section 1.1 of the LGA OMA defines “Confidential information” as follows:

[D]ata or information in any form disclosed by one Party to the other Party by any means, if and for so long as the data and information are **protectable as trade secrets** by the disclosing Party or are otherwise confidential. As a **non-exhaustive list of examples**, “Confidential Information” includes **non-public information regarding a Party’s** Intellectual Property, **financial condition and financial projections**, business and marketing plans, product plans, product and device prototypes, the results of product testing, research data, market intelligence, technical designs and specifications, secret methods, manufacturing processes, source code of proprietary software, the content of unpublished patent applications, customer lists, vendor lists, **internal cost data**, the terms of contracts with employees and third parties, and information tending to embarrass the disclosing Party or tending to tarnish its reputation or brand. For the avoidance of doubt, information in this list of examples is only considered “Confidential Information” for so long as it has not been made known to the general public by the disclosing Party or through the rightful actions of a third party.

(Emphasis added.)

Accordingly, the LGA OMA adopts an expansive definition of “Confidential Information,” encompassing any data or information, regardless of form or method of disclosure, that is shared between the Parties and is protectable as a trade secret or otherwise deemed confidential. Furthermore, Section 13.2 of the LGA OMA establishes confidentiality obligations with respect to Proprietary Information. Particularly, the cited section expressly states that “Operator’s Confidential Information includes Confidential Information pertaining to Operator Intellectual Property or Subcontractor Intellectual Property, or to Operator’s policies and strategies”.

Accordingly, Section 13.2 of the LGA OMA broadly defines Proprietary or Confidential Information to include any non-public technical, commercial, financial, or operational information disclosed by one party, or its representatives, to the other in connection with the LGA OMA, as well as any information generated by the receiving party that derives from or incorporates such disclosures. This definition encompasses both information expressly marked as confidential and

information that, by its nature or the circumstances of its disclosure, a reasonable person would understand to be confidential, including trade secrets, sensitive business information, and non-public operational details. *See, e.g., Industrial and Trade Secret Protection Act of Puerto Rico, Act 80-2011, 10 LPRA § 4131 et seq.*

D. Trade Secrets

Puerto Rico’s statutory framework recognizes the importance of protecting trade and industrial information as a cornerstone of a healthy free market on the island. In furtherance of this interest, the Legislature enacted the *Industrial and Trade Secret Protection Act of Puerto Rico, Act 80-2011, 10 LPRA § 4131 et seq.* (“Act 80-2011”), with the principal objective of fostering a stable business environment in which enterprises may operate without the risk of losing one of their most valuable assets—trade secrets. Accordingly, Article 2 of Act 80-2011 defines “Information” as follows:

- (a) Information. Knowledge that broadens or clarifies knowledge already garnered. **It includes, but is not limited to, any formula, compilation, method technique, process, recipe, design, treatment, model or pattern.** 10 LPRA § 4131. (Emphasis added).

Additionally, Article 3 of Act 80-2011, *supra*, defines the term “Trade Secret” as follows:

Industrial or trade secrets are deemed to be any information:

- (a) That has a **present or a potential independent financial value or that provides a business advantage**, insofar as such information is not common knowledge or readily accessible through proper means by persons who could make a monetary profit from the use or disclosure of such information; and
- (b) for which reasonable security measures have been taken, as circumstances dictate, to maintain its confidentiality.

Any information generated by, used in or resulting from any failed attempts to develop a trade secret shall also be deemed to be a part thereof.

10 LPRA § 4132. (Emphasis added).

Moreover, trade secrets are protected through the implementation of reasonable security measures that underscore the necessity of confidentiality. Under Puerto Rico law, such measures must be tailored to address any foreseeable circumstances that could compromise the confidentiality of the trade secret. This requirement is expressly set forth in Article 4 of the Act 80-2011, whereby “reasonable security” entails the following:

Reasonable security measures are any preventive measures that should be taken in order to limit access to information under specific circumstances. These shall be determined pursuant to any foreseeable conduct whereby the trade secret could be accessed and the nature of the risk ensuing from such conduct, as well as the cost-benefit ratio between the security measure and the trade secret.

Measures that can be deemed to be reasonable to maintain the confidentiality of the trade secret include, but are not limited to:

(a) The nondisclosure of information to individual or entities not authorized to access such information;

(b) limiting the number of persons authorized to access such information;

(c) requiring company employees authorized to access such information to sign confidentiality agreements;

(d) keeping such information in a place separate from any other information;

(e) labeling such information as confidential;

(f) taking measures to impede the indiscriminate reproduction of such information;

(g) establishing control measures for the use of or access to such information by company employees, or

(h) implementing any technologically available measures when publishing or transmitting such information over the Internet, including the use of email, web pages, message boards, and any other equivalent medium.

10 LPRA § 4133 (Emphasis added.)

Additionally, the Puerto Rico Rules of Evidence expressly provide for a Trade Secret privilege as follows:

Rule 513. Trade Secret The owner of a trade secret has a privilege, which may be claimed by such person or by his or her agent or employee, to refuse to disclose and to prevent another from disclosing it, if the allowance of the privilege will not tend to conceal fraud or otherwise work injustice. If disclosure is directed, the court shall

take such protective measures as the interest of the owner of a trade secret and of the parties and the interests of justice require.

33 LPRA Ap. VI, R. 513

IV. MEMORANDUM OF LAW IN SUPPORT OF CONFIDENTIAL TREATMENT

This Memorandum of Law supports Genera's claim for confidentiality of the its *Motion Updating Request for Approval to Submit to COR3 and FEMA the SOW to Convert Palo Seco Units 3 & 4 to Operate with Natural Gas As Primary Fuel and Request for Confidential Treatment*, filed on February 9, 2026 ("February 9th Motion"), including Attachments A and B. As anticipated, said motion references and contains Attachment A (Revised SOW of Palo Seco Gasification Project) which Genera claims contains CII and CEII which warrant confidential treatment to protect critical infrastructure from threats that can risk undermining the generation facilities and negatively impact the electric grid to the detriment of public interest, electricity consumers and national security. Also, the February 9th Motion it incorporates Attachment B (FEMA Funds Reapportionment) which reveals Confidential Information pursuant to the LGA OMA, as well as trade secrets pursuant to the applicable privilege statutes.

Furthermore, Genera submits that the information contained in the February 9th Motion and its Attachments A and B are being submitted to the Energy Bureau for approval to proceed with submission to COR3 and FEMA for these agencies' future evaluation and approval for the Palo Seco conversion project and scope of works. Thus, given that the entire motion and its Attachments A and B references confidential and pre-submission, pre-decisional information for the referenced agencies sole review process, designating these entirely as confidential is consistent with mandate of Sec. 6.15 of Act 57-2014 to grant protection of confidential information in a manner that least affects the public interest and transparency. Furthermore, pursuant to the additional grounds we expound below, the February 9th Motion and its attachments fall within the

applicable protections for CEII, CII, Confidential Information pursuant to the LGA OMA, and trade secrets, and warrants confidential treatment in its entirety.

A. Critical Infrastructure Information and Critical Energy Infrastructure Information

Under applicable federal definitions of Critical Energy Infrastructure Information and Critical Infrastructure Information, the February 9th Motion and the information referenced therein and throughout Attachment A qualifies for confidential treatment. CEII includes specific engineering, design, and operational information related to the generation of energy that is not customarily available to the public and that could be useful to a person planning an attack or disruption of critical infrastructure. Likewise, CII under the Critical Infrastructure Information Act of 2002, 6 U.S.C. §§ 671–674, encompasses non-public information relating to the security, vulnerabilities, or operational characteristics of critical infrastructure systems. The Revised Palo Seco SOW (Attachment A of the February 9th Motion) contains precisely this type of information, including detailed engineering parameters, unit configurations, transformer and switchyard interconnections, equipment specifications, and precise facility locations.

The disclosure of such information would provide a detailed information to malicious external agents of critical generation assets, their physical arrangement, fuel systems, and interconnection points within the power grid. This level of specificity goes well beyond general or publicly available descriptions of the facility and instead reveals the internal operational and structural characteristics of key energy infrastructure. As recognized in federal CEII regulations, this type of detailed design and configuration data could reasonably be used to identify vulnerabilities, plan physical or cyber disruptions, or otherwise compromise system integrity, thereby threatening grid reliability, public safety, and national security in general.

Furthermore, in several instances before this Energy Bureau, requests to protect Critical Energy Infrastructure Information (“CEII”) and designate SOWs, such as the one submitted as Attachment A to the Genera’s February 9th Motion, have been considered and granted where the filings contained detailed engineering, design, operational, or location-specific information concerning generation, transmission, or distribution assets.² The Bureau has consistently recognized that such information, when not customarily available to the public and capable of being used to compromise the integrity, reliability, or security of the electric system, warrants confidential treatment. Consistent with this established practice, the information identified in the instant attachments contains non-public engineering, operational, and location-specific data relating to critical generation facilities and, therefore, qualifies for confidential treatment as CEII and/or CII under the applicable federal definitions and the Energy Bureau’s confidentiality policy.

Accordingly, because Attachment A contains non-public engineering, design, and operational details that fall squarely within the definitions of CEII and CII, and because public disclosure of this information could undermine the reliability and security of the electric system, the requested confidential treatment is both reasonable and necessary to protect critical energy infrastructure and the public interest.

Lastly, the Revised Palo Seco SOW (Attachment A) constitutes a working document prepared for review and evaluation by COR3 and FEMA upon approval for submittal by this Energy Bureau. The document reflects preliminary engineering, technical, and project formulation data that has not been publicly released, evaluated or approved by the mentioned agencies. Thus, public disclosure of such pre-submission technical materials would not only expose sensitive

² See e.g., Resolution and Order of April 30, 2025; Resolution and Order of February 6, 2025; Resolution and Order of August 22, 2024; Resolution and Order of June 28, 2024, among other resolutions granting requests for confidential designation of SOWs, in docket *In Re: Review of the Puerto Rico Electric Power Authority 10-Year Infrastructure Plan- December 2020*, Case No. NEPR-MI-2021-0002.

infrastructure information but can interfere with the adequate review and evaluation process. Its status as a pre-decisional, working submission further underscores its non-public and confidential character.

In sum, Genera submits that all data contained within said the February 9th Motion and Exhibit A are non-public, confidential and for the sole purpose of this Energy Bureau's evaluation of the referenced request and for the future evaluation of COR3 and FEMA.

B. Confidential Information pursuant to the Legacy Generation Assets Operation and Maintenance Agreement (“LGA OMA”) and Trade Secret

Section 1.1 of the LGA OMA defines “Confidential information” as follows:

[D]ata or information in any form disclosed by one Party to the other Party by any means, if and for so long as the data and information are **protectable as trade secrets** by the disclosing Party or are otherwise confidential. As a **non-exhaustive list of examples**, “Confidential Information” includes **non-public information regarding a Party’s Intellectual Property, financial condition and financial projections**, business and marketing plans, product plans, product and device prototypes, the results of product testing, research data, market intelligence, technical designs and specifications, secret methods, manufacturing processes, source code of proprietary software, the content of unpublished patent applications, customer lists, vendor lists, **internal cost data**, the terms of contracts with employees and third parties, and information tending to embarrass the disclosing Party or tending to tarnish its reputation or brand. For the avoidance of doubt, information in this list of examples is only considered “Confidential Information” for so long as it has not been made known to the general public by the disclosing Party or through the rightful actions of a third party.

Accordingly, the LGA OMA adopts an expansive definition of “Confidential Information,” encompassing any data or information, regardless of form or method of disclosure, that is shared between the Parties and is protectable as a trade secret or otherwise deemed confidential.

Hence, pursuant to the above LGA OMA section, the information contained in Attachment B (FEMA Funds Reapportionment), and referenced in the February 9th Motion, qualifies as contractually protected Confidential Information and should therefore be afforded confidential

treatment. The LGA OMA expressly defines “Confidential Information” to include non-public information relating to a party’s financial condition, financial projections, business plans, and internal cost data, among other categories, so long as such information is not publicly available.

The funding allocations, project-level cost adjustments, and internal budgetary breakdowns contained in Attachment B constitute precisely this type of non-public financial and operational planning information. Attachment B reflects internal FEMA fund reallocations and plant-specific cost allocations that reveal non-public financial strategies, internal cost structures, and project planning decisions associated with the operation and modernization of legacy generation assets. Disclosure of this information would expose sensitive financial data and internal planning assumptions that the LGA OMA expressly contemplates as confidential and protectable. Such information is not customarily disclosed to the public and is maintained as part of the operator’s internal financial and operational management processes.

Accordingly, Genera submits that the February 9th Motion and Attachment B incorporated and referenced therein, is entitled to confidential treatment under the contractual confidentiality provisions of the LGA OMA. Because the document contains non-public financial allocations, internal cost data, and project planning information expressly covered by the agreement’s definition of Confidential Information, maintaining it under seal is consistent with the parties’ contractual obligations and the protection of commercially sensitive information.

In addition, the latter qualifies as a trade secret under Act 80-2011, *supra*, given that it exposed and references non-public financial and operational planning information that has present and potential independent economic value because it is not readily accessible to competitors, vendors, contractors, or other market participants who could derive monetary benefit from its disclosure. The funding allocations and internal cost structures reflected in Attachment B reveal

budgeting assumptions, and resource prioritization decisions that provide a business advantage and could materially affect competitive positioning if disclosed. Reasonable security measures have been implemented to preserve its confidentiality, including restricting access to authorized personnel, designating the information as confidential, and submitting it in a non-public regulatory context. Accordingly, Attachment B is entitled to confidential treatment under both the contractual protections of the LGA OMA and the statutory trade-secret protections afforded by Act 80-2011 and Rule 513 of the Puerto Rico Rules of Evidence.

Lastly, Attachment B constitutes a working financial and project planning document prepared in connection with FEMA funding and pending submission and evaluation by COR3 and FEMA, respectively, subject to approval by this Energy Bureau for submission to said agencies. Hence, the funding allocations and cost reapportionments reflected therein are preliminary and part of a future review and approval by the relevant agencies, thus its status as a pending, pre-approval submission further confirms that it is not information customarily available to the public and warrants confidential treatment. In short, public disclosure of such pre-submission financial planning materials could compromise funding reviews, disrupt evaluation procedures, and adversely affect the operator's financial and strategic position.

WHEREFORE, Genera respectfully requests that the Energy Bureau **take notice** of the above Memorandum of Law and **GRANT** its request for confidential treatment of Genera's motion filed on February 9, 2026, titled *Motion Updating Request for Approval to Submit to COR3 and FEMA the SOW to Convert Palo Seco Units 3 & 4 to Operate with Natural Gas as Primary Fuel and Request for Confidential Treatment*, as well as Attachments A and B referenced and incorporated in said motion.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 19th day of February of 2026.

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CERTIFICATE OF SERVICE

I hereby certify that I filed this Motion using the electronic filing system of this Energy Bureau and that I will send an electronic copy of this Motion to margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com; mvalle@gmlex.net; alexis.rivera@prepa.pr.gov; hrivera@jrsp.pr.gov; nzayas@gmlex.net; rcruzfranqui@gmlex.net; katiuska.bolanos-lugo@us.dlapiper.com; legal@genera-pr.com ; regulatory@genera-pr.com.

In San Juan, Puerto Rico, this 19th day of February of 2026.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ Stephen David Romero Valle
Stephen David Romero Valle

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso