

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

NEPR Received: Feb 20, 2026 9:05 PM
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IN RE:

REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY’S 10-
YEAR INFRASTRUCTURE PLAN –
DECEMBER 2020

CASE NO.: NEPR-MI-2021-0002

SUBJECT: Motion to Submit Implementation
Plan and Estimated Timeline in Compliance with
Resolutions and Orders Issued on February 5,
2026, and February 11, 2026

**MOTION TO SUBMIT IMPLEMENTATION PLAN AND ESTIMATED TIMELINE IN
COMPLIANCE WITH RESOLUTIONS AND ORDERS ISSUED ON FEBRUARY 5,
2026, AND FEBRUARY 11, 2026**

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:

1. On February 5, 2026, the Energy Bureau issued a Resolution and Order (the “February 5th Order”) establishing an Updated Allocation Framework and directing actions to advance priority Transmission and Distribution (“T&D”) projects within the FEMA Section 428 funding construct.

2. In the February 5th Order, the Energy Bureau required Genera to file, within fifteen (15) calendar days from the notification of said Order, an implementation plan identifying (i) the estimated amount of funds that Genera proposes to reconcile and reclassify under Section 406

¹ Pursuant to the *Puerto Rico Thermal Generation Facilities Operation and Maintenance Agreement* (“LGA OMA”), dated January 24, 2023, executed by and among PREPA, the Puerto Rico Public-Private Partnerships Authority and Genera, Genera is the sole operator and administrator of the Legacy Generation Assets (as defined in the LGA OMA) 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 (as defined in the LGA OMA) provided by Genera under the LGA OMA.

mitigation, including the corresponding reduction in Section 428 amount (“Implementation Plan”), and (ii) the estimated timeline required to complete such reconciliation in order to release Section 428 funding cap consistent with the Updated Allocation Framework (“Estimated Timeline”).

3. Additionally, on February 11, 2026, the Energy Bureau issued a subsequent Resolution and Order (“February 11th Resolution”) modifying Attachment A to the February 5th Order; however, Genera’s deadlines established in the February 5th Order remained unchanged.

4. In compliance with the February 5th Order and the February 11th Resolution, Genera respectfully submits to the Energy Bureau the Implementation Plan and the Estimated Timeline as *Exhibit A* to this Motion.

5. Genera respectfully clarifies that the Implementation Plan and the Estimated Timeline submitted herein are preliminary in nature and not definitive, as their execution is contingent upon review, concurrence, and approval by the Federal Emergency Management Agency (“FEMA”). The proposed reconciliation and reclassification of certain projects from Section 428 and Section 406 mitigation funding is subject to FEMA’s determination that such projects qualify as eligible mitigation measures under Section 406 of FEMA’s Hazard Mitigation Program (“HMP”) policies.

6. Under applicable FEMA policy, the eligibility of any project for Section 406 mitigation funding is solely within FEMA’s discretion and requires a demonstration that the proposed scope constitutes mitigation of damage associated with an approved Public Assistance project. Accordingly, not all projects identified in the Implementation Plan may ultimately be eligible for reclassification, as Section 406 mitigation requests must be tied to an underlying eligible Public Assistance project and must meet FEMA’s technical, programmatic, and policy requirements.

WHEREFORE, Genera respectfully requests that this Energy Bureau **take notice** of the above for all purposes; **accept** Genera's Implementation Plan and Genera's Estimated Timeline submitted as *Exhibit A* to this Motion; and **deem** Genera to be in compliance with the February 5th Order and February 11th Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 20th day of February 2026.

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CERTIFICATE OF SERVICE

We hereby certify that a true and accurate copy of this motion was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System and that we will send an electronic copy of this motion to alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; rcruzfranqui@gmlex.net; mvalle@gmlex.net; margarita.mercado@us.dlapiper.com; yahaira.delarosa@us.dlapiper.com; emmanuel.porrogonzalez@us.dlapiper.com.

In San Juan, Puerto Rico, this 20th day of February 2026.

/s/ Jorge Fernández-Reboredo
Jorge Fernández-Reboredo

/s/ José Javier Díaz Alonso
José Javier Díaz Alonso

/s/ Stephen David Romero Valle
Stephen David Romero Valle

Exhibit A

Implementation Plan & Estimated Timeline
(Native file submitted via email)