

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

IN RE: ACCELERATED EVALUATION OF RENEWABLE ENERGY AND ENERGY STORAGE PROJECT PROPOSALS TO SECURE FEDERAL INVESTMENT TAX CREDITS (ITCs)

CASE NO.: NEPR-MI-2025-0005

SUBJECT: Resolution and Order pertaining to *Motion for Notice, Docketing, and Provisional Confidential Treatment*, filed by Yabucoa Energy, LLC.

RESOLUTION AND ORDER

On September 22, 2025 the Governor of Puerto Rico, Hon. Jennifer A. González Colón, issued Executive Order OE-2025-047 (“Executive Order”) which amended and expanded the Puerto Rico energy emergency and authorized extraordinary measures to accelerate the evaluation and approval of renewable energy and storage projects qualifying for federal investment tax credits (“ITCs”) under Public Law 119-21, also known as the One Big Beautiful Bill Act (“OBBA”). On September 26, 2025, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (“Energy Bureau”) issued a Resolution and Order (“September 26 Resolution”) through which it provided the Puerto Rico Electric Power Authority (“PREPA”) with guidelines for the implementation of the accelerated acquisition of renewable resources in accordance with Executive Order.

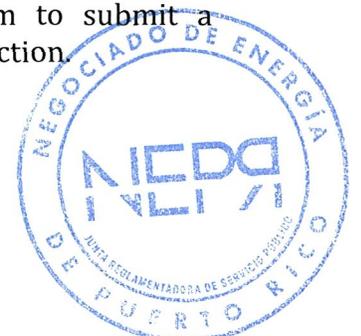
Following several procedural issues, on December 30, 2025, the Energy Bureau approved certain renewable energy and storage projects and directed PREPA to commence and complete negotiations with the proponents of the approved projects and to submit the corresponding negotiated draft contracts for final evaluation and approval by the Energy Bureau within ten (10) business days (“December 30 Resolution”).

On January 16, 2026, the Energy Bureau issued a Resolution and Order that, among others, established February 15, 2026, as the deadline for completing contract negotiations and ordered PREPA to submit updated status reports on the contract negotiations every five (5) days thereafter until the conclusion of the negotiation process (“January 16 Resolution”).

Thereafter, on February 6, 2026, with respect to the remaining proponents whose projects were not selected as part of the December 30 Resolution, the Energy Bureau ordered PREPA to notify such proponents that they shall have a period of three (3) days to submit, for PREPA’s consideration, final improved pricing offers with respect to the projects they previously proposed (“February 6 Motion”).

On February 18, 2026, Yabucoa Energy, LLC filed a document titled *Motion for Notice, Docketing, and Provisional Confidential Treatment* (“February 18 Motion”), whereby it informed that despite not having received written status determination regarding its proposal, it was notified on February 6, 2026, via the Power Advocate platform, an invitation to submit improved pricing pursuant to the Energy Bureau’s February 6 Motion. Yabucoa Energy, LLC stated that on February 9, 2026 it requested PREPA clarification regarding the status of its proposal and provided revised and improved pricing. Yabucoa Energy, LLC further indicated that it had submitted the February 18 Motion solely to ensure that the Energy Bureau was fully informed of the status of a financeable, shovel-ready BESS¹ project that responded constructively to the February 6 Resolution and remains prepared to proceed. Yabucoa Energy, LLC attached its February 9, 2026 correspondence to PREPA to the February 18 Motion, which it argued contains commercially sensitive information, and requested provisional confidential treatment and a ten (10) day term to submit a confidentiality memorandum specifying the legal and factual basis for protection.

¹ Battery Energy Storage System (“BESS”).



The Energy Bureau **TAKES NOTICE** of the information contained in the February 18 Motion and **GRANTS** Yabucoa Energy, LLC the requested **ten (10) day term** to submit the confidentiality legal memorandum. The Energy Bureau **GRANTS** provisional confidential treatment to the correspondence attached to the February 18 Motion pending submission of the legal memorandum.

Be it notified and published.

Edison Avilés Deliz
Chairman

Lillian Mateo Santos
Associate Commissioner

Ferdinand A. Ramos Soegaard
Associate Commissioner

Sylvia B. Ugarte Araujo
Associate Commissioner

Antonio Torres Miranda
Associate Commissioner

CERTIFICATION

I hereby certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on February 24, 2026. I also certify that on February 24, 2026. I have proceeded with the filing of the Resolution and Order and a copy of this Resolution and Order was notified by electronic mail to molinilawoffices@gmail.com; alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; mvalle@gmlex.net; rcruzfranqui@gmlex.net.

For the record, I sign this in San Juan, Puerto Rico, today February 24, 2026.

Sonia Seda Gaztambide
Clerk

