

**GOVERNMENT OF 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: Hearing Examiner's Order  
Requiring LUMA to Comply with Word Limits**

## **Hearing Examiner's Order Requiring LUMA to Comply With Word Limits**

My Order of December 22, 2025, had this passage (at 4-5):

*Word limits:* [Counsel] must self-certify compliance with the following word limits (increased from those discussed on December 19 to reflect additional legal questions):

- *Affirmative briefs:* Maximum 52,000 words, divided among the three briefs as each party prefers. LUMA may have an additional 1000 words, solely to provide an objective description of the combined revenue requirement officially proposed by the three applicants.
- *Reply briefs:* Maximum 31,000 words, divided among the three briefs as each party prefers. For each reply brief on revenue requirement, rate design, and legal issues, each party gets one brief in which the party responds to all parties. I reject the proposal by which a party files multiple reply briefs, each against a different opponent. That proposal invites too much confusion for the Energy Bureau. Reply briefs must reply, not add.
- Briefs on legal issues need not consume words quoting the issues. Just refer to the issue number.

This language makes clear that each of the two separate word limits, for affirmative briefs and reply briefs, is a total to be divided among the three affirmative briefs and the three reply briefs. Those three sets of briefs are the briefs for annual revenue requirement (ARR), rate design, and legal issues.

On January 23, 2026, the deadline for initial briefs on ARR, LUMA filed a brief with somewhere around 56,000 words. Besides exceeding its word limit of 53,000 words, LUMA's six counsel appear to have misunderstood, or possibly not read, the above-quoted language.



That language is the only way I know of to say that the general 52,000 word limit is not a separate limit for each of the three briefs. The "three briefs" could have referred only to the briefs for ARR, rate design, and legal issues, as there is no other possible referent for the phrase "three briefs." Moreover, I based this language on what LUMA's counsel presented to me, during the hearings in the last week, as a consensus. And I could not possibly have meant to invite a 52,000-word brief—almost 200 pages—for each of ARR, rate design, and legal issues. Finally, neither Bondholders, whose issue coverage in this proceeding matched LUMA's, nor Genera, which also has many complex issues, appears to have had any misunderstanding of my Order.

LUMA's error is not victimless. Rejecting LUMA's brief doesn't work, because the Energy Bureau's consultants and Commissioners want LUMA's insights. Accepting the brief is unfair to the parties who complied with my Order and who now, under a tight deadline for replies given the statutory deadline for the Energy Bureau's Order, would have to struggle through a document longer than permitted.

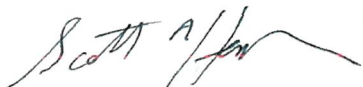
LUMA has until **Monday, January 26, 2026, 5p Eastern**, to file a replacement brief. Whatever LUMA files, it must not exceed 53,000 words. I reject its request to exceed that amount. Write concisely, drop hortatory language, and comply with the Order.

- If LUMA's Monday brief is 53,000 words, it will have no right to file briefs on rate design or legal issues. I hope LUMA does not choose that option, because the consultants and Commissioners want LUMA's views on those topics.
- LUMA's only real choice is to spend the next three days recasting this brief to a size that leaves it room to write the briefs on rate design and legal issues, just as Bondholders and Genera have done. With six lawyers, that task is possible.

On receiving LUMA's Monday submission, I will issue an order granting an extra three days for replies.

I circulated this Order by email to all counsel on Saturday, January 24, 2026, at 10.15am Eastern. Secretary Sonia will publish it officially on Monday, January 26, 2026.

Be notified and published.



Scott Hempling  
Hearing Examiner





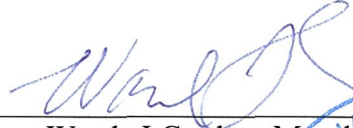
## CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on January 26, 2026. I also certify that on January 26, 2026 a copy of this Resolution and Order was notified by electronic mail to the following: [mvalle@gmlex.net](mailto:mvalle@gmlex.net); [alexis.rivera@prepa.pr.gov](mailto:alexis.rivera@prepa.pr.gov); [jmartinez@gmlex.net](mailto:jmartinez@gmlex.net); [jgonzalez@gmlex.net](mailto:jgonzalez@gmlex.net); [nzayas@gmlex.net](mailto:nzayas@gmlex.net); [Gerard.Gil@ankura.com](mailto:Gerard.Gil@ankura.com); [Jorge.SanMiguel@ankura.com](mailto:Jorge.SanMiguel@ankura.com); [Lucas.Porter@ankura.com](mailto:Lucas.Porter@ankura.com); [mdiconza@omm.com](mailto:mdiconza@omm.com); [golivera@omm.com](mailto:golivera@omm.com); [pfriedman@omm.com](mailto:pfriedman@omm.com); [msyassin@omm.com](mailto:msyassin@omm.com); [katiuska.bolanos-lugo@us.dlapiper.com](mailto:katiuska.bolanos-lugo@us.dlapiper.com); [Yahaira.delarosa@us.dlapiper.com](mailto:Yahaira.delarosa@us.dlapiper.com); [margarita.mercado@us.dlapiper.com](mailto:margarita.mercado@us.dlapiper.com); [carolyn.clarkin@us.dlapiper.com](mailto:carolyn.clarkin@us.dlapiper.com); 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[kbailey@acciongroup.com](mailto:kbailey@acciongroup.com). I also certify that today, January 26, 2026, I have proceeded with  
the filing of the Resolution and Order issued by the Puerto Rico Energy Bureau.

I sign this in San Juan, Puerto Rico, today January 26, 2026.

  
Wanda I Cordero Morales  
Interim Clerk

