

**COMMONWEALTH OF PUERTO RICO  
PUERTO RICO ENERGY BUREAU**

**NEPR**  
**Received:**  
**Mar 24, 2026**

IN RE: REVIEW OF THE PUERTO RICO ELECTRIC POWER AUTHORITY INTEGRATED RESOURCE PLAN	CASE NO. NEPR-AP-2023-0004  SUBJECT: Petition of PREPA Bondholders to Intervene in Integrated Resource Plan Proceeding
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**ICSE'S FORMAL REQUEST FOR INTERVENTION**

TO THE HONORABLE ENERGY BUREAU:

Comes now the Institute of Competitiveness and Economic Sustainability ("ICSE") as its Spanish acronym), represented by the undersigned, respectfully states and prays:

**I. Introduction**

The PREB has established March 30<sup>th</sup> 2026 as the date for requesting intervene in this proceeding ICSE respectfully request intervention consistent with ICSE's participation in all Prior Rate and IRP proceedings.

**II. Intervention**

Section 3.5 of LPAU, 3 LPRA § 9645, establishes that a request for intervention is weighed under the following non-exclusive factors:

1. That the petitioner's interest may be adversely affected by the adjudicative proceeding.
2. That there are no other legal means by which the petitioner may adequately protect their interest.
3. That the petitioner's interest is already adequately represented by the parties in the proceeding.

4. That the petitioner's participation may reasonably help develop a more complete record of the proceeding.

5. That the petitioner's participation may excessively prolong or delay the proceeding.

6. That the petitioner represents or acts as a spokesperson for other groups or entities in the community.

7. That the petitioner may contribute information, expertise, specialized knowledge, or technical advice that would otherwise not be available in the proceedings.

The Section also requires that when evaluating these factors, the administrative agency must apply these factors in a liberally consistent manner. *Id.*

All these factors support ICSE's participation.

### **III. Arguments to ICSE's Request for Intervention**

*1. That the petitioner's interest may be adversely affected by the adjudicative proceeding.*

ICSE is a nonprofit and nonsectarian organization. The Institute's interest is not that of any interest group, which are of course legitimate to Puerto Rico's democratic society. ICSE's interests are those of advocating for the existence of a regulatory framework and of sound regulatory practices that promote the most competitive outcomes to our economy. In that regard, ICSE's advocacy is not limited to a particular economic interest.

In more specific terms, ICSE has argued as an interested party before the PREPA's bankruptcy proceeding in the PROMESA Title III Court ("Title III Court") for affordable electricity rates and fought against the legacy charge proposed by the Fiscal Oversight and Management Board (FOMB), highlighting the risks of disproportionately overcharging the productive sectors, particularly industrial and commercial consumers.

Our institutional interest is not represented by parties to this proceeding insofar as all participants are protecting their own commercial interests. ICSE's balanced approach to energy can only be adequately defended by itself.

*2. That there are no other legal means by which the petitioner may adequately protect their interest.*

It has always been ICSE's position before the Title III Court that PREB's authority must be respected, by the Government and by FOMB itself.

This highlights the importance of ICSE's participation in this proceeding.

*3. That the petitioner's interest is already adequately represented by the parties in the proceeding.*

As previously stated, ICSE's interest is fostering economic competitiveness without favoring specific groups' interests and protecting the institutional role of the PREB. No entity to this proceeding is advocating for an open, transparent, and competitive electric market as their guiding principles.

*4. That the petitioner's participation may reasonably help develop a more complete record of the proceeding.*

Since its creation, ICSE has participated in multiple regulatory proceedings before the PREB such as: (1) the 2017 Rate Case, (2) the IRP, (3) multiple regulation proposals, (4) investigation on cash flow issues, (5) implementation of demand response and energy efficiency, (6) implementation of other public policy goals such as DER and renewable energy integration, and others. ICSE is also a party to the Title III Case and actively participated with expert testimonies and reports.

Our institutional memory and broad experience can only enrich this proceeding.

*5. That the petitioner's participation may excessively prolong or delay the proceeding.*

As previously stated, ICSE will comply with deadlines and is well-aware of the consequences of non-compliance.

*6. That the petitioner represents or acts as a spokesperson for other groups or entities in the community.*

ICSE has been a conciliatory force with various interest groups. In 2018, ICSE in collaboration with the Rocky Mountain Institute (RMI) conducted the *Public Collaborative for Puerto Rico's Energy Transformation* which grouped dozens of stakeholders. Furthermore, ICSE has also coordinated joinders before the Title III Court with various entities such as the Puerto Rico Bar Association, the United Retailers Center of Puerto Rico, the Association of Private Colleges and Universities of Puerto Rico, Colegio de Profesionales del Trabajo Social de Puerto Rico, Junta de Asociaciones con Pensionados y Jubilados de Puerto Rico, the League of Cities of Puerto Rico, among others.

*7. That the petitioner may contribute information, expertise, specialized knowledge, or technical advice that would otherwise not be available in the proceedings.*

ICSE collaborates with experts in diverse fields that may be available for participating in the present proceeding as expert witnesses. They would most certainly contribute to develop PREPA's IRP.

#### **IV. Conclusion**

ICSE satisfies the criteria for granting intervention under Puerto Rico administrative law and the energy public policy broadening citizen participation enshrined in Act 57-2014. ICSE has extensive participatory experience before this Bureau and seeks to nurture this proceeding with its conciliatory approach that ultimately seeks conceptual consistency in regulatory matters.

**WHEREFORE**, it is respectfully requested that the PREB grant ICSE's request for intervention; that both Mr. Agrait and Mr. Pou be notified of all future filings in this case, including resolutions of the Bureau.

**RESPECTFULLY SUBMITTED.**

I **CERTIFY** the present document was submitted electronically in the PREB's filing system and copy sent to the Hearing Examiner and the attorneys of record.

In San Juan, Puerto Rico, March 23, 2026.

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