

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

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**IN RE:**

THE PERFORMANCE OF THE PUERTO RICO ELECTRIC POWER AUTHORITY

**CASE NO.:** NEPR-MI-2019-0007

**SUBJECT:** Motion in Compliance with Resolution and Order of March 16, 2026, and Request for Limited Extension as to Remaining Heat Rate Support

**MOTION IN COMPLIANCE WITH  
RESOLUTION AND ORDER OF MARCH 16, 2026, AND REQUEST FOR LIMITED  
EXTENSION AS TO REMAINING HEAT RATE SUPPORT**

**TO THE HONORABLE PUERTO RICO ENERGY BUREAU:**

COMES NOW GENERA PR LLC ("Genera"), as agent of the Puerto Rico Electric Power Authority ("PREPA"),<sup>1</sup> through its counsel of record, and respectfully submits and prays as follows:

**I. INTRODUCTION**

1. On December 19, 2025, the Energy Bureau issued a *Resolution and Order* titled *Genera and LUMA's October 20th, November 3rd, and November 20th Motions; Requirement to Submit Supporting Workpapers and Data* (the "December 19th Order").

2. The referenced December 19th Order directed Genera to file additional supporting data and workpapers for the performance metrics specified therein, as well as for additional

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<sup>1</sup> 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.

performance metrics, indicated in Table 1 of the Order, for which Genera can earn incentives per the LGA OMA.

3. On December 29, 2025, LUMA filed a *Motion Requesting Extension of Time to Comply with the December 19 Order and Submit the Quarterly Report on System Data for October through December 2025*. On January 9, 2026, the Energy Bureau granted said request and extended the deadline for both LUMA and Genera to submit their respective Quarterly Reports, together with the additional supporting data and workpapers required under the December 19th Order, until January 27, 2026, leaving all other deadlines unchanged.

4. Later, on January 20, 2026, Genera filed a *Motion in Compliance with Resolution and Order issued December 19, 2025*, in order to comply with the directives related to performance incentive metrics identified in Table 1 of the December 19th Order. Furthermore, Genera resolved the reporting issues identified in the Energy Bureau's October 7 Resolution and reiterated in Part III, Section C of the December 19th Order. Also, Genera requested an extension of time to submit the underlying data and supporting workpapers, in light of the overlapping and voluminous documentation required for both the Table 1 metrics and the metrics included in Attachment A, Table 3.

5. Then, on January 27, 2026, Genera filed a *Motion in Compliance with Resolutions and Orders Dated December 19, 2025 and January 9, 2026*, through which it submitted the requested underlying data and supporting workpapers for performance metrics identified in Table 3 of Attachment A as well as metrics identified in Table 1 of Part III of the December 19th Order. In said motion, Genera further noted that its Quarterly Report for Q2 of FY2026 covering the same period was previously filed as Exhibit 1 in its *Motion in Compliance with Resolution and Order issued December 19, 2025*, filed on January 20, 2026.

6. Relevant to the instant motion, on March 16, 2026, the Energy Bureau issued a Resolution and Order titled *Genera's compliance with the December 19 R&O and January 27 Submission* (“March 16th Order”).

7. In short, the March 16th Order directed Genera to (i) resubmit its FY2025 supporting data and workpapers regarding particular metrics mentioned therein, ensuring submission complies with the prior directives set forth in the December 19th Resolution, and (ii) to submit responses to ROIs included in Attachment A of the March 16th Order.

8. Specifically, in the March 16th Order, the Energy Bureau identified the following issues regarding Genera’s prior submissions:

- (i) that the emissions values and emissions rate values reported in Genera’s November 20 submission appear inconsistent with the expected order of magnitude based on the units of measure stated in the reporting template; Genera shall submit supporting data for FY2025 emissions and emissions rates, and the workpapers should label all units and demonstrate Genera's process for calculating the summary values reported in the Quarterly Reports.
- (ii) For several metrics listed in Attachment A of the December 19th Resolution, Genera submitted supporting data for Q1 FY2026 but did not provide supporting data and workpapers for FY2025, including for metrics such as heat rate, plant availability, forced outage rate, and OSHA metrics;
- (iii) the OSHA workpapers submitted by Genera consisted of generation site-level OSHA Form 300A in PDFs that did not allow the Energy Bureau to link the underlying data to the summary values reported in Genera’s quarterly submission,

and that future submissions must include Excel workpapers with formulas and supporting data showing the calculation of each OSHA metric;

- (iv) that discrepancies were identified in the heat rate metrics, including the absence of supporting data for both the San Juan Steam and San Juan Combined Cycle plants in the submitted workpapers, and that Genera must provide the fuel consumption in MMBtu and generation data in kWh used to calculate the heat rate metrics for those subgroups; and
- (v) that the heat rate values reported in Genera's quarterly report are not supported by the MMBtu and kWh values provided in the heat rate workpapers, and that Genera must explain this discrepancy in its response to the Requirements of Information listed in Attachment A.

## **II. COMPLIANCE WITH RESOLUTION AND ORDER OF MARCH 16, 2026**

9. In compliance with the Energy Bureau's March 16th Resolution and Order, Genera addresses the following issues listed below<sup>2</sup>:

- (i) Clarification and resubmission previously reported emissions values, revised emissions methodology, including the submission of supporting data for the emissions and emissions rates metrics, labeling all units and demonstrating Genera's process for calculating the summary values reported in the Quarterly Reports, as set forth in **Exhibit 1**.
- (ii) Submission of data corresponding to FY2025 for the metrics, as set forth in **Exhibit 2**.

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<sup>2</sup> As submitted later in this Motion, Genera respectfully requests additional time to submit its response to ROI #1 of Attachment A, for the reasons expressed in Part III.

- (iii) Submission of OSHA workpapers in Excel format calculations, as set forth in **Exhibit 3**.
- (iv) Submission of Vega Baja Decommissioning Cost Efficiency supporting workpapers, including the cost estimate provided in the Vega Baja Decommissioning Plan and the actual costs incurred in FY2025, as set forth in **Exhibit 4**.
- (v) Genera's Responses to Requirements of Information (ROIs) listed in Attachment A of the March 16th Resolution, as set forth in **Exhibit 5**.

**III. REQUEST FOR ADDITIONAL TIME TO SUBMIT RESPONSE TO ROI NO. 1 OF ATTACHMENT A TO THE MARCH 16, 2026 RESOLUTION AND ORDER**

10. Genera respectfully requests an additional seven (7) calendar days to submit the remaining heat rate support necessary to address the portions of the March 16, 2026 Resolution and Order requiring the fuel consumed (in MMBtu) and generation produced (in kWh) used to calculate the heat rate metric for both the San Juan Steam and San Juan Ciclo Combinado subgroups, as well as to respond fully to ROI No. 1 of Attachment A to that Order.

11. Genera respectfully submits that this limited extension is necessary to complete the validation of the underlying supporting data for the San Juan Steam and San Juan Ciclo Combinado subgroups and to ensure that the information submitted is accurate and fully supported.

12. Except for the remaining San Juan Steam and San Juan Ciclo Combinado heat rate support and the corresponding response to ROI No. 1, Genera submits the accompanying materials and responses in compliance with the March 16, 2026, Resolution and Order and respectfully requests this limited extension only as to those items.

**WHEREFORE**, Genera respectfully requests that the Energy Bureau take notice of the foregoing, **accept** the accompanying Motion and Exhibits, **deem** Genera in compliance with the

Resolution and Order issued March 16, 2026 with respect to all submitted materials and responses other than the remaining heat rate support for the San Juan Steam and San Juan Ciclo Combinado subgroups and the corresponding response to ROI No. 1 of Attachment A, and **grant** Genera an additional seven (7) calendar days to submit those remaining materials.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 26th day of March of 2026.

**ECIJA SBGB**  
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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 26th day of March 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

**Exhibit 1**

*[Native file submitted via email.]*

**Exhibit 2**

***[Native file submitted via email.]***

**Exhibit 3**

*[Native file submitted via email.]*

**Exhibit 4**

***[Native file submitted via email.]***

**Exhibit 5**

**Responses to ROIs  
of Attachment A to the Resolution and Order issued March 16, 2026**

**Docket Number:** NEPR-MI-2019-0007

**In Re:** Performance Metrics

**Re:** RESPONSES TO THE PUERTO RICO ENERGY BUREAU'S REQUIREMENTS OF INFORMATION

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Pursuant to the Resolution and Order dated March 16, 2026, Genera PR, LLC ("Genera") provides the following responses to the Requirements of Information set forth in Attachment A.

- 2. Refer to Exhibit 3 of Genera's January 27 submission. Please confirm the generation and fuel consumption for the "TM" rows in the System HR tab are included in the system heat rate reported in Genera's Quarterly Report. Please also confirm that these values are not included in any of the plant specific rows in the Quarterly Report.**

**Response:**

Genera confirms that these values are not included in any of the plant-specific rows. The TM values are not being incorporated into the calculations for the Quarterly Report. However, they are included in the system average heat rate calculation.

- 3. Refer to Exhibit 4 of Genera’s January 27 submission. Are the generation, heat rate, plant availability, and forced outages associated with Palo Seco PW FT-8 reflected in the Quarterly Report? If so, which row(s)? If not, why not? State whether the generation, heat rate, plant availability, and forced outages associated with this plant are accounted for in the quarterly report system total values.**

**Response:**

Genera confirms that the generation, heat rate, plant availability, and forced outage values associated with Palo Seco PW FT-8 are not reflected in any plant-specific row in the Quarterly Report. The reason is that the Quarterly Report was not originally structured to include separate calculations for the MP units, and therefore those values are not presented in any specific reporting row.

However, the heat rate associated with Palo Seco PW FT-8 is included in the system average heat rate calculation, as part of Genera’s analysis of the total system under its operation.

- 4. Refer to Exhibit 1 of Genera’s January 20 Motion. In its November 2024 Quarterly Report, Genera reported Forced Outage Rate–System for July 2024 and August 2024. However, in Genera’s 2025 Quarterly Reports, the Forced Outage Rate–System data for these same months is reported as blank.**
- a. Please explain why the Forced Outage Rate data for July 2024 and August 2024, previously included in the November 2024 Quarterly Report, is now reported as blank in the 2025 Quarterly Reports.**

**Response:**

Genera acknowledges that the Forced Outage Rate – System values for July 2024 and August 2024, which had previously been reported in the November 2024 Quarterly Report, appeared as blank in the 2025 Quarterly Reports. Upon review, Genera determined that those values were inadvertently omitted from the later report version. Genera has since corrected that issue and restored the corresponding data in its revised submission.

- b. If the omission was due to a data correction, restatement, or methodology change, please describe the change in detail and provide the revised Forced Outage Rate values for July 2024 and August 2024.**

**Response:**

The omission was not the result of a methodology change. Upon further review and corroboration of the underlying data, Genera determined that the Forced Outage Rate – System values for July 2024 and August 2024 required correction. Accordingly, the revised submission restores those months and reflects the corroborated values. The corrected values are as follows:

- July 2024: 32%
- August 2024: 23%

- 5. Refer to Exhibit 1 of Genera’s January 20 Motion. Are there emissions counted in the Total Emissions (system) Total row that are not separately reported in the CO<sub>2</sub>, SO<sub>2</sub>, NO<sub>x</sub>, PM, VOC, or Pb rows? If so, what other emissions are included? If not, why does the sum of the emission-specific rows not equal the total emissions row?**

**Response:**

Yes, the detailed emissions workpapers include pollutants and subcategories beyond the pollutant-specific rows displayed in the Quarterly Report, including CO, PM<sub>10</sub>, PM<sub>2.5</sub>, H<sub>2</sub>SO<sub>4</sub>, CO<sub>2e</sub>, and Fluoruro. Accordingly, the Total Emissions (system) value in the underlying workpapers may not reconcile to the sum of only the CO<sub>2</sub>, SO<sub>2</sub>, NO<sub>x</sub>, PM, VOC, and Pb rows shown in the Quarterly Report. For additional details regarding the underlying emissions calculations, pollutant-level breakdowns, and supporting formulas, please refer to Exhibit 1.

**6. Refer to Exhibit 4 of Genera’s January 27 submission. For each unit, how did Genera determine the APT Capacity?**

**Response:**

Please refer to Genera’s Motion filed in Docket NEPR-MI-2023-0003 (Annual Performance Test). The Motion, submitted on March 13, 2026, titled *“Motion to Establish Genera’s Equivalent Availability Factor Targets for FY25 and FY26, Including Capacity and Heat Rate Values, and Submit the Annual Performance Test Results,”* provides the methodology used to determine the APT Capacity for each unit.

**7. Annex II Section III.B.2 of the LGA OMA establishes the process for determining EAF targets. Has Genera followed the process to establish EAF targets and Minimum Performance Thresholds for Capacity and Heat Rate?**

- a. For what units has Genera performed Annual Performance Tests? Provide the results of any completed tests, including the Minimum Performance Thresholds, baseline Capacity and Heat Rate values, proposed EAF targets, and all supporting calculation and documentation, consistent with Section 5.22 of the LGA OMA.**

**Response:**

Please refer to Genera's Motion filed in Docket NEPR-MI-2023-0003 (Annual Performance Test). The Motion, submitted on March 13, 2026, titled "Motion to Establish Genera's Equivalent Availability Factor Targets for FY25 and FY26, Including Capacity and Heat Rate Values, and Submit the Annual Performance Test Results," includes Genera's compliance with the process established in Annex II Section III.B.2 of the LGA OMA, all available units at the time for which Annual Performance Tests were performed, the results of those tests, the Minimum Performance Thresholds, baseline Capacity and Heat Rate values, proposed EAF targets, and all supporting calculations and documentation.

- b. Has Genera established EAF targets for each of its units? If so, provide the targets for each unit. If not, describe how Genera calculates the incentive payment it earns for the EAF Baseload Units and EAF Peaking Units incentive metrics.**

**Response:**

Yes. Please refer to Genera's Motion filed in Docket NEPR-MI-2023-0003 (Annual Performance Test), titled "Motion to Establish Genera's Equivalent Availability Factor Targets for FY25 and FY26, Including Capacity and Heat Rate Values, and Submit the Annual Performance Test Results." That Motion sets forth the EAF targets established by Genera, together with the supporting calculations used to derive them.

- 8. Refer to Genera’s January 20 Motion. Genera states it calculates the Decommissioning Cost Efficiency metric by comparing the cost estimate provided in the Vega Baja Decommissioning Plan against the actual costs incurred. Provide the cost estimate and actual costs incurred in FY2025.**

**Response:**

The cost estimate provided in the Vega Baja Decommissioning Plan is \$2,580,944.00. The actual costs incurred as of today in FY2025 are \$1,532,204.94. For additional details please refer to Exhibit 4.