

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

NEPR

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**IN RE:** REVIEW OF THE PUERTO  
RICO  
ELECTRIC POWER AUTHORITY  
INTEGRATED RESOURCE PLAN

**CASE NO.:** NEPR-AP-2023-0004

**SUBJECT:** SESA Motion to Intervene in  
IRP Proceeding and Request for Notice

**SESA MOTION TO INTERVENE IN INTEGRATED RESOURCE PLAN  
PROCEEDING AND REQUEST FOR NOTICE**

**TO THE HONORABLE ENERGY BUREAU:**

**I. Introduction**

1. The Puerto Rico Solar Energy Industries Corp. (“Solar and Energy Storage Association” or “SESA”), through undersigned counsel, respectfully submits this Motion to Intervene in this proceeding pursuant to Section 3.03 of Regulation No. 9021, Section 5.05 of Regulation No. 8543, and Section 3.5 of Act 38-2017, 3 L.P.R.A. § 9645.

2. SESA is a non-profit trade association representing Puerto Rico's solar and energy storage industries. Its membership includes companies involved in the development, sale, installation, operation, maintenance, financing, and support of solar and energy storage systems across Puerto Rico.

3. On February 13, 2026, the Energy Bureau determined that LUMA's 2025 Integrated Resource Plan (“IRP”) filing is complete for purposes of Regulation 9021. On February 27, 2026, the Energy Bureau issued a Resolution and Order establishing the

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initial procedural calendar for the 2025 IRP process and providing interested parties until March 30, 2026, to file petitions to intervene.

4. PREPA's Integrated Resource Plan ("IRP") is a planning instrument and adjudicative process required by Puerto Rico law and evaluated by the Energy Bureau to guide the development of Puerto Rico's electric system over a twenty-year period. The outcome of the 2025 IRP process will materially affect the treatment of distributed energy resources, the future mix of generation and storage, procurement and investment signals, reliability planning, and the pace and scale of solar and storage deployment in Puerto Rico. Those issues directly affect SESA and the industries it represents.

5. SESA advocates for solar and storage, aligned with the legal mandate of 100% renewables generation by 2050. SESA, and its membership, are directly affected by the IRP proposals and decisions concerning the future mix of generation, storage, reliability investments, and other system resources that will be evaluated.

6. Accordingly, SESA seeks to intervene and participate fully as a party in this adjudicative proceeding, and respectfully requests that it be placed on notice of all filings, submissions, orders, and communications related to this docket.

**II. Legal Standard**

7. Section 3.03 of Regulation 9021 provides that any person may submit a request to intervene in an IRP procedure within thirty (30) days from the date the Commission determines that the IRP proposal is complete. Section 5.05 of Regulation 8543 and Section 3.5 of Act 38-2017 likewise permit a person with a legitimate interest in an

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adjudicative proceeding to file a duly grounded petition to intervene. The petition to intervene will be evaluated based on the following factors:

- (1) Whether the petitioner has an interest that may be adversely affected by the adjudicative proceeding.
- (2) Whether the petitioner's interests can be adequately protected by other legal means.
- (3) Whether the petitioner's interests are already adequately represented by existing parties to the proceeding.
- (4) Whether the petitioner's participation may reasonably be expected to assist in developing a sound record of the proceeding.
- (5) Whether the petitioner's participation may excessively broaden the issues or delay the proceedings.
- (6) Whether the petitioner represents or is the spokesperson for other community groups or entities.
- (7) Whether the petitioner may contribute information, expertise, specialized knowledge, or technical advice that otherwise would not be available in the proceeding.

8. The Energy Bureau shall apply the above criteria liberally and may require the presentation of additional evidence in order to rule on the petition for intervention. Section 3.03 of Regulation 9021 further provides that petitions to intervene in an IRP proceeding shall be addressed in accordance with Section 5.05 of Regulation 8543 and Sections 3.5 and 3.6 of Act 38-2017.

### **III. Discussion**

9. Pursuant to applicable laws and regulations, all factors weigh in favor of SESA being granted leave to intervene in this case. SESA's intervention in this proceeding is based on the following grounds:

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***(1) SESA's Interest May Be Adversely Affected***

10. SESA's members are active participants in Puerto Rico's solar and storage markets. The 2025 IRP will shape long-term resource planning, the role of distributed solar and storage, assumptions regarding system needs, and the market and regulatory conditions under which SESA's members develop, finance, install, operate, and maintain projects. The Bureau's determinations in this proceeding may materially affect the pace, scale, and design of solar and energy storage deployment in Puerto Rico and therefore directly affect SESA's members.

***(2) SESA's Interests Cannot Be Adequately Protected by Other Legal Means***

11. This adjudicative proceeding is the principal and proper forum for addressing the implications of the 2025 IRP. There is no adequate alternative legal mechanism through which SESA can develop the administrative record on these issues in the first instance. Post hoc judicial review would be limited to the record created here and would not substitute for participation in this proceeding.

***(3) SESA's Interests Are Not Adequately Represented by Existing Parties***

12. No existing party specifically represents the interests and operational realities of Puerto Rico's solar and energy storage industry. Although other participants may address general utility, governmental, or consumer interests, none is positioned to present the perspectives of solar and storage developers, installers, integrators, financiers, operators, and service providers as a cohesive sector.

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13. SESA and its members can assist the Bureau in developing a sound record by contributing technical, economic, regulatory, and market information grounded in practical experience in Puerto Rico's energy sector. SESA can offer evidence and analysis regarding distributed energy resources, storage deployment, interconnection, investment conditions, customer adoption, and the practical implications of IRP proposals for system planning and implementation.

***(4) SESA's Participation Will Assist in Developing a Sound Record***

14. SESA intends to participate in a constructive, technically grounded, and efficient manner, including through briefing, discovery, testimony, and witness participation as appropriate.

***(5) SESA's Participation Will Not Unreasonably Broaden Issues or Delay the Proceeding***

15. SESA does not seek to broaden the scope of this proceeding. SESA will comply with all procedural directives, filing deadlines, and evidentiary rules established by the Energy Bureau, and will coordinate its participation to avoid unnecessary duplication or delay.

***(6) SESA Represents a Broad and Cohesive Segment of the Industry***

16. SESA represents a broad and cohesive segment of Puerto Rico's solar and storage industry. Its membership spans residential, commercial, and industrial market segments and includes firms involved in project development, installation, engineering,

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manufacturing, financing, operation, and related services. SESA therefore serves as a collective voice for a substantial stakeholder community whose interests are directly implicated by this proceeding.

***(7) SESA Offers Unique Information, Expertise, and Technical Knowledge***

17. SESA's members possess specialized technical, operational, and policy expertise concerning solar energy, battery storage, distributed energy resources, and related market conditions in Puerto Rico. This expertise would materially assist the Bureau and is not otherwise available in the same sector-specific form from existing parties.

**IV. Conclusion**

18. Puerto Rico's long-term energy goals, including the orderly integration of renewable and distributed resources, require a regulatory framework informed by the practical experience of the sectors responsible for deploying those resources. SESA satisfies the statutory and regulatory criteria for intervention and stands ready to contribute constructively and efficiently to this proceeding.

**WHEREFORE**, SESA respectfully requests that the Energy Bureau grant this Motion; recognize SESA as an intervenor with full rights to participate in all phases of this proceeding, including discovery, motion practice, submission of testimony and exhibits, participation in technical conferences and hearings, examination of witnesses, and briefing; and direct that SESA be included on the service list for all notices, orders, motions, reports, exhibits, and other filings in this docket.

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Respectfully submitted, on March 30, 2026, in San Juan, Puerto Rico.

**I HEREBY CERTIFY** that this motion was filed using the Energy Bureau's electronic filing system and that electronic copies of this motion will be notified to: margarita.mercado@us.dlapiper.com; mvalle@gmlex.net; jgonzalez@gmlex.net; arivera@gmlex.net; regulatory@genera-pr.com; legal@genera-pr.com; jmartinez@gmlex.net; Yahaira.delarosa@us.dlapiper.com; hrivera@jrsp.pr.gov; contratistas@jrsp.pr.gov; jan.albinolopez@us.dlapiper.com; matt.barr@weil.com; Robert.berezin@weil.com; Gabriel.morgan@weil.com; corey.brady@weil.com; hburgos@cabprlaw.com; dperez@cabprlaw.com; info@caribbeantransmission.com; alexis.rivera@prepa.pr.gov; nzayas@gmlex.net; rcruzfranqui@gmlex.net; lrn@roman-negron.com; RegulatoryPREBOrders@lumapr.com; cfl@mcvpr.com; mqs@mcvpr.com; creyes@ecoelectrica.com; rodrigo.zavala@ecoelectrica.com; ramonluisnieves@rlnlegal.com; agraitfe@agraitlawpr.com; pjcleanenergy@gmail.com; pnieves@vnblegal.com; jemmanuelli@vnblegal.com.

**SOLAR AND ENERGY STORAGE  
ASSOCIATION OF PUERTO RICO**

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