

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

**IN RE:** REQUEST FOR CERTIFICATION AS  
ELECTRIC SERVICE PROVIDER  
NFE POWER PR

**CASE NO.:** NEPR- CT-2022-0004

**SUBJECT:** Resolution and Order regarding  
Third Party Microgrid compliance with  
Sections 3.04(B) and 5.12 of Regulation  
9028.

**RESOLUTION AND ORDER**

**I. Introduction**

On November 10, 2022, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution certifying NFE POWER PR ("NFE Power") as a CHP microgrid under the requirements of Regulation 9028<sup>1</sup>.

**II. Applicable Laws and Regulations**

Section 5.12 of Regulation 9028 requires from microgrid operators the following reports to be submitted to the Energy Bureau on an annual basis:

A. Microgrid Operators shall be required to submit an annual report on fuel usage, generation, and sales to the Energy Bureau. This report shall include:

1. Electric generation by resource type;
2. Thermal generation by resource type, for CHP Microgrids;
3. Fuel use by resource type;
4. Capacity factor by month and year;
5. Total sales;
6. Any change in the number of Customers, including additions and departures of Customers; and
7. Any other information that the Energy Bureau may require.

B. Microgrid Operators must maintain and submit to the Energy Bureau copies of any reports required by the US EPA and the Puerto Rico Environmental Quality Board.

Section 3.04(B) requires that CHP Microgrids must submit the following type of report:

B. CHP Microgrids must demonstrate compliance with the qualifications in Section 3.03(B) of this Regulation, as follows.

1. Applications for CHP Microgrids shall include a description of the generation and heat-recovery equipment to be installed and the use of thermal energy, as well as a heat flow plan showing the fuel input, electric generation and useful thermal energy output and consumption for typical operating conditions. Where more than one generator is to serve the Microgrid, the application shall describe all the generation assets and how they will be dispatched to meet anticipated electric and thermal demands.

2. Microgrids shall be required to submit annual operational reports detailing fuel usage, electric generation, and thermal energy consumption, demonstrating compliance with the qualification in Section 3.03(B) of this Regulation.

<sup>1</sup> Regulation on Microgrid Development, May 16, 2018 ("Regulation 9028").



### III. Conclusion

According to the administrative record, NFE Power has not submitted the required reports in compliance with the requirements set forth Sections 3.04(B) and 5.12 of Regulation 9028.

The Energy Bureau **GRANTS** NFE Power **twenty (20) days**, from the notification of this Resolution and Order, to submit the reports of the corresponding years since the date of its certification.

The Energy Bureau **WARNS** NFE Power that non-compliance with this Resolution and Order may result in the imposition of fines under Art. 6.36 of Act 57-2014.<sup>2</sup>

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

  
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Antonio Torres Miranda  
Associate Commissioner

### CERTIFICATION

I certify that the majority of the members of the Puerto Rico Energy Bureau has so agreed on April 8, 2026. I also certify that on April 8, 2026 a copy of this Resolution and Order was notified by electronic mail to [antonio.collazo@oneillborges.com](mailto:antonio.collazo@oneillborges.com) and I have proceeded with the filing of the Order issued by the Puerto Rico Energy Bureau.

For the record, I sign this in San Juan, Puerto Rico, today April 8, 2026.



  
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Sonia Seda Gaztambide  
Clerk

<sup>2</sup> Known as the *Puerto Rico Energy Transformation and RELIEF Act*, as amended, ("Act 57-2014").