

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

NEPR

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IN RE: IMPLEMENTATION OF THE PUERTO RICO ELECTRIC POWER AUTHORITY INTEGRATED RESOURCE PLAN AND MODIFIED ACTION PLAN

CASE NO.: NEPR-MI-2020-0012

SUBJECT: Executed amendments to Pattern PPOA and ESSAs

MOTION IN COMPLIANCE WITH FEBRUARY 20, 2026, RESOLUTION AND ORDER

TO THE HONORABLE ENERGY BUREAU,

COMES NOW the Puerto Rico Electric Power Authority ("PREPA") through its undersigned legal representation and, very respectfully, informs and requests as follows:

1. On June 30, 2025, the Energy Bureau of the Puerto Rico Public Service Regulatory Board ("Energy Bureau") issued a Resolution and Order directing PREPA to engage in negotiations with Pattern Puerto Rico Holdings, LLC ("Pattern") regarding Pattern's proposal to expand the battery storage capacities at the Barceloneta and Santa Isabel sites under their Tranche 1 Energy Storage Service Agreements ("ESSAs"). PREPA was also ordered to submit the proposed amended contracts, reflecting the negotiated terms, along with all communications among PREPA, LUMA Energy, LLC ("LUMA"), and Pattern, and any evaluations prepared by consultants.

2. On July 22, 2025, PREPA filed its *Motion in Compliance with Resolution and Order Dated June 30, 2025*, informing the Energy Bureau of the actions taken in response to its directives concerning proposed amendments to certain ESSAs

associated with Pattern projects. PREPA explained that it had initially denied Pattern's request to expand the battery storage capacity based on concerns related to cost, operational feasibility, and ratepayer impact. However, PREPA further explained that the Energy Bureau subsequently ordered PREPA to engage in negotiations and to submit a contract reflecting the proposed modifications, along with all relevant communications and evaluations. In compliance, PREPA obtained and submitted additional technical and economic input from LUMA, including data on the levelized cost of storage, system utilization thresholds, and interconnection considerations, which PREPA asserted did not materially alter its prior assessment of the proposed expansion.

3. On August 26, 2025, the Energy Bureau issued another Resolution and Order ("August 26 Resolution") directing PREPA to continue negotiations with Pattern regarding the proposed amendments to their ESSAs and to submit the agreements for the Energy Bureau's evaluation.

4. In compliance with the August 26 Resolution, PREPA filed a *Motion in Compliance with Resolution and Order dated August 26, 2025*, informing the Energy Bureau that PREPA and Pattern had reached an agreement on the substantive terms of the amendments to the contracts. PREPA also submitted copies of the communications exchanged with Pattern during the negotiation process.

5. On September 27, 2025, PREPA's Governing Board issued a Resolution, No. 5209, titled *Approval of Amendments to the Pattern Power Purchase and Operating Agreement and Energy Storage Service Agreements* to:

(1) approve the proposed amendments to the: (i) Pattern Barceloneta Solar LLC's ("Pattern Barceloneta") *Amended and Restated Power Purchase and Operating Agreement* (" Amended PPOA"); (ii) ESSA for Pattern Barceloneta Storage LLC (" Pattern Barceloneta"); and (iii) ESSA for Pattern Santa Isabel Storage LLC ("Pattern Santa Isabel"), to incorporate the contractual terms related to the LPO financing, capacity increases, term extensions, and revised pricing; (2) authorize the submission of the proposed amendments to the Energy Bureau, the Financial Oversight and Management Board of Puerto Rico ("FOMB"), and other stakeholders as required by law for their respective approvals; and (3) authorize, after said approvals, execution of the amendments by PREPA's Executive Director.

6. On October 7, 2025, PREPA filed its *Motion in Compliance with August 26, 2025, Resolution and Order and Request for Confidential Designation and Treatment*, informing the Energy Bureau of the status of its negotiations with Pattern and submitted for its evaluation and approval the proposed amendments to the PPOA and ESSAs related to the Barceloneta and Santa Isabel storage projects. PREPA also included communications exchanged during the negotiation process and requested confidential treatment of the proposed amendments.

7. On February 20, 2026, the Energy Bureau issued a Resolution and Order ("February 20 Resolution") related to the proposed amendments to the Patterns' PPOA and ESSAs. In the February 20 Resolution, the Energy Bureau: (i) approved the proposed amendments subject to modifications outlined in the

February 20 Resolution; (ii) ordered PREPA to submit the updated agreements, within five (5) business days from the notification date of the resolution, which could be extended to a maximum of ten (10) days, with just cause; (iii) ordered PREPA to provide clean and redlined versions of the updated contracts; (iv) that the modifications did not require a subsequent determination by resolution from the Energy Bureau; and (v) ordered PREPA to submit, within five (5) business days of the execution of the agreements, such executed agreements and evidence that they have been filed with the Office of the Comptroller of Puerto Rico.

8. On February 27, 2026, PREPA filed its *Motion in Compliance with February 20, 2026, Resolution and Order, and Memorandum of Law in Support of Request for Confidential Treatment* ("February 27 Motion"), informing the Energy Bureau that it had fully incorporated all required modifications to the amended agreements for the Pattern Barceloneta PPOA and the Barceloneta and Santa Isabel ESSAs. Specifically, PREPA revised the agreements to reflect the Energy Bureau's directives, including clarifications to Appendix F regarding the calculation of the Capability Payment Price Per Interconnection Facilities ("CPPPIF"), the removal of proposed curtailment compensation provisions deemed inconsistent with the intent of the agreements, and the incorporation of all other mandated changes. PREPA also submitted clean and redlined versions of the updated agreements and confirmed that such documents were also provided to the Financial Oversight and Management Board, as required.

9. On March 20, 2026, the Energy Bureau issued a Resolution and Order regarding the February 27 Motion and determined that PREPA had adequately

incorporated the modifications required by the February 20 Resolution, including the revisions to the CPPPIF provisions and other contractual adjustments. The Energy Bureau specifically found that the recalculation of the CPPPIF based on a reduced project capacity of 50 MW complied with its prior directives and that, although the per-megawatt values increased due to the allocation of largely fixed interconnection costs, the total annual payments remained unchanged.

10. In further compliance with the February 20 Resolution PREPA hereby submits the executed: (i) Amendment No. 1 to the ESSA for Pattern Barceloneta signed on April 7, 2026; (ii) Amendment No. 1 to the ESSA for Pattern Santa Isabel signed on April 7, 2026; and (iii) Pattern Barceloneta Amended PPOA signed on April 14, 2026, included as **Exhibits I, II, and III**. As requested, PREPA also submits herein evidence that the executed Amended PPOA and the amendments to the ESSAs were submitted to the Office of the Comptroller of Puerto Rico. See **Exhibits IV, V, and VI**.

WHEREFORE, PREPA respectfully requests that the Energy Bureau: (1) **TAKE NOTICE** of the information and documents submitted herein; and (2) **DEEM** PREPA in compliance with the February 20 Resolution.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 22nd day of April, 2026.

CERTIFICATE OF SERVICE: We hereby certify that this document was filed with the Office of the Clerk of the Energy Bureau using its Electronic Filing System at <https://radicacion.energia.pr.gov/login>, and courtesy copies were sent via e-mail to LUMA Energy, LLC through its counsels of record at

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