

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

**NEPR**

**Received:**

**May 5, 2026**

**12:50 PM**

**IN RE: PUERTO RICO  
ELECTRIC POWER  
AUTHORITY RATE REVIEW**

**CASE NUM. NEPR-AP-2023-0003**

**Subject:**

**SUN-SESA Motion for Reconsideration**

**JOINT SESA-SUN MOTION FOR RECONSIDERATION OF THE APRIL 15, 2026,  
FINAL RESOLUTION AND ORDER ON ELECTRICITY RATES**

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

COMES NOW the SOLAR AND ENERGY STORAGE ASSOCIATION OF PUERTO RICO (“SESA”) and SOLAR UNITED NEIGHBORS (“SUN”) (jointly, the “Movants”), through their undersigned counsel, and respectfully state, allege and pray:

**I. INTRODUCTION AND PRELIMINARY STATEMENT**

1. Movants jointly request that this Honorable Puerto Rico Energy Bureau (“Energy Bureau” or “Bureau”) reconsider its Final Resolution and Order on Electricity Rates entered on April 15, 2026 (the “Final Order”) in the captioned proceeding. This Motion for Reconsideration is submitted under Section 11.01 of Regulation No. 8543, the applicable provisions of Act 38-2017, the Uniform Administrative Procedure Act of the Government of Puerto Rico (“LPAU,” Spanish acronym), and Section 6.27 of Act 57-2014, as amended.

2. SESA is a nonprofit representing Puerto Rico’s solar and energy storage industries, from manufacturing, finance, installation, as well as service and support. SUN is a nonprofit dedicated to a clean, equitable, resilient energy system and represents net-metering customers, prospective

rooftop solar adopters, and low-net-consumption residential customers directly affected by the rate determinations challenged below.

3. Movants seek targeted reconsideration of specific findings, conclusions of law, and rate determinations that: (i) violate Section 4 of Act 114-2007, as amended, the Puerto Rico Net Metering Program Act (the “Net Metering Act”), 22 L.P.R.A. § 1014; (ii) are inconsistent with the public policy declared in Act 57-2014 (the Puerto Rico Energy Transformation and RELIEF Act) and Act 17-2019, as amended, (the Puerto Rico Energy Public Policy Act), including the affordability, and energy-efficiency principles those statutes enshrine; (iii) mischaracterize Movants’ record position; (iv) rest on conclusions of law that depart from the text of Act 114-2007 clashing with both Puerto Rico and U.S. Supreme Court caselaw on the limits of agency interpretive authority; (v) eliminate, without record support, a tiered residential energy rate that promotes energy efficiency and bill affordability for low-net-consumption customers; (vi) leave unresolved LUMA Energy LLC (“LUMA”) requests on funding of net-metering administrative processes; (vii) cites excluded testimony—such as that provided by Mr. Branko Terzic; and (viii) fails to include SUN alongside SESA when referencing their joint motions in several sections.

4. Movants request that the Bureau reconsider and modify the Final Order to:

(a) reverse the increase of the General Residential Service (“GRS”) fixed customer charge from \$4.00 per month to \$8.00 effective July 2026 and to \$16.00 effective July 2027, and instead preserve the current \$4.00 minimum bill structure;

(b) reverse the elimination of the two-tier inclining block (inverted) energy rate for the GRS class beginning FY27, and instead preserve the existing inclining block structure;

(c) correct the material mischaracterization of Movants’ position on Act 114-2007 set forth at Chapter 1, page 41 of 42 (Final Order page 54) and at Chapter 7, page 54 of 74 (Final

Order page 707), and reach a conclusion of law on the merits faithful to the text of Act 114-2007;

(d) vacate or modify the Conclusion of Law set forth in Chapter 8 at page 40 of 43 (Final Order page 767) which mistakenly recasts the operative requirement of Act 114-2007;

(e) initiate a discrete proceeding, with a clearly prescribed timeline, to develop and adopt an inverted (inclining) block rate as a tool to advance the Bureau's statutory duty under Section 6.29B of Act 57-2014 to ensure Puerto Rico achieves its 30% energy-efficiency goal by 2040;

(f) clarify the availability for use by LUMA of the \$1.0 million Net Metering Program Costs line item that LUMA acknowledged is recovered through the Regulation 8915 application fee paid by interconnection notifiers/applicants, and order LUMA to file a transparent accounting of such NEM application-fee revenues, expenditures, and unspent balances, so that the Net Metering Department and any new Net Metering customer portal are funded transparently by the customer fees that the Bureau's Final Order recognizes are the lawful funding source;

(g) make explicit on the face of the Final Order that the cost-responsibility framework for distributed-generation interconnection studies and DER-driven distribution upgrades approved in PBUT1 and PBUT6 conforms to Act 114-2007's explicit prohibition on direct or indirect charges on prosumer renewable generation, and is not, in operation, a Bureau-sanctioned mechanism for shifting feeder-level upgrade costs onto net-metering customers as a class;

(h) make it explicit that any future Legacy Debt Rider must comply with Section 4 of Act 114-2007 and may not be structured as a non-bypassable charge applied uniformly without regard to net consumption;

(i) make explicit that the Pension Rider, if recovered through a per-customer fixed charge, is unlawful under Section 4 of Act 114-2007 and that the Bureau will preserve the Pension Rider in its current volumetric, net-consumption-based form.

(j) remove citations from Mr. Branko Terzic’s testimony from the Resolution and Order, due to his unavailability for cross-examination from SUN, and a stipulation with LUMA to withdraw such testimony from the record.

5. As shown below, the challenged determinations cannot be reconciled with Act 57-2014, Act 17-2019, or the prohibitions of Act 114-2007. The errors are well-defined, the relief targeted, and the authority for reconsideration is grounded in Section 11.01 of Regulation 8543 and the LPAU.

## **II. APPLICABLE LAW AND STANDARD FOR RECONSIDERATION**

6. Reconsideration is appropriate where the affected party identifies material findings of fact, conclusions of law, or remedial determinations that should be corrected before the decision becomes final for judicial review. Section 11.01 of Regulation No. 8543 and the LPAU permit Movants to request reconsideration; the Final Order itself advises parties of this remedy.

7. Agency deference is bounded. It is displaced when the record provides no basis for the administrative determination, when the agency reaches conclusions inconsistent with law, or when it fails to articulate a rational connection between the evidentiary record and the result.

8. On questions of law, deference cannot trump the plain, black-letter language of a statute. In *Vázquez y Torres v. Consejo de Titulares Cond. Los Corales*, 2025 TSPR 56, 215 D.P.R. \_\_\_\_ (2025), the Puerto Rico Supreme Court squarely rejected deference to an agency’s conclusions of law and held that “it shall be the duty of the courts to review conclusions of law in all their aspects, not guided by automatic deference.” (Translation provided.)<sup>1</sup> *Id.* The Court reaffirmed the classic interpretive rule that “[w]hen the law is clear and free from all ambiguity, its text must not be

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<sup>1</sup> Original Spanish: “será el deber de los tribunales revisar las conclusiones de derecho en todos sus aspectos. No guiados por la deferencia automática”.

disregarded [...]” (Translation provided.)<sup>2</sup> *Id.*, sec. II.A.iii (citing Art. 19, Civil Code of 2020, 31 L.P.R.A. § 5341). And, expressly adopting the reasoning of the United States Supreme Court, the Puerto Rico Supreme Court held that “the courts need not defer to an agency’s interpretation of the law simply because the law is ambiguous.” (Translation provided.)<sup>3</sup> *Id.*, sec. II.B.iii. That principle is fully consistent with *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 144 S. Ct. 2244 (2024), in which the United States Supreme Court held that “[c]ourts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority, as the APA requires,” and that “courts need not and under the APA may not defer to an agency interpretation of the law simply because a statute is ambiguous.” *Id.* (slip op. at 35). The Court further explained that “[i]n the business of statutory interpretation, if it is not the best, it is not permissible,” *id.* (slip op. at 23) *Id.* (slip op. at 29). Under both *Vázquez y Torres* and *Loper Bright*, an agency commits legal error when it substitutes its own policy preferences for the statute’s text.

9. The Final Order must be reconsidered because it: (i) departs from substantial evidence; (ii) reaches conclusions of law inconsistent with the plain text of Act 114-2007; (iii) mischaracterizes Movants’ record positions; (iv) eliminates the inclining block residential energy rate contrary to the Bureau’s duty under Section 6.29B of Act 57-2014; (v) imposes a regressive fixed-charge increase contrary to Sections 1.4 and 1.5 of Act 17-2019; and (vi) leaves unresolved net-metering and DER cost-causation questions that Act 114-2007 directly governs.

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<sup>2</sup> Original Spanish: “[c]uando la ley es clara y libre de toda ambigüedad, su texto no debe menospreciarse [...]”.

<sup>3</sup> Original Spanish: “los tribunales no tienen que darle deferencia a la interpretación de derecho que haga una agencia simplemente porque la ley es ambigua”

### **III. RELEVANT FACTUAL AND PROCEDURAL BACKGROUND**

10. On June 30, 2023, the Energy Bureau opened the captioned docket to initiate the second adjudicative process to review PREPA's rates. SESA was granted intervention by Order issued on July 21, 2025; SUN was granted intervention by Order issued on August 21, 2025. The Bureau established rate-design filing requirements by Resolution and Order issued May 29, 2025.

11. Movants incorporate by reference: the Joint SUN-SESA Brief on Rate Design (Feb. 17, 2026) ("Joint Rate Design Brief"); the Joint SUN-SESA Brief on Legal and Policy Issues (Mar. 6, 2026) ("Joint Legal Issues Brief"); the Direct and Rebuttal Testimonies of E. Kyle Datta (SESA Exh. 55, 69); and the Direct and Rebuttal Testimonies of Dr. Ahmad Faruqui (SUN Exh. 56, 68).

12. On April 15, 2026, the Energy Bureau issued the Final Order, which, among other determinations: (a) increases the GRS fixed customer charge from \$4.00 to \$8.00 starting on July 1<sup>st</sup>, 2026 and to \$16.00 starting on July 1<sup>st</sup>, 2027 (Final Order, Ch. 7 at 54 (PDF p. 707)); (b) eliminates the two-tier inclining block residential energy rate for the GRS class beginning on July 1<sup>st</sup>, 2026 (FY27) by setting Tier 1 equal to Tier 2 (Final Order, Ch. 7 at 55, 58 (PDF pp. 708, 711)); (c) mischaracterizes Movants' Act 114-2007 arguments as ones that "would allow net-metering customers to enjoy system benefits paid for by others" and rules that "a fixed-charge increase that is based on cost causation and that treats all residential customers similarly does not violate Act 114" (Final Order, Ch. 7 at 54 (PDF p. 707)); (d) removes from base rates the \$1.0 million "Net Metering fee" that LUMA itself characterized as already paid from customer application fees, while also rejecting LUMA's \$2.3 million customer portal enhancement (Final Order, Ch. 3 at 280, 286 (PDF pp. 356, 362)); (e) excludes from base rates substantially all of LUMA's PBUT6 distribution-system DER-related capital request, conditioning any future recovery on a yet-to-be-defined cost-responsibility framework (Final Order, Ch. 3 at 63, 90–91 (PDF pp. 139, 166–167));

and (f) ignoring the statutory plain black-letter text of Act 114-2007 incorrectly concludes, in ¶ 18 of its Conclusions of Law in Chapter 8, that said law only “requires that any charges assessed on net-metering customers be just and not excessive or an obstacle to the development of renewable energy projects” and that the rate structures adopted in the Final Order “conform to these requirements” (Final Order, Ch. 8, ¶ 18 of Conclusions of Law, at 40 (PDF p. 767)).

#### **IV. THE BUREAU SHOULD RECONSIDER THE INCREASE OF THE GRS FIXED CUSTOMER CHARGE FROM \$4 TO \$8 (FY27) AND \$16 (FY28)**

##### ***A. The Increase Is Regressive and Contrary to the Affordability and Solidarity, and Equity Principles Codified in Act 57-2014 and Act 17-2019***

13. Section 1.5(1)(a) of Act 17-2019 declares that it is the public policy of the Government of Puerto Rico “[t]o guarantee that the cost of the electric power service in Puerto Rico be affordable, just, reasonable, and nondiscriminatory for all consumers in Puerto Rico.”

14. Section 1.4(vi) of Act 17-2019 codifies the “solidarity principle,” which expressly requires that “the design of the rate structure shall take into account the goal of providing affordable electricity prices to all consumers, particularly to low-income consumers.” Section 6.25(c) of Act 57-2014 also requires that the Bureau approve a rate, considering, among other criteria, “the conservation of energy and the efficient use of alternative energy resources.”

15. Quadrupling the GRS fixed charge in just over a year — from \$4.00 today to \$16.00 by July 2027, \$192 per year regardless of usage — is regressive on its face. Most of highest-consumption customers will remain largely unaffected and may even see lower bills, while customers consuming under 400 kWh/month will face higher bills. The Bureau’s own outreach materials acknowledge this cost-shift. Shifting cost from high-consumption (typically higher-income) customers to low-net-consumption (disproportionately low-income) customers is the

“discriminatory” outcome Section 6.21 of Act 57-2014 prohibits, and the inverse of the solidarity and equity principles Section 1.4 of Act 17-2019 commands.

16. The GRS class includes many low-income customers, many net-metering customers (who reduce net consumption through self-generation), and many highly efficient customers (who reduce gross consumption through conservation, weatherization, and high-efficiency appliances). Each subgroup bears a disproportionate share of the fixed-charge increase, and each is a subgroup Puerto Rico’s energy public policy intends to protect. As Dr. Faruqui testified, “[h]igh fixed charges will raise bills for low consumers of electricity. These tend to be people living by themselves in apartments or couples living in small or energy efficient homes. They also include people who have installed solar panels. All of these customers should be rewarded for contributing to Puerto Rico’s energy goals, not penalized.” Direct Testimony of Ahmad Faruqui, at page 13, lines 213-218 (SUN Exh. 56).

17. The Final Order’s reliance on Mr. Ming’s statement that “the link between customer usage and income has been shown to be small” (Final Order, Ch. 7 at 54 (PDF p. 707)) does not cure the result. An imperfect income-usage correlation does not allow the Bureau to disregard affordability when the rate-design choice concentrates the increase on the lowest-consumption customers, who include disproportionately low-income households. The outcome is regressive on its face<sup>4</sup>; the Bureau’s legal duty, however, is to avoid that cost-shift to comply with the specific

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<sup>4</sup> As expressed by the Bureau in the local newspaper of record, “*Según el NEPR, entre los abonados residenciales no subsidiados, el punto de corte estará en torno a los 404 kWh de consumo mensual: debido a la baja en los cobros volumétricos y el alza en el cargo fijo, aquellos con un consumo mayor verían una reducción en sus facturas, al tiempo que quienes utilicen menos energía pagarían más que al presente.*” “According to the Puerto Rico Energy Bureau, among non-subsidized residential customers, the break-even point would be around 404 kWh of monthly consumption: due to the reduction in volumetric charges and the increase in the fixed charge, those with higher consumption would see a decrease in their bills, while those who use less energy would pay more than they do currently. (Translation provided)”, *El Nuevo Día, Apuestan a uso de fondos federales para no subir la tarifa*, April 16, 2026, <https://www.pressreader.com/puerto-rico/el-nuevo-dia1/20260416/281500757827990>

affordability, solidarity and equity standards of Act 17-2019 and the “just, reasonable, and nondiscriminatory” requirement of Section 6.21 of Act 57-2014.

18. Gradualism is a well-recognized rate-design principle. SUN Exh. 56 (Faruqui Direct) at p. 13, lines 213-216 (“Gradualism is a well-established principle of rate design.”). The FY27/FY28 schedule imposes a 4x increase in little over 1 year, compounded by reclassification of the CILT and SUBA riders to fixed charges and the proposed Pension Rider as a fixed charge. Within three months the GRS minimum doubles to \$8; by July 2027 it reaches \$16 — before any kWh consumption. That cumulative outcome is not gradual and is inconsistent with the just-and-reasonable standard of Section 6.25(c) of Act 57-2014.

***B. The Increase Is Contrary to the Bureau’s Statutory Duty to Promote Energy Efficiency, Including the statutory mandate of Achieving the 30% Energy-Efficiency legal target by 2040***

19. Section 6.29B of Act 57-2014, as amended by Act 17-2019, expressly directs that “[t]he Energy Bureau shall ensure that Puerto Rico achieves the thirty percent (30%) energy efficiency goals by 2040,” and requires the Bureau to adopt regulations to establish energy-efficiency mechanisms and annual compliance goals to attain that goal. Section 1.5(5)(f) of Act 17-2019 directs the Bureau “[t]o establish demand response, demand-side management, and energy efficiency programs and strategies that take into account short-, medium-, and long-term goals and incentivize customers to become more energy efficient, with a focus that results in a reduction in costs and energy consumption.” The Bureau must “establish energy efficiency mechanisms and programs to gradually reach reasonable goals that ensure compliance with the energy public policy,” Section 6.3(i) of Act 57-2014.

20. A fixed charge that rises from \$4 to \$16/month sends the opposite economic signal. At \$192 per year for simply being connected to the grid without any consumption, the marginal value

of every conservation measure, efficiency upgrade, behavioral reduction, and kilowatt-hour of self-generation declines. Pairing the fixed-charge increase with elimination of the inclining block rate compounds the disincentive: the per-kWh marginal price for the lowest-consumption customers falls while their unavoidable monthly charge rises — disincentivizing efficient use and incentivizing waste.

21. Section 6.29B requires the Bureau to “ensure” the 30%-by-2040 efficiency goal is met. Approving a fixed-charge increase that mutes the efficiency price signal, while eliminating the tiered rate that reinforced that signal, is inconsistent with that duty. Reconsideration should either (a) preserve the \$4.00 minimum bill and the existing inclining block GRS rate; or (b) articulate on the record how the Final Order’s structure supports the 30%-by-2040 goal.

***C. The Increase Is a Disincentive to Solar Adoption and Therefore Violates  
Section 4(c) of Act 114-2007***

22. Section 4(c) of Act 114-2007, 22 L.P.R.A. § 1014, provides that “No direct or indirect charge shall be imposed on the generation of renewable energy by prosumers,” and that “the rate approved by the Bureau for net metering customers shall not be discriminatory or discourage entering into net metering agreements.” These prohibitions are mandatory statutory limits on the Bureau’s ratemaking authority — not policy preferences to be balanced.

23. As Movants showed in the Joint Rate Design Brief and the Joint Legal Issues Brief, a fixed charge rising from \$4 to \$16 is an indirect charge on prosumer renewable generation and a discouragement of new net-metering agreements. Net-metering customers reduce net consumption through self-generation, which lowers their volumetric charges. That volumetric reduction is the core economic value of solar-with-NEM in Puerto Rico. As the fixed-charge stack grows, more of

the customer's bill becomes immune to NEM offsets. The result is functionally equivalent to a charge on the renewable generation itself — the “indirect charge” Section 4(c) prohibits.

24. The same analysis answers the “discourage” prong. The rate adopted consisting of higher fixed charges and generally similar kWhr rates extend payback for a residential rooftop solar-plus-storage system. As Mr. Datta testified, the \$4.00 minimum bill is central to the customer value proposition because it lets customers redirect bill savings toward the monthly lease or loan payment — a structure that has enabled over 200,000 families to adopt net-metered solar with storage. Quadrupling the fixed charge reduces those savings, lengthens payback, and reduces customers' ability to finance solar — the textbook definition of “discouragement.” The Section 4(c) question is not whether some customers will still find solar economic at the higher charge, but whether the new charge discourages new NEM agreements compared to the prior structure. It does.

25. This is not a policy preference but a straightforward application of Section 4(c)'s plain text. As Section VI explains, the agency must apply clear and mandatory statutes as written. The proposed quadrupling cannot survive a faithful application of that text.

**V. THE BUREAU MUST RECONSIDER THE MATERIAL MISCHARACTERIZATION OF MOVANTS' POSITION ON ACT 114-2007 AT FINAL ORDER PAGE 54 (CHAPTER 1, P. 41 OF 42) AND PAGE 707 (CHAPTER 7, P. 54 OF 74)**

26. The Final Order mischaracterizes Movants' Act 114-2007 position in two distinct passages. First, at Chapter 1, page 41 of 42 (Final Order, PDF page 54), the Bureau states: “If a fixed monthly customer charge is based on the costs of serving the customer, and is applied uniformly to all similarly situated customers in a particular class, it does not discriminate against solar adopters just because it makes solar adoption less attractive. Extending SESA's argument would mean that any fixed charge above zero is unlawful because it makes solar adoption less attractive. That position has no support in any statutory provision.” Final Order, Ch. 1 at 41 (PDF

p. 54). Second, at Chapter 7, page 54 of 74 (Final Order, PDF page 707), the Bureau states: “Contrary to SESA’s and SUN’s arguments, a fixed-charge increase that is based on cost causation and that treats all residential customers similarly does not violate Act 114. Nothing in Act 114 grants net-metering customers an exemption from cost-based rate designs that treat similarly situated residential customers similarly. Extended logically, SESA’s and SUN’s argument would exempt net-metering customers from all fixed charges, merely because they reduce the savings from in net-metering. Such a rule would allow net-metering customers to enjoy system benefits paid for by others—a result that is unjust, unreasonable, and unduly discriminatory.” Final Order, Ch. 7 at 54 (PDF p. 707).

27. The summary mischaracterizes Movants’ record position. The mischaracterization is fourfold:

a) First, Movants do not contend that net-metering customers should “enjoy system benefits paid for by others.” Movants’ position — Joint Rate Design Brief at 11-17, Joint Legal Issues Brief at 4-9 — is that Section 4 imposes four independent statutory limits on the Bureau’s authority over net-metering customers: it prohibits direct or indirect charges on prosumer generation, non-bypassable charges that override net-consumption recovery, discriminatory charges, and charges that discourage NEM. Volumetric, net-consumption recovery does not exempt customers from cost responsibility — it allocates that responsibility on the basis the Legislature mandated.

b) Second, the “cost causation” defense is contested on the record. LUMA’s cost-of-service study classifies as “customer-related” substantial distribution-system O&M and general and administrative costs that are not customer-related under any conventional taxonomy. As Dr. Faruqui testified, the U.S. median residential fixed charge across 171 IOUs was \$10.84/month, and “The fixed charge cannot be used to recover all fixed costs of the utility.” SUN Exh. 56 (Faruqui Direct) at 11-12, lines 199-211. A fixed charge inflated by misclassified costs is not “cost causation” — it is the mechanism by which Section 4(c) is evaded.

c) Third, the “treats all residential customers similarly” rationale does not answer the legal question. A facially uniform charge can still be discriminatory in operation when the subclass’s defining characteristic (lower net consumption from renewable self-generation) bears the disproportionate burden. That is precisely the discrimination and discouragement Section 4(c) prohibits. The statute targets the indirect-charge effect on prosumer generation, not just facial classification.

d) Fourth, the Bureau’s footnote citation to SESA’s July 2023 Impacts of Devaluation of the NEM Policy analysis for the proposition that “few net-metering customers are low-income customers” misuses that source. The paper documents the income distribution of existing NEM installations as of mid-2023; it does not address the next 200,000 NEM adopters the rate design will discourage, nor the impact on the larger population of low-net-consumption non-NEM customers (low-income, single-occupancy, energy-efficient, and small multi-family households) — all similarly burdened.

**VI. THE BUREAU MUST RECONSIDER THE CONCLUSION OF LAW IN CHAPTER 8 (FINAL ORDER PAGE 767) THAT MISCHARACTERIZES THE OPERATIVE REQUIREMENT OF ACT 114-2007**

28. At Chapter 8, page 40 of 43 (Final Order, PDF page 767), the Final Order, in ¶ 18 of its Conclusions of Law, states the following: “Section 4 of Act 114-2007, as amended by Act 17-2019 (22 L.P.R.A. § 1014), reserves net-metering tariff determinations to the Energy Bureau, prohibits discriminatory or disincentivizing charges on net-metering customers, and requires that any charges assessed on net-metering customers be just and not excessive or an obstacle to the development of renewable energy projects. Rate structures adopted in this Order conform to these requirements.” Final Order, Ch. 8, ¶ 18 of Conclusions of Law, at 40 (PDF p. 767). That conclusion is a legal error and respectfully requires reconsideration.

29. First, the Conclusion of Law inaccurately states what Section 4 of Act 114-2007 (22 L.P.R.A. § 1014) requires. Section 4(b) requires net-metering credits and charges to be based on “net consumption.” Section 4(c) sets four mandatory prohibitions: (i) charges applicable to net-

metering customers may not modify the export-credit formula or net-consumption structure; (ii) no direct or indirect charge may be imposed on prosumer generation; (iii) rates may not be discriminatory; and (iv) rates may not discourage entering into NEM agreements. The Chapter 8 Conclusion collapses these four operative prohibitions into a vague “just and not excessive” standard. That is not the test the Legislature wrote.

30. When a statute speaks in clear and mandatory terms, an administrative agency must apply the law as written. It may not rewrite the statute under the guise of interpretation. That principle is binding Puerto Rico caselaw. In *Vázquez y Torres v. Consejo de Titulares Cond. Los Corales*, 2025 TSPR 56, 215 D.P.R. \_\_\_ (2025), the Puerto Rico Supreme Court held that “when the Legislature has expressed itself in clear and unequivocal language, the text of the law is the supreme expression of all legislative intent.” (Translation provided.)<sup>5</sup> *Id.*, sec. II.A.iii, n. 26 (citing *Spyder Media Inc. v. Mun. de San Juan*, 194 D.P.R. 547 (2016)). The *Vázquez y Torres* Court further made clear that the courts will not abdicate the judicial function in favor of an agency: “we cannot endorse the agency’s position that the judges ‘abdicate their judicial function and become automatons obliged to blindly respect [the agency’s] determinations.’” (Translation provided.)<sup>6</sup> *Id.*, sec. III. Echoing *Loper Bright*, the Court declared that “the interpretation of the law is a task that inherently belongs to the courts.” (Translation provided.)<sup>7</sup> *Id.*, sec. III.

31. That principle is fully consistent with the United States Supreme Court’s landmark decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 144 S. Ct. 2244 (2024), where

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<sup>5</sup> Original Spanish: “cuando el legislador se ha manifestado con un lenguaje claro e inequívoco, el texto de la ley es la expresión por excelencia de toda intención legislativa”.

<sup>6</sup> Original Spanish: “no podemos avalar la postura del DACo al pretender que los jueces ‘abdiquen su función judicial y se conviertan en autómatas obligados a respetar ciegamente sus determinaciones”.

<sup>7</sup> Original Spanish: “la interpretación de la ley es una tarea que corresponde inherentemente a los tribunales”.

the Court overruled *Chevron, U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837 (1984), and held in plain terms that “[c]ourts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority, as the APA requires.” *Loper Bright*, slip op. at 35. The Court instructed that “[c]ourts must exercise their independent judgment” even where the relevant statutory language is contested, because “agencies have no special competence in resolving statutory ambiguities. Courts do.” *Id.* (slip op. at 23). The proper question, the Court explained, is not whether the agency has offered a “permissible” reading: “In the business of statutory interpretation, if it is not the best, it is not permissible.” *Id.* Rather, the inquiry is whether “the statute authorize[s] the challenged agency action.” *Id.* (slip op. at 29). Under that standard, an agency commits legal error when it substitutes its own policy preferences for the statute’s text. *Loper Bright*’s reasoning is persuasive in Puerto Rico administrative law controversies precisely because, as the Tribunal Supremo recognized in *Vázquez y Torres*, “the LPAU is created inspired by the federal Administrative Procedure Act,” making “the federal court’s reasoning highly persuasive.” (Translation provided.)<sup>8</sup> *Vázquez y Torres*, 2025 TSPR 56, sec. II.B.ii. Act 114-2007 is clear and unambiguous; the rate determinations Movants challenge are not within the authority the statute confers on the Bureau.

32. Applied here, the legal error in the Chapter 8 Conclusion is plain. The Net Metering Act sets specific rules for compensation based on net consumption, prohibits discriminatory or discouraging charges, and bars direct or indirect charges on prosumer generation. The Bureau’s role is to implement that command, not alter it. By reading new limitations and reformulations into

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<sup>8</sup> Original Spanish: “la LPAU se crea inspirada por el Administrative Procedure Act . . . altamente persuasivo el razonamiento del foro federal”.

Section 4 that the Legislature did not place there, the Order does not interpret the statute — it amends it.

33. Reconsideration is therefore requested so the Bureau may either (a) restate the Conclusion of Law to track Section 4 of Act 114-2007 verbatim and apply that test to each rate-design determination; or (b) vacate the Conclusion of Law to the extent it reformulates Section 4’s requirements. Under either path, the operative question is whether the GRS fixed-charge increase, the elimination of the inclining block rate, the Pension Rider as a fixed charge, and related determinations conform to Section 4’s four specific prohibitions. As shown in Sections IV, V, and below, they do not.

**VII. THE BUREAU SHOULD RECONSIDER ITS DECISION TO ELIMINATE THE INCLINING (INVERTED) BLOCK RATE FOR THE GRS CLASS BEGINNING FY27**

34. The Final Order eliminates the existing two-tier inclining block residential energy rate for the GRS class by setting Tier 1 equal to Tier 2. Final Order, Ch. 7 at 58 (PDF p. 711) (“the flat energy charge for the GRS rate class, instead of an inclining block rate, can be implemented by updating the Tier 1 and Tier 2 rates to the same value”). The Bureau finds that “Mr. Faruqui’s proposal to increase the differentiation between tiers in the volumetric rate is not aligned with providing economically efficient price signals,” and that “Mr. Ming’s proposal to implement a flat energy rate instead of an inclining block rate better aligns with marginal costs while having a small impact on customer bills.” Final Order, Ch. 7 at 54 (PDF p. 707). The Bureau then concludes that “maintaining the tiered rate structure for the GRS rate class is not justifiable on the premise of affordability for low-income customers” because, “[a]s Mr. Shannon rightly explained, the LRS, RH3, and RFR customer classes have been established to provide discounts to low-income customers,” and “[r]ate design for those rate classes is therefore the appropriate place to address

issues relating to low-income customers.” Final Order, Ch. 7 at 55 (PDF p. 708). The Bureau retains the inclining block rate structure only for the LRS and RH3 rate classes, “set[ting] the Tier 2 energy charge equal to the GRS energy charge while providing a discounted Tier 1 energy charge,” and retains the existing rate design for the RFR class with the customer charges “set by statute.” Id.

35. Eliminating the GRS inclining block rate worsens the regressive cost-shift discussed above and conflicts with the Bureau’s duty under Section 6.29B of Act 57-2014 to “ensure that Puerto Rico achieves the thirty percent (30%) energy efficiency goals by 2040.”

36. Inclining block rates are a classic, statutorily authorized tool to encourage reduced consumption. As Mr. Datta and Dr. Faruqui both testified, they “make sense when energy costs rise with usage, and when power outages are common, as they do in Puerto Rico,” and constitute “a tiered pricing mechanism wherein the per-kilowatt-hour charge escalates with incremental consumption levels, thereby incentivizing demand-side management and safeguarding affordability for low-usage residential consumers.” Joint Rate Design Brief at 18-19. As consumption rises, the per-kWh price rises too — a stronger marginal price signal for conservation and efficiency. Eliminating the upper tier removes that signal.

37. The reasoning the Bureau adopted is not adequate to support eliminating the inclining block residential energy rate for the GRS class. The Bureau accepted Mr. Ming’s argument that a flat one-tier GRS energy charge “better aligns with marginal costs while having a small impact on customer bills,” Final Order, Ch. 7 at 54 (PDF p. 707), and adopted Mr. Ming’s further proposition that “the link between customer usage and income has been shown to be small,” with the Bureau’s observation that “[n]o parties presented compelling evidence to contradict this position.” Id. (citing Ming Report, PREB Ex. 61.0, at 90, para. 4). Movants respectfully submit that neither rationale

answers the relevant statutory question. Section 6.29B of Act 57-2014 directs the Bureau to “ensure” that Puerto Rico achieves the 30%-by-2040 energy-efficiency goal; it does not direct the Bureau to set residential energy rates exclusively at marginal cost. Sections 1.4(vi) and 1.5(1)(a) of Act 17-2019 direct the Bureau to take affordability into account in rate design particularly for low-income consumers; they do not authorize the Bureau to disregard affordability within a class on the ground that the consumption-to-income correlation is “small.” The Bureau’s rationale collapses two independent statutory commands — affordability and energy-efficiency — into a single marginal-cost test that neither statute supports.

38. The Bureau’s reliance on tiered structures in LRS, RH3, and RFR is misplaced. The Bureau states that “[r]ate design for those rate classes is therefore the appropriate place to address issues relating to low-income customers.” Final Order, Ch. 7 at 55 (PDF p. 708). But GRS itself includes many low-income, low-net-consumption, single-occupancy, energy-efficient, and net-metering customers who are not enrolled in LRS, RH3, or RFR. Tiered structures in other classes cannot resolve GRS affordability. Equally important, the GRS inclining block served two functions: it advanced affordability for lower-consumption GRS customers, and it advanced the 30%-by-2040 mandate by sending a stronger marginal price signal to the highest-consumption GRS customers. Other classes’ tiered rates do not send that signal to GRS customers and cannot substitute. Reconsideration should preserve the existing GRS inclining block rate, or initiate a discrete proceeding with a clear timeline to develop a strengthened version, as Movants requested in the Joint Rate Design Brief.

**VIII. THE BUREAU SHOULD CLARIFY ITS DISPOSITION OF LUMA’S NET METERING DEPARTMENT FUNDING AND THE PROPOSED CUSTOMER PORTAL ENHANCEMENT**

39. In Chapter 3, the Bureau approved LUMA’s Constrained Budget for Professional and Technical Outsourced Services within the Customer Experience Department but excluded (i) \$2.3 million for “enhancements to the Customer Portal” and (ii) \$1.0 million in “Net Metering costs,” because LUMA acknowledged that the \$1.0 million is funded by customer application fees: “LUMA includes Net Metering Program Costs in the amount of \$1.0 M in the Constrained Budget, but that is funded through the NEM application fee.” Final Order, Ch. 3 at 280 (PDF p. 356). The Bureau ruled: “The Energy Bureau also removes the proposed Net Metering fee which LUMA states will be paid from customer fees,” and approved the budget “excluding the proposed funding for the customer portal and Net Metering Fee.” Final Order, Ch. 3 at 286 (PDF p. 362).

40. Movants do not seek to fund the \$1.0 million NEM line item or the \$2.3 million portal enhancement. Movants seek clarification of two matters of statutory significance:

(a) That the \$1.0 million removal does not constitute approval of any new notification/application fee, nor any modification to the existing per-customer fee under Regulation 8915, nor any expansion of the \$300 Supplemental Study Fee, which was abolished for up to 25kW solar clients by the Legislature via Joint Resolution 5 of 2026. As the Bureau’s own analysis recognizes, what was removed is a budget line, not a fee. Movants ask the Bureau to make that distinction explicit on the face of the Final Order, in order to foreclose any future LUMA effort to recharacterize the \$1.0 million removal as a basis for raising or expanding a Regulation 8915 fee or for layering additional charges onto net-metering applicants.

(b) That LUMA shall be required to file, on at least an annual basis, a transparent accounting of (i) Regulation 8915 notification/application-fee revenues collected from prospective net-metering customers; (ii) Net Metering Department expenditures during the same period, broken down by function (interconnection-application processing, technical

evaluations, customer portal updates, IT systems supporting the NEM program, etc.); (iii) any unspent application-fee balance carried forward; and (iv) the unit cost per net-metering interconnection during the period. Such transparency is consistent with the Bureau's broader directive in this Final Order that LUMA segregate and document any cost recovery from individual interconnection customers, and is necessary to ensure that the Regulation 8915 notification/application fee, in operation, does not become an indirect charge on the generation of renewable energy by prosumers in violation of Act 114-2007.

41. Without that clarification, the Section VI problem — collapsing Section 4(c) into a vague “just and not excessive” test — persists in operation. The clarification is not to revisit the dollar removal but to confirm that LUMA's NEM-administration costs are recovered through the existing notification/application fee structure, not through a new, expanded, or redefined indirect charge on net-metering customers.

**IX. THE BUREAU SHOULD RECONSIDER AND CLARIFY THE TREATMENT OF LUMA'S PBUT1 AND PBUT6 DISTRIBUTED-GENERATION-RELATED EXPENDITURES SO THAT NO PORTION OPERATES AS A DIRECT OR INDIRECT CHARGE ON PROSUMER GENERATION IN VIOLATION OF ACT 114-2007**

42. LUMA's filing requested approximately \$51 million across PBUT1 and PBUT6 to “accommodate distributed generation,” including approximately \$46 million for “Distribution System Improvements (DER)” in PBUT6 and approximately \$12.8 million for “DG Interconnect and Net Metering” in PBUT1. OIPC argued both should be recovered from project proponents under Act 114-2007, and that LUMA's failure to disaggregate DER-driven capital prevented a “used and useful” determination for ratepayers as a whole.

43. The Bureau's Final Order excludes essentially all of PBUT6 from base rates “except” the “Distribution New Business (50kVA or more)” line item at \$7,000,000 per year for FY26, FY27, and FY28. Final Order, Ch. 3 at 63 (PDF p. 139). Within PBUT1, the Bureau approves DG Interconnect & Net Metering at approximately \$3.8 million / \$4.3 million / \$4.7 million across the

rate period, plus a \$1 million Renewable Energy Integration Plan in FY27, \$632,500 for PSSE Dynamic Data Collection in FY26, and \$0 across all years for Substation Grounding AntiTheft. The cross-reference within PBUT1 reads: “It is essential to exclude from base rates costs of studies necessary to interconnect distributed generation as well as net-metering customers. Those customers must bear the costs of those studies. LUMA’s request for DG Interconnect & Net Metering is reasonable only if it is strictly ring-fenced to ‘feeder-level Technical Evaluations’ that benefit the entire system.” Final Order, Ch. 3 at 90 (PDF p. 166). The Bureau further states: “If any portion of this amount subsidizes individual ‘Supplemental Studies’ that trigger a customer fee under Regulation 8915, it represents a double recovery.” Final Order, Ch. 3 at 91 (PDF p. 167).

44. The Final Order’s PBUT1 reference — “It is essential to exclude from base rates costs of studies necessary to interconnect distributed generation as well as net-metering customers. Those customers must bear the costs of those studies.” — must be reconciled with Section 4(c). To the extent it allocates upstream feeder-level evaluations or distribution-system reinforcements (which benefit all ratepayers) to net-metering customers as a class, it conflicts with Section 4(c)’s prohibitions on direct/indirect charges on prosumer generation and on charges that discourage NEM, and with the net-consumption basis for NEM rates. Reconsideration should clarify that (i) “those customers must bear the costs of those studies” refers only to individual project-specific Supplemental Studies under Regulation 8915, not to feeder-level evaluations or system upgrades; and (ii) any feeder-level technical-evaluation costs in PBUT1 are recovered system-wide as ordinary T&D costs, not allocated to net-metering customers as a class.

**X. THE BUREAU SHOULD RECONSIDER ITS DISPOSITION OF THE PENSION RIDER AS A FIXED PER-CUSTOMER CHARGE**

45. The provisional-rate order set the pension rider as a per-kWh charge but required LUMA to convert it to a fixed per-customer charge. A fixed per-customer pension charge is unlawful under Section 4 of Act 114-2007: Section 4(b) requires net-metering charges be based on “net consumption,” and Section 4(c) prohibits direct or indirect charges on prosumer generation, discriminatory charges, and charges that discourage NEM. Joint Legal Issues Brief at 7-9.

46. Shifting pension cost from a per-kWh charge to a fixed monthly fee “effectively dissociates part of a customer’s bill from consumption entirely, thereby diminishing the economic value of net metering for customers, customers that offset important portions of their load with their solar generation.” Joint Legal Issues Brief at 7. Low-net-consumption customers — net-metering participants, low-income households, and highly efficient customers — bear dramatic bill increases, while high-usage customers are rewarded. That outcome is precisely the indirect charge, discrimination, and discouragement Section 4(c) prohibits.

47. Movants request, on reconsideration, that the Bureau confirm the Pension Rider must remain a per-kWh, net-consumption-based charge. That is how it operates today and presents no legal issue. To the extent the Final Order leaves open conversion to a fixed per-customer charge in future compliance filings, reconsideration should foreclose that conversion as inconsistent with Section 4 of Act 114-2007.

48. Movants clarify that they fully support the decision of the PREB to provide permanent funding for the pension plan serving PREPA’s employees and retirees. This is a matter of

fundamental fairness to thousands of employees who faithfully contributed to the plan, even as their employer, PREPA, failed to meet its own funding obligations.

**XI. THE BUREAU SHOULD RECONSIDER THE STRUCTURE OF ANY FUTURE LEGACY DEBT RIDER PLACEHOLDER TO THE EXTENT IT WOULD OPERATE AS A NON-BYPASSABLE CHARGE**

49. As discussed in the Joint Legal Issues Brief at 6-7, LUMA (LUMA Ex. 362.5) proposed a \$0 Legacy Debt Rider (“LDR”) placeholder structured as a “non-bypassable” charge applied uniformly to all customers, including net-metering customers, regardless of net consumption. Movants reiterate that any future LDR structured as a “non-bypassable” charge would violate Section 4 of Act 114-2007.

50. A “non-bypassable” LDR by definition forces net-metering customers to pay regardless of their net consumption — violating Section 4(b)’s net-consumption basis and Section 4(c)’s prohibitions on indirect charges and discrimination against NEM customers.

51. Movants request that the Bureau confirm that any future LDR must be a per-kWh charge on net (not gross) consumption and may not be “non-bypassable”.

**XII. THE BUREAU ERRED BY RELYING ON THE TESTIMONY OF MR. BRANKO TERZIC, WHICH WAS AGREED TO BE EXCLUDED FROM THE RECORD**

52. Mr. Branko Terzic was scheduled to appear as an expert witness for cross-examination. Mr. Terzic’s sub rebuttal testimony addressed SUN’s expert witness, Dr. Ahmad Faruqui. However, Mr. Terzic was not available to be cross-examined.

53. Counsel for SUN advised LUMA that it looked forward to cross-examining Mr. Terzic. This, due to his comments and rebuttal to SUN’s expert witness, Dr. Faruqui.

54. On December 18, 2025, Luma's counsel, Yahaira De la Rosa Algarin, Esq., sent an email to all parties to this proceeding stating as follows:

“As directed by the Hearing Examiner, we discussed the testimony of LUMA witness Mr. Branko Terzic with Counsel for the Solar United Neighbors, who was the only counsel to express an interest in cross-examining this witness. We have reached an agreement to withdraw Questions 5-8 from LUMA Ex. 71 (Branko Terzic’s surrebuttal testimony).”

55. The R&O cites extensively Mr. Terzic’s testimony. This, even though he was unavailable to be cross-examined at the hearing and LUMA further agreed to withdraw such testimony from the record.

56. “Unavailability as a witness” includes situations in which the declarant: [...] “[...] is unable to be present or to testify due to illness”. Puerto Rico Rule of Evidence 806(A). Rule 806(B) further states that “[w]hen the declarant is unavailable as a witness, the following is admissible as an exception to the rule against hearsay:

(1) Testimony given as a witness at another hearing of the same or a different proceeding, or in a deposition taken in accordance with law in the same or another proceeding, **provided that the party against whom the testimony is now offered**—or a predecessor in interest in a civil action or proceeding—**had an opportunity and similar motive to develop the testimony by direct, cross, or redirect examination.**” (emphasis added).

57. Movants respectfully request PREB to remove Mr. Terzic’s testimony cited in Chapter Seven Page 44 of 74, from the Resolution and Order.

**XIII. ALL REFERENCES TO SESA SHOULD INCLUDE  
SOLAR UNITED NEIGHBORS (SUN)**

58. As ordered by the Hearing Examiner, SUN and SESA filed joint motions throughout the rate case. However, in several instances, the Final Resolution and Order references only SESA, without including SUN.

59. Considering the procedural history of this case, SUN respectfully submits that it should be referenced alongside SESA (as “SESA-SUN”) in the following sections:

- Chapter One Page 40 of 41 (page 53 of the R&O), including footnote 85.
- Chapter One Page 41 of 42 (page 54 of the R&O, *Effects on solar adoption*)

- Chapter Six Page 18 of 19 (page 615 of the R&O, “*SESA argues that a zero-dollar...*”) including footnote 63.
- Chapter Seven Page 68 of 74, footnote 225.

### **CONCLUSION AND PRAYER FOR RELIEF**

The challenged determinations cannot be reconciled with: (i) the plain text of Section 4 of Act 114-2007; (ii) the affordability, solidarity, equity, and nondiscrimination requirements of Sections 1.4 and 1.5 of Act 17-2019 and Sections 6.21, 6.25, and 6.29B of Act 57-2014; (iii) the Bureau’s duty to ensure the 30%-by-2040 efficiency goal; (iv) the substantial-evidence record, including the Datta and Faruqui testimonies; or (v) *Vázquez y Torres v. Consejo de Titulares* and *Loper Bright Enterprises v. Raimondo* on the limits of agency interpretive authority.

Movants preserve each argument above and all subsidiary statutory, regulatory, constitutional, evidentiary, and remedial objections in the evidentiary record for judicial review before the Puerto Rico Court of Appeals.

**WHEREFORE**, the Solar and Energy Storage Association of Puerto Rico and Solar United Neighbors respectfully request that the Honorable Puerto Rico Energy Bureau GRANT this Joint Motion for Reconsideration and modify the April 15, 2026, Final Resolution and Order on Electricity Rates to:

- (a) preserve the existing \$4.00 per month GRS minimum bill and reverse the increases to \$8.00 (FY27) and \$16.00 (FY28);
- (b) preserve the existing two-tier inclining block GRS energy rate beginning FY27 in lieu of the flat one-tier rate, or, in the alternative, initiate a discrete proceeding with a clearly prescribed timeline to develop and adopt a strengthened inclining block residential rate;
- (c) reconsider and correct the mischaracterization of Movants’ Act 114-2007 position at Final Order page 54 (Chapter 1, page 41 of 42) and page 707 (Chapter 7, page 54 of 74), and reach a conclusion of law on the merits that addresses, in full, the four specific prohibitions of Section 4 of Act 114-2007;

- (d) vacate or modify the Conclusion of Law in Chapter 8, page 40 of 43 (Final Order page 767) so that it tracks the operative text of Section 4 of Act 114-2007 and does not collapse the four clear and unambiguous statutory prohibitions into a single “just and not excessive” or “obstacle” standard;
- (e) clarify, regarding the \$1.0 million removal of the Net Metering Program Costs line item, that no new or expanded notification/application or supplemental study fee is approved by the Final Order, and that LUMA shall file an annual transparent accounting of Regulation 8915 notification/application-fee revenues, expenditures, and unspent balances;
- (f) make explicit that the Pension Rider must be recovered as a volumetric, net-consumption-based charge, and that any conversion to a fixed per-customer charge would be unlawful under Section 4 of Act 114-2007;
- (g) make explicit that any future Legacy Debt Rider must be structured consistent with Section 4 of Act 114-2007 and may not operate as a non-bypassable charge applied without regard to net consumption;
- (h) exclude from the Resolution and Order the testimony of Mr. Branko Terzic, which LUMA agreed to be excluded from the record due to his unavailability to be cross-examined by SUN;
- (i) include SUN alongside SESA when citing their joint motions in several sections of the Resolution and Order, and
- (j) grant such other and further relief as may be just and proper to bring the Final Order into harmony with Act 114-2007 Act 57-2014 and Act 17-2019.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 5th day of May 2026.

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## CERTIFICATE OF COMPLIANCE WITH WORD-COUNT LIMIT

SOLAR AND ENERGY STORAGE ASSOCIATION OF PUERTO RICO and SOLAR UNITED NEIGHBORS hereby CERTIFY that this Joint Motion for Reconsideration complies with the word-count limit established by the Hearing Examiner and applicable rules of the Energy Bureau, excluding the caption, table of contents, signature blocks, certificate of compliance, and certificate of service

*s/Javier Rúa-Jovet*

*s/Carlos J. Fernández Lugo*

*s/André J. Palerm Colón*

*s/Ramón Luis Nieves*

## CERTIFICATION OF SERVICE

WE HEREBY CERTIFY that this Joint Motion for Reconsideration was filed using the electronic filing system of this Energy Bureau and that electronic copies of this motion will be notified to the Hearing Examiner, Scott Hempling, [shempling@scotthemplinglaw.com](mailto:shempling@scotthemplinglaw.com); and to the attorneys of the parties of record.

A copy of the present Motion will also be notified to the following: the Puerto Rico Electric Power Authority, through Mirelis Valle-Cancel, [mvalle@gmlex.net](mailto:mvalle@gmlex.net); Juan González, [jgonzalez@gmlex.net](mailto:jgonzalez@gmlex.net); Alexis G. Rivera Medina, [arivera@gmlex.net](mailto:arivera@gmlex.net); Juan Martínez, [jmartinez@gmlex.net](mailto:jmartinez@gmlex.net); and Natalia ZayasGodoy, [nzayas@gmlex.net](mailto:nzayas@gmlex.net); Genera PR, LLC, through Jorge Fernández-Reboredo, [jfr@sbgblaw.com](mailto:jfr@sbgblaw.com); Giuliano Vilanova-Feliberti, [gvilanova@vvlawpr.com](mailto:gvilanova@vvlawpr.com); Maralíz Vázquez-Marrero, [mvazquez@vvlawpr.com](mailto:mvazquez@vvlawpr.com); Damaris Billoch-Colón, [dbilloch@vvlawpr.com](mailto:dbilloch@vvlawpr.com); [ratecase@genera-pr.com](mailto:ratecase@genera-pr.com); [regulatory@genera-pr.com](mailto:regulatory@genera-pr.com); and [legal@genera-pr.com](mailto:legal@genera-pr.com); LUMA Energy LLC, [ratecase@lumapr.com](mailto:ratecase@lumapr.com); Co-counsel for Oficina Independiente de Protección al Consumidor, [hrivera@jrsp.pr.gov](mailto:hrivera@jrsp.pr.gov); [contratistas@jrsp.pr.gov](mailto:contratistas@jrsp.pr.gov); [pvazquez.oipc@avlawpr.com](mailto:pvazquez.oipc@avlawpr.com); Co-counsel for Instituto de Competitividad y Sustentabilidad Económica, [jpouroman@outlook.com](mailto:jpouroman@outlook.com); [agraitfe@agraitlawpr.com](mailto:agraitfe@agraitlawpr.com); Co-counsel for National Public Finance Guarantee Corporation, [epo@amgprlaw.com](mailto:epo@amgprlaw.com); [loliver@amgprlaw.com](mailto:loliver@amgprlaw.com); [acasellas@amgprlaw.com](mailto:acasellas@amgprlaw.com); [matt.barr@weil.com](mailto:matt.barr@weil.com); [robert.berezin@weil.com](mailto:robert.berezin@weil.com); [Gabriel.morgan@weil.com](mailto:Gabriel.morgan@weil.com); [Corey.Brady@weil.com](mailto:Corey.Brady@weil.com); [alexis.ramsey@weil.com](mailto:alexis.ramsey@weil.com); Co-counsel for GoldenTree Asset Management LP, [lramos@ramoscruzlegal.com](mailto:lramos@ramoscruzlegal.com); [tlauria@whitecase.com](mailto:tlauria@whitecase.com); [gkurtz@whitecase.com](mailto:gkurtz@whitecase.com); [ccolumbres@whitecase.com](mailto:ccolumbres@whitecase.com); [iglassman@whitecase.com](mailto:iglassman@whitecase.com); [tmacwright@whitecase.com](mailto:tmacwright@whitecase.com); [jcunningham@whitecase.com](mailto:jcunningham@whitecase.com); [mshepherd@whitecase.com](mailto:mshepherd@whitecase.com); [jgreen@whitecase.com](mailto:jgreen@whitecase.com); Co-counsel for Assured Guaranty, Inc., [hburgos@cabprlaw.com](mailto:hburgos@cabprlaw.com); [dperez@cabprlaw.com](mailto:dperez@cabprlaw.com); [mmcgill@gibsondunn.com](mailto:mmcgill@gibsondunn.com); [lshelfer@gibsondunn.com](mailto:lshelfer@gibsondunn.com); [howard.hawkins@cwt.com](mailto:howard.hawkins@cwt.com); [mark.ellenberg@cwt.com](mailto:mark.ellenberg@cwt.com); [casey.servais@cwt.com](mailto:casey.servais@cwt.com);

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