

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

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IN RE:

REVIEW OF THE PUERTO RICO
ELECTRIC POWER AUTHORITY'S 10-
YEAR INFRASTRUCTURE PLAN-
DECEMBER 2020

CASE NO. NEPR-MI-2021-0002

**SUBJECT: Motion Submitting LUMA's
Attachment C- Global E&M Amendment**

**MOTION SUBMITTING LUMA'S ATTACHMENT C- GLOBAL E&M
AMENDMENT**

TO THE PUERTO RICO ENERGY BUREAU:

COME NOW LUMA Energy, LLC, and LUMA Energy ServCo, LLC, (jointly referred to as "LUMA"), through the undersigned legal counsel and respectfully submit the following:

I. Relevant Procedural Background

1. On February 5, 2026, this Honorable Puerto Rico Energy Bureau ("Energy Bureau") issued a Resolution and Order ("February 5th Order") addressing the Consolidated FEMA Accelerated Award Strategy ("FAASt") Project Plan ("Consolidated List") submitted by the Puerto Rico Electric Power Authority ("PREPA"), LUMA and Genera PR, LLC ("Genera").¹ The Energy Bureau found that LUMA's portfolio was materially impacted by the Consolidated List, which reduced active transmission and distribution ("T&D") projects from 571 to 282, leaving 289 projects designated as inactive. Accordingly, the Energy Bureau identified a subset of inactive projects included in Attachment A of the February 5th Order that must be resubmitted for reactivation using the reserved federal funding identified in the Consolidated List. Thus, the

¹ See *Informative Motion to Submit the Consolidated Project Plan* filed on August 8, 2025.

Energy Bureau established an Updated Allocation Framework to reallocate funding and reactivate priority T&D projects. *See*, February 5th Order, p. 4.

2. The February 5th Order also instructed LUMA to file an implementation plan within fifteen (15) calendar days identifying: (1) the specific estimated amount of funds that LUMA proposes to reconcile through the identification of duplication of funding between child projects and equipment and materials PWs cost overlaps, as well as any Section 406 mitigation-related adjustments (as applicable), (ii) confirmation that there are no additional T&D projects with identified or potential damages beyond those included in the inactive project list, and (iii) the estimated timeline required to complete such reconciliation actions in order to support the inclusion of priority inactive T&D projects consistent with the Updated Allocation Framework. *Id.*, pp. 4-5.

3. On February 11, 2026, the Energy Bureau issued another Resolution and Order (“February 11th Order”). After further evaluation of the projects identified in Attachment A of the February 5th Order, the Energy Bureau determined that modifying the Attachment A project list was appropriate to prioritize projects with higher incurred costs. Therefore, the Energy Bureau ordered PREPA to amend the Consolidated Project List to incorporate the projects identified in the revised Attachment A within ten (10) calendar days of the notification of the February 11th Order.

4. On March 2, 2026,² LUMA filed a *Motion Submitting LUMA’s Implementation Plan in Compliance with Resolutions and Orders of February 5 and February 11, 2026* (“March

² On February 17, 2026, LUMA filed a *Motion Requesting Extension of Time to Comply with Resolutions and Orders of February 5 and February 11, 2026*. Therein, LUMA requested the Energy Bureau to grant a ten (10) day extension, until March 2, 2026, to file the implementation plan in compliance with the aforementioned orders.

On February 19, 2026, the Energy Bureau granted LUMA’s request for extension.

2nd Motion”). Along with the March 2nd Motion, LUMA submitted four exhibits (together, the “March 2nd Filing”). **Exhibit 1**, LUMA’s Reconciliation Timeline & Incremental Projects, provided relevant details on the reconciliation timeline and support context for LUMA’s responses to the Energy Bureau’s requests for information as outlined in the February 5th Order. **Exhibit 2**, the FEMA Project Reconciliation, contained two tabs with detailed expected costs for both the Consolidated List projects and the Attachment A projects, which reflected cost duplication, overlaps, and Section 406-related adjustments. **Exhibit 3**, LUMA’s Urgent Incremental Priority Projects List, presented the list of projects identified beyond those included in the active list, divided between highest-priority projects and vegetation projects. Finally, **Exhibit 4**, LUMA’s Incremental Priority Projects List, presented the full set of incremental projects that LUMA would seek to execute if funding were available.

5. On May 14, 2026, LUMA filed a *Motion Submitting LUMA’S Adjusted Consolidated List, Proposed Attachment A, and Attachment B (Streetlights Projects)*. LUMA submitted a corrected Consolidated Project List to address data input and formula errors from the March 2nd Motion, along with a revised Attachment A proposing projects for reactivation and formulation under the \$636 million Section 428 cap for child projects. The filing also included a Streetlights Proposal as Attachment B, requesting authorization to remove the undergrounding scope from seventeen obligated streetlight projects, which LUMA estimates would generate approximately \$143 million in savings that could be redirected to reactivate forty additional streetlight projects. Throughout, LUMA emphasized that all project execution remains subject to established FEMA review processes, including determinations of eligibility, scope, cost reasonableness, and allowability.

6. In further compliance with the February 5th and 11th Orders, LUMA hereby submits “Attachment C,” which presents LUMA’s proposed amendment to the FEMA FAAS^t Global Equipment and Materials (“E&M”) allocation and the associated list of projects recommended for activation/reactivation using the freed funding capacity, as *Exhibits 1 and 2* to this Motion.

7. “Attachment C” serves two purposes: first, it identifies inactive and incremental projects or programs that have already incurred costs, such as E&M expenditures, and that warrant reactivation or initiation through the FEMA FAAS^t process. Second, it proposes an amendment to the Global FAAS^t for E&M to align allocations with existing contractual commitments. LUMA respectfully requests the Energy Bureau to approve both elements as an integrated funding and activation strategy. Under this approach, the proposed amendment would release Section 428 funding to activate/reactivate the projects identified in Attachment C, many of which have already incurred costs and would be eligible for reimbursement once reintegrated into the FEMA FAAS^t pipeline.

8. LUMA's contractual commitments under the E&M Global FAAS^t, across all requests and projects, total approximately \$1.16 billion. Accordingly, LUMA proposes a \$500 million reduction to the Global FAAS^t for E&M, bringing the current allocation of approximately \$1.66 billion down to a level that reflects confirmed obligations. The \$500 million made available through this amendment would be redirected to activate/reactivate the projects and programs identified in Attachment C, subject to applicable FEMA versioning and eligibility determinations and consistent with the Energy Bureau's Updated Allocation Framework.

9. As such, LUMA respectfully requests that the Energy Bureau: (1) approve the amendment to the Global FAAS^t for E&M, reducing the allocation by \$500 million to align with the approximately \$1.16 billion contractual obligations; (2) authorize the activation/reactivation

of the projects/programs listed in Attachment C upon completion of FEMA versioning and acknowledgement of the amended allocation; (3) authorize the continued pipeline status of incremental projects with incurred E&M costs pending reimbursement, consistent with program rules and Energy Bureau oversight; and (4) confirm that freed funding may be redeployed to eligible child projects under Section 428, thereby maximizing allocated funds and minimizing ratepayer impact consistent with the Energy Bureau's Updated Allocation Framework.

WHEREFORE, LUMA respectfully requests that the Energy Bureau **take notice** of the aforementioned; **approve** the amendment to the Global FAAS_t for E&M in the enclosed Attachment C as *Exhibits 1 and 2* to this Motion; **authorize** the activation/reactivation of the projects/programs listed in Attachment C upon completion of FEMA versioning and acknowledgement of the amended allocation and the continued pipeline status of incremental projects with incurred E&M costs pending reimbursement, consistent with program rules and Energy Bureau oversight; and **confirm** that freed funding may be redeployed to eligible child projects under Section 428, thereby maximizing allocated funds and minimizing ratepayer impact consistent with the Energy Bureau's Updated Allocation Framework.

RESPECTFULLY SUBMITTED.

We hereby certify that we filed this Motion using the electronic filing system of this Energy Bureau. We will send an electronic copy of this Motion to PREPA via Alexis Rivera, alexis.rivera@prepa.pr.gov, and through its counsel of record, Natalia Zayas Godoy, nzayas@gmlex.net, Richard Cruz Franqui, rcruzfranqui@gmlex.net, and Mirelis Valle Cancel, mvalle@gmlex.net, to Genera PR LLC, through its counsel of record, Jorge Fernández-Reboredo, jfernandez@ecija.com, José J. Díaz Alonso, jdiaz@ecija.com, and Ernesto R. Ramos Maldonado, eramos@ecija.com.

In Guaynabo, Puerto Rico, on the 22nd of May 2026.



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Exhibit 1

LUMA's Attachment C

LUMA's Attachment C

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May 22, 2026



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LUMA's Attachment C

1.0 Introduction

In accordance with the Resolution and Order (R&O) dated February 5, 2026 ("February 5 Resolution"), issued by the Puerto Rico Energy Bureau (Energy Bureau) in Case No. NEPR-MI-2021-0002, as modified by the R&O issued on February 11, 2026 ("February 11 Resolution"), LUMA is required to address the three directives established under the February 5 Resolution. These directives generally require the Parties to provide reconciliation plans, validation updates, confirmation of system damages, and implementation schedules intended to support the activation of priority projects. The purpose of this submission is to support the Energy Bureau's oversight responsibilities and to facilitate the coordinated execution of projects with the Puerto Rico Electric Power Authority (PREPA), the Federal Emergency Management Agency (FEMA), and the Central Office for Recovery, Reconstruction, and Resiliency (COR3).

The principal focus of this filing is **Attachment C**, which presents LUMA's proposed amendment to the FEMA FAASSt Global Equipment and Materials (E&M) allocation and the associated list of projects recommended for activation or reactivation using the released funding capacity. **Attachment C** presents an integrated strategy to maximize the use of Section 428 funding, advance grid resilience, and minimize ratepayer impacts by returning projects with incurred costs to the FEMA FAASSt pipeline for review, obligation, and reimbursement.

All amounts, quantities, durations, and status characterizations included in this submission reflect LUMA's current planning information and are provided to assist the Energy Bureau in evaluating implementation sequencing. These values remain subject to FEMA and COR3 reconciliation and review procedures. They do not represent final determinations and are not effective for funding purposes unless and until FEMA obligates funds through the applicable Public Assistance (PA) mechanisms.

2.0 Procedural Background and Framework

The submission aligns with the Energy Bureau's Updated Allocation Framework and the directives set forth in the February 5 and February 11 Resolutions. It is structured to propose an amendment to the Global FAASSt for E&M, aligning the current allocation with contractual commitments and releasing funding capacity for the activation or reactivation of eligible projects, particularly those included in **Attachment C**.

This procedural framework enables the Energy Bureau to ensure coordinated execution among LUMA, PREPA, FEMA, and COR3, while safeguarding against duplicative funding, preserving ratepayer protections, and facilitating the orderly activation of projects consistent with federal rules and the Energy Bureau's Updated Allocation Framework.

3.0 Attachment C – Global E&M Amendment

Attachment C, included in Exhibit 2, (i) identifies inactive and incremental projects or programs that have costs incurred, such as E&M costs, and merit inclusion for reactivation or initiation in the FEMA FAASSt process, and (ii) presents a targeted amendment to the Global FAASSt for E&M to align allocations with contractual commitments. LUMA requests the Energy Bureau's approval of both elements as an integrated funding and activation strategy, whereby the amendment releases Section 428 funding to

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activate and reactivate the projects listed in **Attachment C**, many of which have incurred costs and are eligible for reimbursement once reentered into the FEMA FAASSt pipeline.

LUMA's contractual commitments under the E&M Global FAASSt across all requests and projects total approximately \$1.16 billion. LUMA therefore proposes to reduce the Global FAASSt for E&M by \$500 million, from the current allocation of approximately \$1.66 billion to a level consistent with confirmed obligations. The \$500 million released by this amendment will be directed to the activation or reactivation of the projects and programs listed in **Attachment C**, contingent on applicable FEMA versioning and eligibility determinations, consistent with the Energy Bureau's Updated Allocation Framework. This approach ensures efficient use of obligated resources, supports orderly reactivation, and sustains compliance with federal funding requirements.

Quantitative Basis and Allocation Context

LUMA's Section 428 allocation is derived as follows, based on PREPA's August 8, 2025, filing:

- **Child projects:** \$3,094,959,015.10
- **Global FAASSt for E&M:** \$1,655,842,548 (LUMA's portion of the total obligation)
- **Global FAASSt for A&E:** \$965,111,111 (LUMA's portion of the total obligation)
- **Subtotal:** \$5,715,912,674
- **Funding identified by the Energy Bureau:** \$636,808,933
- **Total Section 428 allocation:** \$6,352,721,607¹

Proposed Allocation Based on Current Funding

Upon amendment of the Global FAASSt for E&M, the allocation would be revised as follows:

- **Child projects:** \$4,231,767,948.10
- **Global FAASSt for E&M (Amended):** \$1,155,842,548 (LUMA's updated portion of the total obligation)
- **Global FAASSt for A&E:** \$965,111,111 (LUMA's portion of the total obligation)
- **Total:** \$6,352,721,607

This reallocation ensures compliance with FEMA allowability requirements, aligns Section 428 resources to actual needs, and maximizes available funding for eligible child projects.

Attachment C – Activation and Reactivation Funding Mechanism

Attachment C enumerates the projects and programs proposed for activation or reactivation using the \$500 million released from the E&M amendment. The Attachment prioritizes:

¹ LUMA incorporates the funding identified by the Energy Bureau in its February 5th Resolution of \$636,808,933, resulting in LUMA's current Section 428 allocation of \$6,352,721,607.

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- Projects with incurred costs (particularly Child and E&M projects), requiring reactivation into the FEMA FAAS pipeline to enable review, obligation, and reimbursement while minimizing ratepayer exposure
- Projects aligned with the Updated Allocation Framework that offer measurable grid resilience, reliability, and safety benefits
- Non-duplicative funding placements consistent with FEMA allowability, scope, and cost-reasonableness standards

Once the Energy Bureau approves this amendment, LUMA will submit the amended allocations and corresponding versioning materials to FEMA and COR3 for their review and approval. Following FEMA's completion of the eligibility and versioning processes, the projects identified in **Attachment C** will proceed to activation or reactivation.

Public Interest, Ratepayer Impact, and Efficiency

By executing the E&M amendment and subsequently activating or reactivating the projects in **Attachment C** once the amendment is approved, LUMA advances public interest and ratepayer protection objectives:

- **Maximization of Section 428 funds:** Broadened activation of reconstruction projects through the redeployment of released funding capacity to accelerate system resilience outcomes and increase pipeline volume
- **Ratepayer impact mitigation:** Return of projects with incurred costs to the FAAS pipeline for federal reimbursement to minimize fiscal risk and exposure to ratepayers
- **Efficiency and compliance:** Alignment of E&M allocations with contractual commitments to tighten fiscal governance, avoid overallocation, and ensure consistent application of released resources to eligible child projects

4.0 Request

LUMA respectfully requests that the Energy Bureau:

- I. Approve the amendment to the Global FAAS for E&M, reducing the allocation by \$500 million to align with approximately \$1.16 billion in contractual commitments
- II. Approve the activation or reactivation of the projects and programs listed in **Attachment C** upon completion of FEMA versioning and approval of the amended allocation
- III. Authorize the continued pipeline status of incremental projects with incurred E&M costs pending reimbursement, consistent with program rules and Energy Bureau oversight
- IV. Confirm that released funding may be redeployed to eligible child projects under Section 428, thereby maximizing allocated funds and minimizing ratepayer impact consistent with the Energy Bureau's Updated Allocation Framework

Exhibit 2

[Excel spreadsheet to be submitted via email]